

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

October 14, 2013—7:00 p.m.

AGENDA

I. INVOCATION

The Reverend Dale Crank with Oak Ridge Alliance Church

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPEARANCE OF CITIZENS

V. PROCLAMATIONS AND PUBLIC RECOGNITIONS

- a. A proclamation designating October 2013 as "National Disability Employment Month."
- b. A proclamation designating October 11, 2013 as "Day of the Girl."
- c. Presentation of a Tennessee Valley Authority (TVA) certificate to the City of Oak Ridge declaring the City as a platinum level sustainable community.

VI. SPECIAL REPORTS

(NONE)

VII. CONSENT AGENDA

- a. Approval of the September 9, 2013 City Council Meeting minutes.
- b. Approval of the September 17, 2013 City Council Special Meeting minutes.
- c. Approval of the September 23, 2013 City Council Special Meeting minutes.
- d. Approval of the September 23, 2013 City Council Work Session meeting minutes.
- e. Adoption of a Proclamation in recognition of Informational International Association, Inc. (IIA)'s 25th Anniversary.
- f. Adoption of a resolution to accept a grant from the State of Tennessee, Department of Transportation, Governor's Highway Safety Office, in the amount of \$25,299.40 to be used for traffic enforcement and safety improvements.
- g. Adoption of a resolution awarding a bid in the estimated amount of \$70,185.00 to Wesco Distribution, Inc., Chattanooga, Tennessee, for the furnishing of single-phase pole mounted transformers for use by the Electric Department.

VIII. RESOLUTIONS

- a. A RESOLUTION AWARDING A CONTRACT (FY2014-35) TO MORGAN CONTRACTING, INC., BAKER, FLORIDA, FOR THE REHABILITATION OF PORTIONS OF THE WASTEWATER COLLECTION AND TRANSPORTATION SYSTEM AS REQUIRED FOR COMPLIANCE WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY ADMINISTRATIVE ORDER, SAID CONTRACT IN THE ESTIMATED

AMOUNT OF \$4,205,603.00.

- b. A RESOLUTION TO APPROVE AN AGREEMENT WITH STEVE JONES FOR ECONOMIC DEVELOPMENT SERVICES FOR THE REMAINDER OF FISCAL YEAR 2014 IN THE AMOUNT OF \$28,000.00.

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

(NONE)

X. FINAL ADOPTION OF ORDINANCES

- a. AN ORDINANCE TO AMEND ORDINANCE NO. 27-85, TITLED "A PERSONNEL PLAN FOR EMPLOYEES OF THE CITY OF OAK RIDGE, TENNESSEE," AS AMENDED, BY DELETING SECTION 5.1, TITLED "COMPENSATION PHILOSOPHY AND POLICY," AND SUBSTITUTING THEREFOR A NEW SECTION 5.1 TITLED "COMPENSATION PHILOSOPHY AND POLICY"; BY ADDING A NEW SECTION 6.11, TITLED "BONUSES"; BY DELETING SUBSECTION B OF SECTION 7.3, TITLED "APPOINTMENTS," AND SUBSTITUTING THEREFOR A NEW SUBSECTION B; AND DELETING ARTICLE 10, TITLED "GRIEVANCE PROCEDURE," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW ARTICLE 10, TITLED "GRIEVANCE PROCEDURE," ALL FOR THE PURPOSE OF UPDATING THE PERSONNEL PLAN.
- b. 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 ITS ENTIRETY, AND SUBSTITUTING THEREFOR A NEW SCHEDULE OF WATER RATES.
- c. AN ORDINANCE TO AMEND ORDINANCE NO. 21-82, AS AMENDED, BY DELETING THE PROVISION OF SECTION 13 PERTAINING TO THE SCHEDULE OF WASTEWATER RATES IN ITS ENTIRETY, AND SUBSTITUTING THEREFOR A NEW SCHEDULE OF WASTEWATER RATES.

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

a. Elections/Appointments

- i. Election of one (1) applicant to the Oak Ridge Heritage Railroad Authority for a three (3) year term of office commencing on October 10, 2013.
- ii. Presentation of the 2013 Election Notice for the end-of-year vacancies and expiring terms.

b. Announcements

c. Scheduling

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. SUMMARY OF CURRENT EVENTS

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

XIV. ADJOURNMENT

**PROCLAMATIONS
AND
PUBLIC RECOGNITIONS**

CITY CLERK MEMORANDUM

13-47

DATE: September 27, 2013

TO: Honorable Mayor and Members of City Council

FROM: Diana R. Stanley, City Clerk

SUBJECT: PROCLAMATIONS AND PUBLIC RECOGNITIONS

The following proclamations are presented for the October 14, 2013 City Council meeting:

National Disability Employment Month

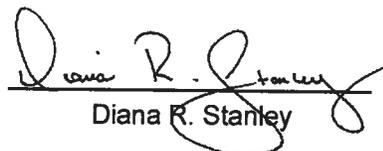
A proclamation for City Council's consideration is in response to a request from Ms. Robin Biloski, Development Director of the Emory Valley Center to proclaim October 2013 as "National Disability Employment Month."

The proclamation will be accepted Emory Valley Center employees.

Day of the Girl

A proclamation for City Council's consideration is in response to a request from Ms. Alanna Hunsaker with Girls Incorporated of Oak Ridge to proclaim October 11, 2013 as "Day of the Girl."

The proclamation will be accepted by Ms. Hunsaker.


Diana R. Stanley

Attachments:

National Disability Employment Month Proclamation
Day of the Girl Proclamation

PROCLAMATION

WHEREAS, in October, Americans observe National Disability Employment Awareness Month by paying tribute to the accomplishments of the men and women with disabilities whose work helps keep the nation's economy strong; and

WHEREAS, this observation day is also a chance for Americans to reaffirm their commitment to ensure equal opportunity and employment is possible for all citizens; and

WHEREAS, the effort to educate the public about the issues related to disability and employment began in 1945 when Congress enacted Public Law 176, declaring the first week of October each year as "National Employ the Physically Handicapped Week;" and

WHEREAS, in 1962, the word "physically" was removed to acknowledge the employment needs and contributions of individuals with all types of disabilities; and

WHEREAS, some 25 years later, Congress expanded the week to a month and changed the name to "National Disability Employment Awareness Month;" and

WHEREAS, this year's theme "Because We Are EQUAL to the Task" reflects the reality that people with disabilities have the education, training, experience, and desire to be successful in the workplace.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE that the month of October 2013 be proclaimed

NATIONAL DISABILITY EMPLOYMENT MONTH

in the City of Oak Ridge, Tennessee, and that all citizens be urged to observe this month with appropriate programs that affirm our determination to fulfill the promise of the *Americans with Disabilities Act* and achieve full employment for people with disabilities.

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 14th day of October in the year 2013.

THOMAS L. BEEHAN
MAYOR

PROCLAMATION

WHEREAS, although there have been monumental strides in promoting gender equality in America and around the world, there still remains noticeable differences between the respect and treatment of men over women; and

WHEREAS, in an attempt to advocate for gender equality in the world, Girls Incorporated of Oak Ridge and other local and state agencies has brought the celebration of Day of the Girl to Oak Ridge; and

WHEREAS, Girls Inc. is a national nonprofit organization whose origins date back to 1864; and

WHEREAS, since 1976, Girls Inc. of Oak Ridge has worked to teach girls how to advocate for themselves and their communities while building self-confidence, expanding their horizons, and preparing girls of today to become women of tomorrow;

WHEREAS, the Day of the Girl is dedicated to informing girls about problems affecting girls and helping them overcome these obstacles by empowering them to be *strong*, *smart*, and *bold* while urging them to realize their potential and follow their dreams.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that October 11, 2013 be proclaimed

DAY OF THE GIRL

in the City of Oak Ridge, Tennessee, and that all citizens join Girls Inc. of Oak Ridge in their celebration, and show appreciation to all of the city's girls and women for their contributions to Oak Ridge that help to make the City the great place that it is today.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed this 14th day of October in the year of 2013.

THOMAS L. BEEHAN
MAYOR

COMMUNITY DEVELOPMENT MEMORANDUM

13-40

DATE: September 27, 2013
TO: Mark S. Watson, City Manager
THROUGH: Kathryn G. Baldwin, Community Development Director *KGB*
FROM: Athanasia Senecal Lewis, Community Development Specialist
SUBJECT: VALLEY SUSTAINABLE COMMUNITIES PROGRAM CERTIFICATION

The City of Oak Ridge is being recognized by the Tennessee Valley Authority (TVA) as a platinum level sustainable community.

Earlier this year the City of Oak Ridge was selected to participate in TVA's Sustainable Communities Program, an Economic Development Initiative, designed to attract employers and create jobs. The Tennessee Valley Authority Economic Development department (TVA ED) and Boyette Strategic Advisors (BSA) worked with the City and its sustainability team to develop an inventory of sustainability initiatives in the community. The sustainability team, comprised of representatives from City staff, Oak Ridge City Council, the Environmental Quality Advisory Board, the Oak Ridge Chamber of Commerce, the Oak Ridge National Laboratory, Y-12 National Security Complex, the University of Tennessee Forest Resources AgResearch and Education Center, Roane State Community College, and Oak Ridge Associated Universities, participated in a series of conference calls, meetings, and a tour to complete an inventory of existing sustainability initiatives in Oak Ridge. Upon completion of the inventory, TVA ED and BSA evaluated the sustainability-related programs and projects and certified the City as a platinum level sustainable community.

TVA is recognizing the City of Oak Ridge by presenting a certificate at the October 14, 2013 City Council Meeting in recognition for the City's commitment to sustainability. The recognition will also be posted on the TVA website, along with marketing messages specific to Oak Ridge.


Athanasia Senecal Lewis

CONSENT AGENDA

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

September 9, 2013

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on September 9, 2013, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

INVOCATION

The Invocation was delivered by the Reverend Joseph Westfall, West Village Christian Church.

PLEDGE OF ALLEGIANCE

Mr. Kelly Callison led the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL

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

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

Agenda Amendment

Councilmember Hensley moved, seconded by Councilmember Baughn to amend the agenda to include State Forms CT-0253 Report on Debt Obligation, for presentation and informational purposes, for the Waterworks Interfund Loan Capital Outlay Note. The motion was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

APPEARANCE OF CITIZENS

Mr. Keys Fillauer, 17 Palisades Parkway, Chairman of the Board of Education representing the Board of Education and the Superintendent of Schools, commented about the School's Maintenance of Effort issues being discussed in the press by the City, as opposed to joint discussions and/or a joint meeting of the Board of Education and City Council.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

(NONE)

SPECIAL REPORTS

Airport Presentation by Billy Stair, Metropolitan Knoxville Airport Authority.

Mr. Billy Stair provided an update on the Oak Ridge Airport Project which included the following topics:

- Project Origins
- Mission and Mandates
- Site Evaluations
- Milestones
- Ownership and Management
- Data on pilots and aircrafts
- Estimates Costs
- Airport Usage

- Noise Environment
- Primary Purpose
- On-Coming Project Phases
- Anticipated Construction Phases

Mr. Stair also responded to questions and comments of City Council. The presentation was informational purposes only; no action taken.

Presentation of State Forms CT-0253 Report on Debt Obligation for the 2013 Series General Obligation Bonds.

Finance Director Janice McGinnis noted that the form was related to the \$23,205,000.00 General Obligation Bonds, Series 2013 and provided a brief overview of the debt issuance. Ms. McGinnis noted that a presentation at a public meeting was part of a new requirement from the State of Tennessee Comptroller's Office when a city issues debt and that the item was presented for informational and discussion purposes of City Council.

Presentation of State Forms CT-0253 Report on Debt Obligation for the Waterworks Interfund Loan Capital Outlay Note.

Finance Director Janice McGinnis remarked that the form was related to the Interfund Loan from the General Fund to the Waterworks Fund, and reviewed the timeline of this loan while responding to questions of City Council. Again, Ms. McGinnis noted that a presentation at a public meeting was part of a new requirement from the State of Tennessee Comptroller's Office when a city issues debt and that the item was presented for informational and discussion purposes of City Council.

CONSENT AGENDA

The City Clerk noted the a name correction needed to occur on page 7 of the August 12, 2013 City Council Meeting minutes for Ms. Kimberly Fisher as Councilmember Baughn had indicated that her business website listed her last name as Bell. The City Clerk requested that "Fisher" be displayed in parentheses as that was how the utility account listed her last name and to place "Bell" after.

Councilmember Baughn moved to remove an item titled "A resolution awarding two contracts (FY2014-30 and FY2014-31) to Dixie Roofing, Inc., Lafollette, Tennessee, for the replacement of metal and member roofs at the Water Treatment Plant, said contracts in the estimated amounts of \$170,575.00 and \$241,395.00, respectively."

Councilmember Hope moved, seconded by Councilmember Hensley to approve the remainder of the Consent Agenda with the noted correction on the August 12, 2013 City Council Meeting minutes. The motion was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," thereby:

- Approving the corrected August 12, 2013 City Council Meeting minutes.
- Approving the August 26, 2013 City Council Special Meeting minutes.
- Approving the August 26, 2013 City Council Work Session minutes.
- Adopting **Resolution No. 09-82-2013** authorizing the City to submit a grant application to the Tennessee Municipal League Risk Management and accept said grant if approved.
- Adopting **Resolution No. 09-83-2013** awarding a contract to Loudon County Fence, LLC, Lenoir City, Tennessee, for the installation of fencing for the dog

park at Big Turtle Park in the estimated amount of \$27,767.00.

- Adopting **Resolution No. 09-84-2013** awarding a bid in the estimated amount of \$101,871.00 to Wesco Distribution, Inc., Chattanooga, Tennessee, for the furnishing of underground electric cable.
- Adopting **Resolution No. 09-85-2013** authorizing the submittal of a grant application to the Tennessee Department of Transportation (TDOT) for an Operating Assistance Grant to reimburse the City for up to fifty percent (50%) of the net operating expenses of the City's Public Transportation Program in the estimated amount of \$165,533.00, and to accept said grant if approved by TDOT.
- Adopting **Resolution No. 09-86-2013** to authorize the use of approximately \$25,000.00 from the Special Programs Fund for pedestrian crosswalk safety improvements on Emory Valley Road at the Emory Valley Center.

Removed from the Consent Agenda

Resolution No. 09-87-2013

A resolution awarding two contracts (FY2014-30 and FY2014-31) to Dixie Roofing, Inc., LaFollette, Tennessee, for the replacement of metal and member roofs at the Water Treatment Plant, said contracts in the estimated amounts of \$170,575.00 and \$241,395.00, respectively.

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

Following the City Manager's briefing of the roof replacement, the resolution was approved by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember Baughn voting "Nay."

RESOLUTIONS

Resolution No. 09-88-2013

A RESOLUTION AUTHORIZING THE CITY TO PURCHASE ONE (1) SUTPHEN FIRE ENGINE AND LEASE-PURCHASE TWO (2) SUTPHEN FIRE ENGINES FROM SUTPHEN CORPORATION IN THE ESTIMATED AMOUNT OF \$1,446,437.00.

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

Oak Ridge Fire Chief Darryl Kerley responded to inquiries regarding the purchasing approach of the fire trucks by explaining that the available funds contributed by the Fire Department for equipment replacement would allow for three (3) simultaneous purchases and stressed that the synchronized purchasing would assist with equipment continuity.

Mr. Jeff Collins, 124 Tabor Road, commented that there was a more cost-effective means to pursue this avenue by purchasing stock fire trucks, and noted that a priority dispatching system that distinguishes between the emergency and non-emergency calls would have significant savings to the Fire Department in its usage of the fire trucks.

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

Resolution No. 09-89-2013

A RESOLUTION TO EXTEND THE EMPLOYEE MEDICAL INSURANCE CONTRACT BETWEEN THE CITY OF OAK RIDGE AND THE STATE OF TENNESSEE LOCAL GOVERNMENT HEALTH INSURANCE PROGRAM FOR THE PERIOD OF JANUARY 1, 2014 THROUGH DECEMBER 31, 2014

AT AN ESTIMATED COST OF \$4,520,000.00.

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

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

Resolution No. 09-90-2013

A RESOLUTION MAKING AWARDS TO ALTERNATE STAFFING, INC.; ATWORK SOLUTIONS, INC.; EXPRESS EMPLOYMENT PROFESSIONALS; FIRST PLACE FINISH; ROBERT HALF INTERNATIONAL (ACCOMTEMPS AND OFFICE TEAM); STAFFING SOLUTIONS; TEMP SYSTEMS, INC.; AND TRINITY CONTRACTING SERVICES CO., LLC, FOR FURNISHING AS NEEDED TEMPORARY EMPLOYMENT SERVICES FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$225,000.00.

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

The City Manager noted that the City had submitted requests for temporary/part-time employment services that were originally part of the City’s annual orders.

Following inquires of Councilmember Baughn related to temporary employment services provided by First Place Finish, Materials Management Manager Lyn Majeski explained the request process and noted that the companies would be chosen based on the best rate and need.

Ms. Laurel Patrick, Chief Executive Officer (CEO) and Owner of First Place Finish, responded that her company had applied to a Request for Proposal for general labor, not clerical tasks.

Following additional discussion regarding the usage of temporary services, the resolution was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting “Aye.”

Resolution No. 09-91-2013

A RESOLUTION TO SELECT A SITE LOCATION FOR A NEW EQUALIZATION BASIN (EAST PLANT EQ BASIN) TO BE CONSTRUCTED BY SEPTEMBER 2015.

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

Public Works Director Gary Cinder provided an overview on the location of the basin and highlighted the logistical advantages for this site.

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

A RESOLUTION TO SELECT A SITE LOCATION FOR A NEW EQUALIZATION BASIN (EMORY VALLEY EQ BASIN – SITE A) TO BE CONSTRUCTED BY SEPTEMBER 2015.

Councilmember Garcia Garland moved, seconded by Councilmember Baughn that the resolution be adopted.

Public Works Director Gary Cinder provided an overview on the location of the basin and stressed the importance of the location in relation to the sewer pipes and build potential.

Ms. Ellen Smith, 119 Morningside Drive, explained the growth and composition of a tree—two trees (elm and hickory), merged together at this proposed location for the Emory Valley Equalization Basin.

Councilmember Hensley moved, seconded by Councilmember Mosby to select "Site B" for the Emory Valley EQ Basin.

City Council discussed the new location with some members of Council highlighting their preference for this new site given that the tank would be moved further to the eastern edge of the property. Additionally, discussions were held with City Council and City Staff on mechanisms to conceal the basin while city staff responded to the Council's questions and comments.

A substitute resolution titled "a resolution to select a site location for a new equalization basin (Emory Valley EQ Basin-Site B)" (**Resolution No. 09-92-2013**) was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

A RESOLUTION TO SELECT A SITE LOCATION FOR A NEW EQUALIZATION BASIN (ILLINOIS EQ BASIN – SITE A) TO BE CONSTRUCTED BY SEPTEMBER 2015.

Councilmember Hensley moved, seconded by Councilmember Hope to approve "Site B" for the Illinois Equalization Basin.

Public Works Director Gary Cinder provided an overview on the location of the basin, particularly in relation to existing sewer pipes. Mr. Cinder noted that the "Site B" would entail purchasing a nearby car wash property in order to move the basin further back.

City Council discussed the "Site B" alternative with regards to its visibility compared to "Site A," as well as the City purchasing private property for "Site B." Additionally, camouflage and basin tank designs were discussed at great length.

A substitute resolution titled "a resolution to select a site location for a new equalization basin (Illinois EQ Basin-Site B)" (**Resolution No. 09-93-2013**) was approved by Board Vote with Councilmembers Hensley, Hope, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmembers Baughn, Garcia Garland, and Mosby voting "Nay."

Resolution No. 09-94-2013

A RESOLUTION TO AMEND THE POWER CONTRACT WITH TVA IN ORDER TO ESTABLISH NEW WHOLESALE AND RESALE RATE SCHEDULES EFFECTIVE WITH THE OCTOBER 1, 2013 UTILITY BILLINGS.

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

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

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of Ordinances

AN ORDINANCE TO AMEND ORDINANCE NO. 27-85, TITLED "A PERSONNEL PLAN FOR EMPLOYEES OF THE CITY OF OAK RIDGE, TENNESSEE," AS AMENDED, BY DELETING SECTION 5.1, TITLED "COMPENSATION PHILOSOPHY AND POLICY," AND SUBSTITUTING THEREFOR A NEW SECTION 5.1 TITLED "COMPENSATION PHILOSOPHY AND POLICY"; BY ADDING A NEW SECTION 6.11, TITLED "BONUSES"; BY DELETING SUBSECTION B OF SECTION 7.3, TITLED "APPOINTMENTS," AND SUBSTITUTING THEREFOR A NEW SUBSECTION B; AND DELETING ARTICLE 10, TITLED "GRIEVANCE PROCEDURE," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW ARTICLE 10, TITLED "GRIEVANCE PROCEDURE," ALL FOR THE PURPOSE OF

UPDATING THE PERSONNEL PLAN.

Councilmember Hope moved, seconded by Mayor Pro Tem Miller to approve the ordinance on first reading.

Personnel Director Penelope Sissom and the City Manager briefly reviewed the new modifications to the Personnel Ordinance.

Councilmember Garcia Garland commented that the ten (10) day notification under "Grievance Procedures," Section A was too stringent and noted that more time may be needed for the ample modifications to take effect. Councilmember Baughn concurred with Councilmember Garcia Garland's idea and moved to amend the language to sixty (60) calendar days which was seconded by Councilmember Garcia Garland.

Following discussions regarding the proposed sixty (60) calendar day notification amendment being too long for resolution, Councilmember Baughn withdrew her motion. No opposition was expressed by City Councilmembers.

Councilmember Baughn moved to amend the ordinance by altering the Grievance Procedure notification, in the aforementioned section, to thirty (30) calendar days. The motion was seconded by Garcia Garland.

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

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

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 ITS ENTIRETY, AND SUBSTITUTING THEREFOR A NEW SCHEDULE OF WATER RATES.

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller to approve the ordinance on second reading.

The City Manager provided an overview of the water and wastewater rates and showed data related to meter size, rates, and water usage. Additionally, the City Manager outlined the rate drivers which included lower system customer composition, need for capital projects, and low cash levels.

Mr. Mike Mahathy, 113 Fallberry Street, expressed his opposition to the rate increase.

Mr. Andrew Howe, 115 East Maiden Lane, requested that City Council consider a lower minimum standard for water and wastewater units.

City Council discussed the rates at great length noting the necessity and the history of the rates. Additionally, city staff responded to inquiries and comments of the City Council.

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

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

Mayor Pro Tem Miller moved, seconded by Councilmember Hensley to approve the ordinance on first reading.

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

FINAL ADOPTION OF ORDINANCES

Ordinance No. 07-2013

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," ARTICLE XIV, TITLED "SIGN REGULATIONS," TO ADD A NEW SECTION 14.21, TITLED "MOVING COPY (ELECTRONIC MESSAGE CENTER) SIGNS," FOR THE PURPOSE OF ESTABLISHING CRITERIA FOR OPERATION OF MOVING COPY (ELECTRONIC MESSAGE CENTER) SIGNS.

Councilmember Garcia Garland moved, seconded by Councilmember Hope to adopt the ordinance.

Councilmember Hensley moved to amend Section 14.21 of the ordinance titled "Moving Copy (Electronic Message (EMC))" so as to allow animation. Item 1 would be amended to read as follows:

Length of Time for Display. Each message displayed in the foreground of an EMC sign shall be static (sign which includes no animation or effects simulating animation) and depicted for a minimum of five (5) seconds.

Transition from one message to another shall be continuous without flashing, change in light intensity, animation or other type of movement between messages except that fade-ins/fade-outs of messages are permitted.

The use of standard effects that are part of the EMC software capabilities, and are generally shown in the background of a message .i.e. leaves falling, snowflakes, clouds passing and other seasonal repetitive patterns and are not the primary EMC message but merely a design element intended to compliment the primary communication are permitted.

This expressly prohibits full motion video or film display via an electronic file imported into the EMC software or streamed in real time into the EMC.

An additional definition would be added immediately following item 1 that would read:

EMC Patterned Illusionary Movement: Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive patterns designed to appear in some form of constant motion.

The motion, as presented above, was seconded by Mayor Pro Tem Miller.

City Staff and City Council discussed the measurability element of the new proposed amendment and the definition of animation at great length. Community Development Division Manager Monica Austin Carroll explained that staff's goal was to create an ordinance for sign regulations that was measurable and indicated that the amendment as presented was subjective to staff's discretion.

Mr. Kelly Callison, 331 Louisiana Avenue, Vice Chair of the Oak Ridge Municipal Planning Commission, noted examples of existing signs in the City that would be compliant with the ordinance presented by the Planning Commission. Mr. Callison recommended approval of what was presented at first reading, and requested that the Planning Commission determine the next phase of sign regulations, as many businesses are not in compliant with the existing ordinance.

Mr. John Hart, representative of Karen Jewelers 1120 Oak Ridge Turnpike, requested that City Council support the ordinance as amended by Councilmember Hensley and noted that the electronic boards were good source of advertising for businesses.

Mr. Tony Stevens, owner of Rivers Total Car Care, commented about enforcing the current ordinance and expressed his concern regarding the capabilities of his sign to adjust to the proposed ordinance. Mr. Stevens suggested that the City consider grandfathering existing signs under the existing ordinance.

The City Manager explained that a plan was being developed to allow the existing electronic sign owners to make a decision as to which ordinance their sign would be enforced.

Ms. Angi Agle, 101 West Melbourne Road, inquired about the "lightning bolt" animation on the Title Max sign commenting that if the proposed amendment would not allow such animation then she was in favor of the change.

Ms. Ellen Smith, 116 Morningside Drive, requested that City Council consider deferring consideration of the motion until a more concise, clearer amendment would be presented.

Councilmembers Baughn, Hensley, Hope, and Mayor Beehan called for the question.

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

The ordinance, as amended, was adopted by board vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, and Mayor Pro Tem Milling voting "Aye," and Mayor Beehan voting "Nay."

Ordinance No. 08-2013

AN ORDINANCE TO AMEND TITLE 13, TITLED "PROPERTY MAINTENANCE REGULATIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE," BY CREATING A NEW CHAPTER 6, TITLED "OAK RIDGE LAND BANK CORPORATION," TO CREATE A LAND BANK CORPORATION IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED §13-30-101 ET SEQ.

Councilmember Hope moved, seconded by Mayor Pro Tem Miller to adopt the ordinance.

City Council and City Staff discussed the future structure, priorities, and plans for the Land Bank Corporation upon passage of the ordinance.

Mr. Mike Mahathy, 113 Fallberry Street, expressed his appreciation to Charlie Jernigan for his work on the Land Bank and commented that he thought the Land Bank was a great opportunity for the City.

Mr. Barry Cox, 137 Windham Road, commented about the potential positive aspects of this program to address blighted housing.

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

Ordinance No. 09-2013

AN ORDINANCE TO AMEND TITLE 13, TITLED "PROPERTY MAINTENANCE REGULATIONS," CHAPTER 5, TITLED "RESIDENTIAL RENTAL DWELLING UNIT INSPECTIONS," BY DELETING SUBSECTION 13-503(3), TITLED "DIRECTOR," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION 13-503(3), TITLED "CITY MANAGER"; BY DELETING SUBSECTION 13-504(2)(A), TITLED "HIGHLAND VIEW REDEVELOPMENT AREA," AND SUBSTITUTING THEREFOR A NEW SUBSECTION 13-504(2)(A), TITLED "MANHATTAN DISTRICT OVERLAY"; AND TO REPLACE ALL REFERENCES WITHIN THE CHAPTER TO "DIRECTOR" TO NOW BE "CITY MANAGER," WITH ALL CHANGES FOR THE PURPOSE OF EXPANDING THE RESIDENTIAL

RENTAL INSPECTION DISTRICT AND OTHER HOUSEKEEPING UPDATES.

Mayor Pro Tem Miller moved, seconded by Councilmember Hensley to adopt the ordinance.

The ordinance was adopted unanimously by board vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting “Aye.”

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Notice of Mayor’s Service on the Oak Ridge Chamber of Commerce’s Initiative’s Steering Committee

The Mayor announced that he wished to change the consideration of his service on the Oak Ridge Chamber of Commerce’s Initiative’s Steering Committee and move the item to “Appointments” so as to nominate Mayor Pro Tem Miller to serve as the Mayor’s designee for a term of office that would be concurrent with his own.

Councilmember Hensley moved, seconded by Councilmember Hope to accept Mayor Pro Tem Miller as the Mayor’s designee. The motion was approved with Councilmembers Baughn, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting “Aye,” and Councilmember Garcia Garland abstaining.

Announcements

Scheduling

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

(NONE)

SUMMARY OF CURRENT EVENTS

CITY MANAGER’S REPORT

(NONE)

CITY ATTORNEY’S REPORT

The City Attorney announced that Anderson County Delinquent Property Tax Sale is approaching in October and that he would be sending information to the Council to this effect at a later date.

ADJOURNMENT

The meeting adjourned at 10:55 p.m.

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

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

September 17, 2013

The special meeting of the City Council of the City of Oak Ridge, Tennessee convened at 5:00 p.m. on September 17, 2013, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

The Mayor requested that Mayor Pro Tem D. Jane Miller deliver the Invocation and also requested that Ms. Karla Mullins lead the Pledge of Allegiance of the Flag to the United States of America.

ROLL CALL

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

Councilmember David N. Mosby 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.

RESOLUTIONS

Resolution No. 09-95-2013

A RESOLUTION AUTHORIZING A ONE-TIME TRANSFER NOT TO EXCEED \$250,000.00 FROM THE CITY OF OAK RIDGE GENERAL FUND TO THE OAK RIDGE SCHOOLS.

Mayor Pro Tem Miller moved, seconded by Councilmember Hope to approve the resolution as presented.

Following remarks presented by Mayor Beehan, Councilmember Baughn, and Councilmember Hensley regarding the transfer and high school renovation debt, the resolution passed by board vote with Councilmembers Hensley, Hope, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," Councilmember Baughn voting "Nay," and Councilmember Garcia Garland abstaining.

ADJOURNMENT

The meeting adjourned at 5:15 p.m.

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

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

September 23, 2013

The special meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on September 23, 2013, in the Multipurpose Room of the Central Services Complex with Mayor Thomas L. Beehan presiding.

The Mayor requested that Councilmember David N. Mosby deliver the Invocation and also requested that Mr. Ray Evans lead the Pledge of Allegiance of the Flag to the United States of America.

ROLL CALL

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

Councilmember Anne Garcia Garland was absent during roll call.

Also present were Janice E. McGinnis, Acting City Manager in the absence of City Manager Mark S. Watson; Kenneth R. Krushenski, City Attorney; and Diana R. Stanley, City Clerk.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

Approval of a proclamation welcoming Gloria J. Sweet-Love, State President for Tennessee NAACP, and her staff to Oak Ridge and extending best wishes for their 67th Annual NAACP State Convention and Civil Rights Advocacy Conference to be held September 26-28, 2013.

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

RESOLUTIONS

Resolution No. 09-96-2013

A RESOLUTION AWARDED A CONTRACT (FY2014-51) TO ROGERS GROUP INC., OAK RIDGE, FOR THE UPPER PARKING LOT IMPROVEMENT PROJECT AT JACKSON SQUARE IN THE ESTIMATED AMOUNT OF \$157,962.40.

(Councilmember Garcia Garland arrived at this point in the meeting.)

Councilmember Hensley moved, seconded by Councilmember Hope to approve the resolution as presented.

Mr. Ray Evans, City Contractor, provided an overview of the upper parking lot project. Acting City Manager Janice McGinnis and City Engineer Steve Byrd responded to inquiries of City Council regarding the bid process.

In depth discussion between City Staff and Councilmember Mosby occurred regarding the City's processes for obtaining competitive quotes, particularly when only one (1) bid is received.

The resolution was approved by show of hands with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan indicating "Aye."

ADJOURNMENT

The meeting adjourned at 7:25 p.m.

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

**OAK RIDGE CITY COUNCIL
WORK SESSION MINUTES**

September 23, 2013

The work session of the Oak Ridge City Council convened at 7:25 p.m. on September 23, 2013 in the Multipurpose Room of the Central Services Complex.

Present: Trina Baughn, Councilmember
Tom Beehan, Mayor
Anne Garcia Garland, Councilmember
Charlie Hensley, Councilmember
Chuck Hope, Councilmember
Jane Miller, Mayor Pro Tem
David Mosby, Councilmember

Also Present: Janice E. McGinnis, Acting City Manager
Ken Krushenski, City Attorney
Diana Stanley, City Clerk

DISCUSSION, REVIEW AND UPDATE OF ISSUES RELATED TO THE 2014 STATE AND FEDERAL LEGISLATIVE AGENDA AS PRESENTED BY AMY FITZGERALD, GOVERNMENT AFFAIRS AND INFORMATION SERVICES DIRECTOR.

Government Affairs and Information Services Director Amy Fitzgerald and State Legislative City Consultant Bill Nolan went through an in-depth review of the 12 Key State Issues from the 2013 State Legislative Agenda with City Council to determine the legislative goals and priorities when staff begins to draft the 2014 agenda.

Following discussions on the State Legislative Agenda, Ms. Fitzgerald and City Council reviewed the Federal Legislative Agenda items.

At the conclusion of the discussions, city staff advised Council that the 2014 state and federal legislative agenda would be presented at an upcoming City Council meeting.

OVERVIEW ON CONTRACT RENEWAL PROCESS ASSOCIATED WITH RED LIGHT CAMERAS IN THE CITY OF OAK RIDGE PRESENTED BY KEN KRUSHENSKI, CITY ATTORNEY.

City Attorney Ken Krushenski briefed City Council on the reason for the advance discussions regarding the red light cameras which was so that the Council could provide direction to staff on how to proceed with the current Redflex contract which is set to expire in April of 2014.

The Council requested additional data, such as traffic incidents, numbers of citations issues, etc. before beginning these discussions.

GENERAL DISCUSSION AND STRATEGIC DISCUSSION ON GOALS OF LAND BANK AS APPROVED BY THE CITY COUNCIL

Given the late hour of the meeting, Mayor Beehan suggested that this topic be tabled to a future meeting. No opposition was expressed by the City Council.

The meeting adjourned at 10:15 p.m.

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

CITY CLERK MEMORANDUM

13-48

DATE: September 27, 2013

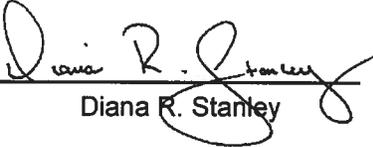
TO: Honorable Mayor and Members of City Council

FROM: Diana R. Stanley, City Clerk

SUBJECT: CONSENT AGENDA-PROCLAMATION

The attached proclamation is presented for the City Council's consideration in accordance with the Council's new Rules and Procedures that require Council approval of proclamations prior to issuance.

This proclamation will be presented outside of the City Council meeting.


Diana R. Stanley

Attachment:

IIA 25th Anniversary Proclamation

PROCLAMATION

WHEREAS, Informational International Association, Inc. (Ila) was founded in 1988; and

WHEREAS, Ila is a woman-owned, small business, headquartered in Oak Ridge, Tennessee that employs 150 employees in six national and international locations; and

WHEREAS, Ila has served as an industry leader providing information and knowledge management, content development, and technology solutions for government agencies, private firms, and international organizations; and

WHEREAS, the firm has provided strategic solutions for a host of government agencies and key information initiatives that includes assisting with the development of science.gov and the National Oceanic and Atmospheric Administration's Deepwater Horizon Federal Repository for the 2010 Gulf Oil Spill, as well as providing supporting for CENDI, an interagency working group of senior scientific and technical information managers from 13 U.S. federal agencies, and the U.S. Army Corps of Engineers' Engineering Research and Development Center's Strategic Planning efforts; and

WHEREAS, for 25 years Information International Association's Founder and Chief Executive Officer (CEO) Bonnie C. Carroll has propelled the firm and its employees to great success through her leadership and management; and

WHEREAS, Ila's Senior Management Team has engaged in leadership through a host of federal agencies' missions in research and development, such as the National Academy of Science, National Research Council's Board of Research Data and Information, the International Council for Science Committee on Data (CODATA), and has been closely involved with the Professional Services Council (PSC); and

WHEREAS, Informational International Association, Inc. is celebrating 25 years in business with a legacy of national defense, intelligence, and homeland security impacts.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, recognition be paid to Information International Associates, Founder and CEO Bonnie Carroll, and the nearly 150 employees of Ila based in six national and international locations, on the occasion of

INFORMATIONAL INTERNATIONAL ASSOCIATION'S 25TH ANNIVERSARY

in the City of Oak Ridge, Tennessee, as the firm serves as a pioneer in the information and data management profession and as a global though leader in policy, innovation, and strategy while contributing consistently to the quality of life for the Oak Ridge community through public service, charitable giving, and civic involvement.

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 14th day of October in the year 2013.

**THOMAS L. BEEHAN
MAYOR**

POLICE MEMORANDUM

13-03

DATE: September 25, 2013
TO: Mark S. Watson, City Manager
FROM: James T. Akagi, Chief of Police
SUBJECT: GOVERNORS HIGHWAY SAFETY OFFICE FY2014 GRANT AWARD

Introduction

An item for City Council's consideration is a resolution accepting a Governors Highway Safety Office (GHSO) grant for Alcohol Saturation and Checkpoints for FY 2014 in the amount of \$25,299.40.

Funding

This grant is 100% federally funded and will provide the Police Department with the personnel, equipment, and resources related to DUI enforcement and enhancing traffic safety within Oak Ridge.

Review

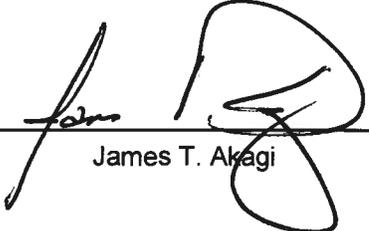
The Governor's Highway Safety Office provides grants to programs which are designed to reduce the number of fatalities, injuries and related economic losses resulting from traffic crashes on Tennessee's roadways. The Oak Ridge Police Department has been the recipient of numerous GHSO grants for several years.

The Oak Ridge Police Department will use the provided funds to purchase equipment related to Sobriety Checkpoints, such as generators, LED road flares, infrared traffic counters, and reflective vests. All these items will enhance Officer Safety when working night-time checkpoints, as well as provide a well- lighted area for traffic visibility. Additionally, these items will be used to assist other agencies during multi-jurisdictional events with the Governor's Highway Safety Office.

Recommendation

City staff recommends approval of the attached resolution to accept the \$25,299.40 GHSO grant to assist with providing the Oak Ridge Police Department with necessary, additional resources for DUI enforcement and traffic safety enhancements.

Attachment:
Resolution


James T. Akagi

City Manager's Comments:

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

Mark S. Watson
Mark S. Watson

Oct 2 2013
Date

NUMBER _____

RESOLUTION

A RESOLUTION TO ACCEPT A GRANT FROM THE STATE OF TENNESSEE, DEPARTMENT OF TRANSPORTATION, GOVERNOR'S HIGHWAY SAFETY OFFICE, IN THE AMOUNT OF \$25,299.40 TO BE USED FOR TRAFFIC ENFORCEMENT AND SAFETY IMPROVEMENTS.

WHEREAS, grant monies are available from the State of Tennessee, Department of Transportation, Governor's Highway Safety Office; and

WHEREAS, the City is eligible to receive a \$25,299.40 grant to be used for traffic enforcement initiatives and safety improvement pertaining to driving under the influence such as alcohol saturation patrols and roadside sobriety checkpoints; and

WHEREAS, said grant requires no matching funds; and

WHEREAS, the City Manager recommends acceptance of the grant.

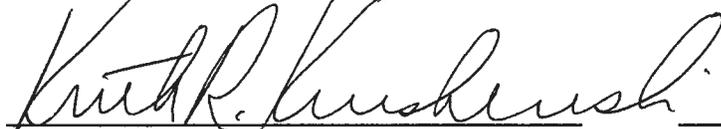
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to accept an enforcement initiative grant from the State of Tennessee, Department of Transportation, Governor's Highway Safety Office, in the amount of \$25,299.40 to be used for authorized traffic enforcement and safety improvements.

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

This the 14th day of October 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

ELECTRIC DEPARTMENT MEMORANDUM

13-24

DATE: September 26, 2013
TO: Mark S. Watson, City Manager
FROM: Jack L. Suggs, Electrical Director
SUBJECT: PURCHASE OF POLE MOUNTED TRANSFORMERS

Introduction

An item for City Council's consideration is a resolution making an award to WESCO Distribution, Chattanooga, Tennessee in the estimated amount of \$70,185.00 for the provision of pole mounted, single phase transformers.

Funding

Funding for this purchase is through the Electric Fund.

Consideration

The electric system uses distribution transformers to provide power at voltages needed by its customers. Single-phase pole mounted transformers are used primarily to serve residential customers and small commercial loads. They can also be combined into banks of three to serve larger customers in overhead areas. The units being ordered will be placed in stock for new loads, but primarily used for system maintenance and emergency replacement purposes. We believe the units purchased will meet our needs for the next 12 to 18 months.

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

In this particular case the bidder with the Lowest Total Life Cycle Cost was also the low bidder from an initial cost basis.

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

Recommendation

Staff recommends approval of the attached resolution.



Jack L. Suggs

City Manager's Comments:

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



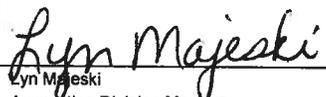
Mark S. Watson



Date

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

OPENING DATE: SEPTEMBER 19, 2013 10:00 A.M.

FOR: SINGLE PHASE POLE MOUNTED TRANSFORMERS			BIDDER: WESCO Distribution Inc. 1709 North Orchard Knob Avenue Chattanooga, TN 37406		BIDDER: HD Supply Power Solutions 4100 Central Avenue Pike Knoxville, TN 37912		BIDDER: ERMCO Distribution Transformers 2225 Industrial Blvd Dyersburg, TN 38024		BIDDER:		
DESCRIPTION	ITEM #	QUANTITY	UNIT COST / LIFE CYCLE UNIT COST	TOTAL	UNIT COST / LIFE CYCLE UNIT COST	TOTAL	UNIT COST / LIFE CYCLE UNIT COST	TOTAL	UNIT COST / LIFE CYCLE UNIT COST	TOTAL	
THE FURNISHING OF SINGLE PHASE POLE MOUNTED TRANSFORMERS FOR FY14 PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE ELECTRIC DEPARTMENT											
			MANUFACTURER: Power Partners		Cooper		ERMCO				
1-POL-0010.0-13 10 kVA <i>Evaluated Life Cost (Memo Only)</i>	1	3	\$ 562.00 <i>\$ 1,042.60</i>	\$ 1,686.00 <i>\$ 3,127.80</i>	\$ 704.00 <i>\$ 1,147.65</i>	\$ 2,112.00 <i>\$ 3,442.95</i>	\$ 1,259.00 <i>\$ 1,652.45</i>	\$ 3,777.00 <i>\$ 4,957.35</i>			
1-POL-0025.0-13 25 kVA <i>Evaluated Life Cost (Memo Only)</i>	2	15	\$ 999.00 <i>\$ 1,948.15</i>	\$ 14,985.00 <i>\$ 29,222.25</i>	\$ 1,011.00 <i>\$ 1,994.15</i>	\$ 15,165.00 <i>\$ 29,912.25</i>	\$ 1,156.00 <i>\$ 2,156.70</i>	\$ 17,340.00 <i>\$ 32,350.50</i>			
1-POL-0037.5-13 37.5 kVA <i>Evaluated Life Cost (Memo Only)</i>	3	18	\$ 1,197.00 <i>\$ 2,520.95</i>	\$ 21,546.00 <i>\$ 45,377.10</i>	\$ 1,236.00 <i>\$ 2,595.20</i>	\$ 22,248.00 <i>\$ 46,713.60</i>	\$ 1,566.00 <i>\$ 2,727.25</i>	\$ 28,188.00 <i>\$ 49,090.50</i>			
1-POL-0050.0-13 50 kVA <i>Evaluated Life Cost (Memo Only)</i>	4	24	\$ 1,332.00 <i>\$ 2,944.25</i>	\$ 31,968.00 <i>\$ 70,662.00</i>	\$ 1,562.00 <i>\$ 3,130.55</i>	\$ 37,488.00 <i>\$ 75,133.20</i>	\$ 1,587.00 <i>\$ 3,183.15</i>	\$ 38,088.00 <i>\$ 76,395.60</i>			
TOTAL PRICE			\$ 70,185.00		\$ 77,013.00		\$ 87,393.00				
<i>TOTAL LIFE CYCLE COST</i>			<i>\$ 148,389.15</i>		<i>\$ 155,202.00</i>		<i>\$ 162,793.95</i>				
TERMS			NET 30 DAYS		NET 30 DAYS		NET 30 DAYS				
DELIVERY			5-6 WEEKS ARO		6-9 WEEKS ARO		8-10 WEEKS ARO				
F.O.B.			OAK RIDGE, TN		OAK RIDGE, TN		OAK RIDGE, TN				
VIA			BEST WAY		BEST WAY		BEST WAY				
OTHER BIDDERS CONTACTED: Utilicor - Jackson, TN - Manufacturer: GE Prolec - Removed from Consideration: Major technical exceptions; Aluminum HV/LV windings Stuart C. Irby Company - Johnson City, TN - Manufacturer: Howard Industries Maloney Electric, Inc. - Toronto, Ontario Canada - Manufacturer: Maloney Electric Power Supply Company - Chattanooga, TN - Manufacturer: Central Maloney							BIDS OPENED AND RECORDED BY--  Lyn Majeski Accounting Division Manager				
REASON FOR AWARD:			RECOMMEND AWARD, BASED ON LOWEST TOTAL COST AND LIFE CYCLE COST, BE MADE TO:				BIDS REVIEWED BY--  Janice McGinnis Finance Director				
ONLY BID RECEIVED <input type="checkbox"/>			WESCO Distribution Inc. 1709 North Orchard Knob Avenue Chattanooga, TN 37406								
LOW PRICE <input type="checkbox"/>											
BETTER OR REQUIRED DESIGN <input type="checkbox"/>											
EARLY DELIVERY <input type="checkbox"/>											
LOWEST TOTAL COST <input checked="" type="checkbox"/>											
EVALUATED LIFE COST <input checked="" type="checkbox"/>											

RESOLUTION

A RESOLUTION AWARDING A BID IN THE ESTIMATED AMOUNT OF \$70,185.00 TO WESCO DISTRIBUTION, INC., CHATTANOOGA, TENNESSEE, FOR THE FURNISHING OF SINGLE-PHASE POLE MOUNTED TRANSFORMERS FOR USE BY THE ELECTRIC DEPARTMENT.

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

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

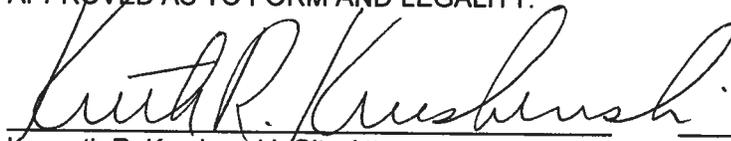
WHEREAS, bids were received and publicly opened on September 19, 2013, with WESCO Distribution, Inc., Chattanooga, Tennessee, submitting the lowest and best bid with the lowest total life cycle cost for single-phase pole mounted transformers; which bid the City Manager recommends be accepted.

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 WESCO Distribution, Inc., 1709 North Orchard Knob Avenue, Chattanooga, Tennessee 37406, for the furnishing of single-phase pole mounted transformers; said award in strict accordance with the bid as received and publicly opened on September 19, 2013, and the required specifications, and in the estimated amount of \$70,185.00.

This the 14th day of October 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

RESOLUTIONS

**PUBLIC WORKS DEPARTMENT MEMORANDUM
13-27**

DATE: September 19, 2013
TO: Mark S. Watson, City Manager
FROM: Gary M. Cinder, P.E., Public Works Director
SUBJECT: EPA REMEDIATION PLAN PROJECT – CONTRACT FY2014-35 EAST PLANT IV

Introduction

An item for City Council's consideration is award of the construction contract for sewer rehabilitation project, CONTRACT FY2014-35, East Plant IV, in accordance with the EPA Remediation Plan, to Morgan Contracting, Inc. in the estimated amount of \$4,205,603.

Funding

The funding for this project is available from the TDEC State Revolving Fund, loan 2013-325, approved by City Council Resolution 2-12-2013 on February 25, 2013 in the amount of \$14,000,000. Attached to this memo is the current cost analysis of the EPA Remediation Plan.

This is the final project for the East Plant Sewer Shed. As presented on the attached spreadsheet, the final cost of the first two projects in the East Plant Sewer Shed is less than budgeted. The total amount budgeted for the East Plant Sewer Shed in the EPA Remediation Plan was \$10,621,200. With approval of the attached resolution, the amount spent plus the project funds remaining total \$10,588,636, making the East Plant Sewer Shed projects \$32,564 under budget.

The estimated amount of the engineering services and construction for the EPA Remediation Plan is \$23,090,800. The approval of this construction contract will leave a balance of \$11,861,174 to commit to the remaining projects.

Background

The construction contract recommended for approval will include sewer rehabilitation activities in the east end of the City, sewer mini systems E1, E2, E3, E4, E7, E8, E13A, E13B, E22, E23, E26, E27, E28, E30 and E31, generally located between New York Avenue and Georgia Avenue, as well as the Warehouse Road area and a portion of Emory Heights (see attached map). As with all sewer rehabilitation contracts, final installed quantities will vary and will be reconciled at the end of the project. The work for this contract in general consists of the following:

1. Lining of 20,750 linear feet of existing gravity sewers by the cured-in-place method.
2. Replacement of 7,690 linear feet of existing gravity sewers by the pipe bursting method.
3. Installation of 2,625 linear feet of 21" gravity sewers.
4. Installation of 535 linear feet of 24" gravity sewers.
5. Construction of 200 point repairs.
6. Installation of 30 new manhole frames and covers.
7. Rehabilitation of 1,950 vertical feet of existing manholes.

Construction for this contract is currently scheduled to begin the first week of December, with completion of the project by October 2014. We are still making up some of the time lost due to the lengthy process of securing the SRF loans. Staff continues to remain confident that the current project schedule will allow us to meet the September 2015 deadline of the EPA Administrative Order.

Continuing with this construction contract, the Public Works Department will be implementing a public notice procedure that will consist of the following:

- Color coded (purple for this specific project) general information letter (copy attached) to all residents and businesses on streets within the boundaries of sewer mini systems E1, E2, E3, E4, E7, E8, E13A, E13B, E22, E23, E26, E27, E28, E30 and E31.
- Color coded (purple for this specific project) letter with specific information to all residents and businesses that will have sewer work performed outside of the street right-of-way (such as their backyard) that will include disturbing structures on the property (fences, driveways, landscaping, storage sheds, etc.).

Citizens will continue to receive a color coded (purple for this specific project) door hanger prior to work beginning in their area and the contractor will make every effort to have a personal conversation with each resident or business prior to beginning work on their property.

Recommendation

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



Gary M. Cinder, P.E.

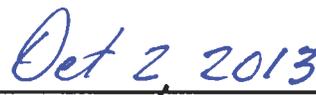
Attachments
EPA Remediation Plan Cost Analysis
Sewer Shed Map
Copy of Notification Letter

City Manager's Comments:

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



Mark S. Watson



Date

**City of Oak Ridge
Public Works Department
EPA Remediation Plan Cost Analysis
As Of September 16, 2013**

<u>PROJECT</u>	<u>REF</u>	<u>REMEDATION</u>		<u>RES</u>	<u>SPENT</u>	<u>PROJECT</u>	<u>REMEDATION</u>
		<u>PLAN BUDGET</u>	<u>APPROVED</u>			<u>FUNDS</u>	<u>PLAN FUNDS</u>
						<u>REMAINING</u>	<u>REMAINING</u>
							\$ 23,090,800
East Plant I (COR 12-16)	1	\$ 1,075,800	\$ 1,084,952	a,b	\$ 893,375	\$ 20,000	\$ 22,177,425
East Plant II (COR 12-17)	1	\$ 984,610	\$ 830,565	a,b	\$ 701,725	\$ 80,793	\$ 21,394,907
East Plant III (COR 13-06)	2	\$ 4,025,000	\$ 3,975,390	a,c,d	\$ 211,752	\$ 3,763,638	\$ 17,419,517
East Plant IV (Contract FY2014-35)	2	\$ 4,535,790 *	\$ 4,917,353	a,c,e	\$ 122,122	\$ 4,795,231	\$ 12,502,164
Equalization Basins	2	\$ 6,114,900	\$ 472,060	c	\$ -	\$ 472,060	\$ 12,030,104
Y-12 I	3	\$ 744,700	\$ 44,000	a	\$ -	\$ 44,000	\$ 11,986,104
Central City I	3	\$ 2,165,900	\$ 124,930	a	\$ -	\$ 124,930	\$ 11,861,174
West End I	3	\$ 744,700	\$ -		\$ -	\$ -	\$ 11,861,174
Turtle Park I	TBD	\$ 1,349,700	\$ -		\$ -	\$ -	\$ 11,861,174
Turtle Park II	TBD	\$ 1,349,700	\$ -		\$ -	\$ -	\$ 11,861,174
	TOTAL	\$ 23,090,800	\$ 11,449,250		\$ 1,928,974	\$ 9,300,652	\$ 11,861,174

*Pending City Council Approval

Projects shaded in gray above are active with East Plant I and East Plant II near project close-out. The upcoming projects are not shaded.

REF (Reference):

- 1 Primarily funded by TMBF loan
- 2 Primarily funded by SRF 2013-325 (\$14,000,000 loan)
- 3 Primarily funded by SRF 2013-324 (\$4,000,000 loan)
- TBD To be determined, possible SRF Loan Amendment

RES (Resolutions):

- a 7-67-11 approved 7/11/2011 for engineering services \$ 1,000,000.00
- b 10-78-2012 approved 10/8/2012 for construction \$ 1,655,917.50
- c 6-39-2013 approved 6/10/2013 for LDA services \$ 1,432,000.00
- d 08-75-2013 approved 8/12/2013 for construction \$ 3,334,437.50
- e Pending approval for construction \$ 4,205,603.00

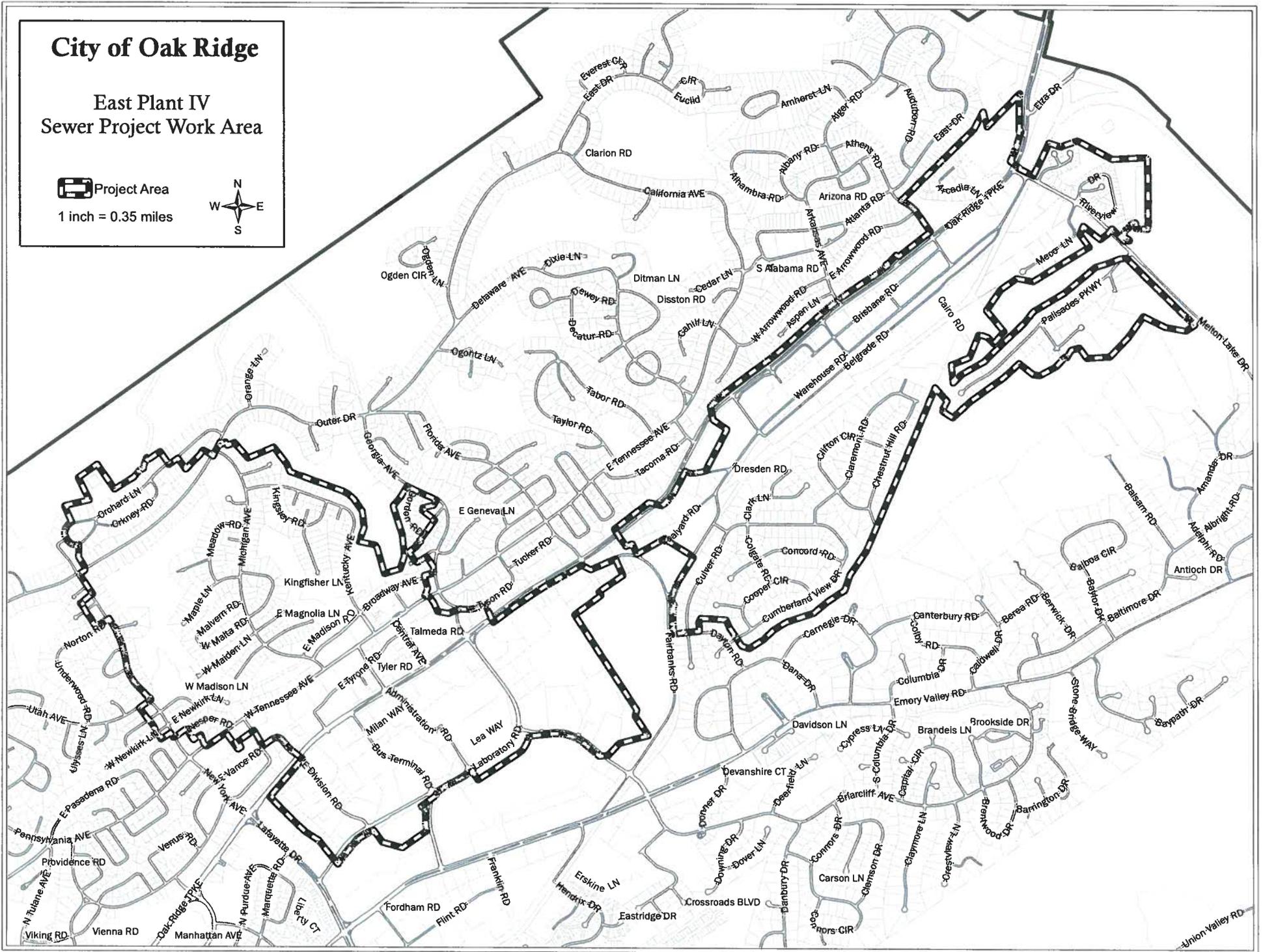
City of Oak Ridge

East Plant IV Sewer Project Work Area



Project Area

1 inch = 0.35 miles



**City of Oak Ridge
Public Works Department
East Plant IV Project**

EPA Sewer Work Information

November 2013

The City of Oak Ridge received an Administrative Order (AO) from the U.S. Environmental Protection Agency in September 2010. The AO directs the City of Oak Ridge to conduct numerous studies, prepare the associated analysis and to undertake significant work activities to eliminate sanitary sewer overflows by September 2015. The studies and analyses have been completed; these identified a tremendous amount of sewer rehabilitation work that will need to be performed throughout the City.

The required sewer rehabilitation work will challenge all of us: citizens, businesses, city staff and contractors performing the work. In order to achieve the best results we will all need to work together. Each individual can contribute to the success of the sewer rehabilitation work by communicating with contractors and having patience as daily routines are impacted.

You are receiving this notification because sewer rehabilitation will begin near your home or business within the next few weeks. The sewer rehabilitation project consists of a contractor with multiple crews repairing and/or replacing manholes and sewer lines. The rehabilitation work will primarily be in the street right-of-way, but there will be some work required in the City's sewer easements located in the front and back yards of some residential properties as well as within the sewer easements of business properties.

As the contractor performs preconstruction tasks, they will provide to the Oak Ridge Public Works Department a list of addresses that will require work outside of the street right-of-way. For citizens and businesses affected by this work, the Public Works Department will (1) telephone the resident or business and leave a message and (2) mail a letter explaining the specific work required in the sewer easement, such as replacing a manhole located in their backyard or removing a fence to repair a sewer line. The letter will contain contact information for the contractor. Each individual is encouraged to call the contractor and discuss the work specific to their property.

Prior to any work being performed, each resident will receive a door hanger notice (purple paper) that will include the contractor's name and phone number. Please look for and keep the door hanger for the duration of the sewer work in your neighborhood.

With all of us working together, we anticipate few problems and minimal disruption. Please remember that communication is key for the success of the sewer projects. We thank you in advance for working with us.

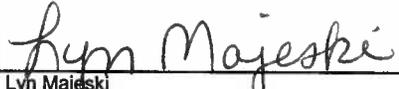
We are currently updating the EPA information included on the City's website at www.oakridgetn.gov right side of main page, "EPA Sewer Work." If you have any questions, concerns or comments about the sewer work required by the AO, please email pubworksdis@oakridgetn.gov or call and leave a message at 425-3495.

Thank you again for your cooperation and assistance.

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

FY2014-35

OPENING DATE: September 12, 2013 10:00 A.M.

FOR — Wastewater System Rehabilitation Program EPA Administrative Order CWA-04-2010-4772			BIDDER: Morgan Contracting, Inc. 6575 Hwy 189 North Baker, FL 32531		BIDDER: Adams & Sons, Inc. 140 White School Road Sevierville, TN 37876		BIDDER: Norris Bros. Excavating, LLC 1007 Rodgers Road Crossville, TN 38572		BIDDER:		
DESCRIPTION			UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
FURNISH ALL LABOR, MATERIALS, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES FOR WASTEWATER SYSTEM REHABILITATION PROGRAM PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE PUBLIC WORKS DEPARTMENT				\$ 4,205,603.00		\$ 4,334,150.00		\$ 5,968,437.70			
TOTAL PRICE			\$ 4,205,603.00		\$ 4,334,150.00		\$ 5,968,437.70		\$ -		
TERMS			NET 30		NET 30		NET 30		NET 30		
DELIVERY			PER CONTRACT		PER CONTRACT		PER CONTRACT		PER CONTRACT		
F.O.B.			JOBSITE		JOBSITE		JOBSITE		JOBSITE		
VIA			CONTRACTOR		CONTRACTOR		CONTRACTOR		CONTRACTOR		
OTHER BIDDERS CONTACTED: SAK Construction - O'Fallon, MO Hurst Excavating - Knoxville, TN Layne Inliner, LLC - Shawnee Mission, KS Insituform Technologies, LLC - Chesterfield, MO Portland Utilities Construction Company, LLC - Protland, TN							American Infrastructure - Hanceville, AL AM-Liner East, Inc. - Berryville, VA		BIDS OPENED AND RECORDED BY—  Lyn Majeski Accounting Division Manager		
REASON FOR AWARD:							RECOMMEND AWARD BE MADE TO:			BIDS REVIEWED BY—	
ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>							Morgan Contracting, Inc. 6575 Hwy 189 North Baker, FL 32531			 Janice McGinnis Finance Director	

RESOLUTION

A RESOLUTION AWARDING A CONTRACT (FY2014-35) TO MORGAN CONTRACTING, INC., BAKER, FLORIDA, FOR THE REHABILITATION OF PORTIONS OF THE WASTEWATER COLLECTION AND TRANSPORTATION SYSTEM AS REQUIRED FOR COMPLIANCE WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY ADMINISTRATIVE ORDER, SAID CONTRACT IN THE ESTIMATED AMOUNT OF \$4,205,603.00.

WHEREAS, at the September 27, 2010 work session, City Council was briefed by the City Manager and Public Works Director on an Administrative Order with the United States Environmental Protection Agency (EPA) outlining the various studies, plans, and corrective actions to be taken by the City related to the violations determined by the EPA regarding periodic overflows from the sanitary sewer collection system; and

WHEREAS, as part of the Administrative Order, the City is required to develop a plan for complete remediation of the Wastewater Collection and Transportation System, with all remediation work to be completed by September 2015; and

WHEREAS, bids were received and publicly opened on September 12, 2013 with Morgan Contracting, Inc., Baker, Florida, submitting the lowest and best bid, which bid the City Manager recommends be accepted.

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

That the recommendation of the City Manager is approved and award is hereby to Morgan Contracting, Inc., 6575 Highway 189N, Baker, Florida 32531, for the furnishing of all labor, tools, materials, equipment and supplies necessary for the sewer rehabilitation project for East Plant IV; said award in strict accordance with FY2014-35, the required specifications, and the bid as publicly opened on September 12, 2013, and in the estimated amount of \$4,205,603.00.

BE IT FURTHER RESOLVED that the scope of the contract may be expanded to address other areas of the sewer system for rehabilitation work provided the type work to be performed is of the type that was originally bid (unit prices) and the contract price remains unchanged.

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

This the 14th day of October 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

CITY COUNCIL MEMORANDUM
13-19

DATE: October 1, 2013
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: ECONOMIC DEVELOPMENT SERVICES AGREEMENT – STEVE JONES

Introduction

An item for the agenda is a resolution to approve an agreement with Steve Jones, Clinton, Tennessee, for economic development services for the remainder of Fiscal Year 2014 in the estimated amount of \$28,000.00.

Review

At the August 12, 2013 meeting, City Council approved entering into a one-year agreement with Ray Evans to provide economic development support services to the City for projects assigned to Mr. Evans by the City Manager. In addition to Mr. Evans' services, the City Manager entered into a short-term agreement with Steve Jones to provide additional economic development support services, which agreement expires on October 31, 2013.

The contractual arrangements have been very helpful to the City Manager's Office and the City Manager has been able to rely on the expertise of both Mr. Evans and Mr. Jones to ensure timely response by the City of Oak Ridge to inquiring developers. Several large projects are on the horizon, not the least of which is the continuing development of Horizon Center and various Oak Ridge industrial properties; also, coordination with local agencies, such as Tech 20/20 and CROET. The City Manager recommends continuing the contractual service with Mr. Jones for the remainder of the fiscal year.

Funding

Money is available in the FY 2014 Economic Development activity for this service and has been included in the FY 2014 Budget.

Recommendation

Approval of an agreement in the amount of \$3,500.00 per month is recommended, which is in line with other professional services being used by the City including Mr. Evans. The City Manager recommends approval of the attached resolution.


Mark S. Watson

Attachment

RESOLUTION

A RESOLUTION TO APPROVE AN AGREEMENT WITH STEVE JONES FOR ECONOMIC DEVELOPMENT SERVICES FOR THE REMAINDER OF FISCAL YEAR 2014 IN THE AMOUNT OF \$28,000.00.

WHEREAS, the City Manager entered into a seven month agreement with Steve Jones for economic development services in the amount of \$24,500.00; and

WHEREAS, this agreement expires on October 31, 2013; and

WHEREAS, economic activity continues to occur, with several large projects anticipated for the near future; and

WHEREAS, the City Manager recommends entering into an agreement with Mr. Jones for the remainder of Fiscal Year 2014 for various economic development services, with particular emphasis on coordination of the City's responsiveness to state agencies and private sector economic development prospects.

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

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into the attached agreement for the remainder of Fiscal Year 2014 with Steve Jones for economic development services in the amount of \$28,000.00.

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

This the 14th day of October 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

AGREEMENT
(Economic Development Support Services)

This Agreement entered into this 14th day of October 2013, between the City of Oak Ridge, Tennessee, P.O. Box 1, Oak Ridge, Tennessee 37831, hereinafter referred to as the "City," and James S. (Steve) Jones, 320 Maple Street, Clinton, Tennessee 37716, hereinafter referred to as "Mr. Jones."

WITNESSETH:

WHEREAS, the City is in need of professional-level staff assistance in economic development support; and

WHEREAS, Mr. Jones is willing to, and is capable of, providing these services and has provided such services in the past to the City's satisfaction.

In consideration of the mutual promises of the parties hereto, the City and Mr. Jones do hereby agree as follows:

1. **SCOPE OF SERVICES**

Mr. Jones shall provide economic development support services to the City for projects assigned to Mr. Jones by Mark Watson, City Manager. Mr. Jones shall report to Mr. Watson. The scope of services includes, but is not limited to, the following:

- A. To assist and advise the City Manager on recruitment and solicitation of proposed economic development projects and those related to UPF SMRs and industrial related projects.
- B. Serve as a City point-of-contact for industrial and commercial projects in Oak Ridge.
- C. Recruit and visit potential clients when necessary and approved by the City Manager.
- D. Serve as a City liaison and contact point to State agencies and regional economic development officials engaged in recruitment in East Tennessee/Oak Ridge area.
- E. Support development of Horizon and Heritage Centers through assessments of infrastructure needs, financial impact modeling, and identifying eligible grant programs.
- F. Coordinate with city lobbyist about any necessary programs or regulatory assistance and the City Government Affairs Director.
- G. Coordinate any successful recruitments with Ray Evans, a consultant for the City, on future details required by the recruited company to construct and locate in Oak Ridge.
- H. Strategize with the City Manager on future ways to enhance City industrial capacities and stimulate job creation.
- I. Other projects as assigned.

All services, including but not limited to, work product and documents prepared or produced under this Agreement shall become the property of the City upon payment of compensation for the services. Further, Mr. Jones, consultant, shall be allowed during this period to work in a consulting capacity with other entities that have no conflict of interest with the City of Oak Ridge.

2. COMMENCEMENT

The services under this Agreement shall commence on November 1, 2013 and shall terminate on June 30, 2014, unless terminated earlier by the City under Section 13.

3. COMPENSATION

The total compensation to be paid to Mr. Jones by the City is estimated to not exceed \$28,000.00, which is based upon the City compensating Mr. Jones at a rate of \$3,500.00 per month for services rendered. Mr. Jones shall provide monthly summaries to the City Manager by email for services completed, which services must be completed to the City's satisfaction. Mr. Jones shall also meet in person with the City Manager no less than once every two weeks to discuss projects and services.

The City will not withhold any taxes from this payment as this is not an employment relationship. Mr. Jones will receive a 1099 from the City for these services.

4. ASSISTANCE FROM CITY

To assist Mr. Jones, the City shall furnish, without charge, copies of all available agreements, reports, regulations, technical data and other information reasonably requested by Mr. Jones relevant to the services to be provided by Mr. Jones. The City will be responsible for printing and postage costs associated with mailings conducted pursuant to the scope of services. The necessary City Department will coordinate with Mr. Jones for any assistance he may need to perform the services under this Agreement.

5. NO DISCRIMINATION

In performing the services under this Agreement, Mr. Jones shall not discriminate against any person because of race, color, religion, creed, sex, sexual orientation, national origin, age, disability or other legally protected status.

6. INSURANCE

Mr. Jones is responsible for obtaining his own liability and automobile insurance during the term of this Agreement.

7. INDEMNIFICATION

To the fullest extent permitted by all applicable laws and regulations, Mr. Jones hereby agrees to protect, indemnify and hold harmless the City and its employees from and against any and all claims, loss, expense, damage, charges and costs direct, indirect or consequential (including but not limited to fees and charges of engineers, architects, attorneys and other professional and court costs), collectively referred to as "claims," for injury to or death of persons and injury to or destruction of property suffered or alleged to have been suffered as a result of any act or omission on the part of Mr. Jones.

8. AMENDMENTS

This Agreement may only be amended by a writing signed by both parties. No proposed amendment which is not in writing and executed by both parties shall effect the terms of this Agreement.

9. ASSIGNMENT

The service provided for hereunder may not be assigned in whole or in part without the prior written consent of the City.

10. COMPLIANCE WITH APPLICABLE LAWS

Mr. Jones shall comply with all applicable federal, state, county and local laws, ordinances, statutes, rules and regulations related to the performance of the services under this Agreement, and would be subject to all the same laws, ordinances, codes, and policies related to ethics and conflicts of interests as applies to regular city employees.

11. INDEPENDENT CONTRACTORS

The parties acknowledge that the relationship created under this Agreement is that of independent contracting parties and this Agreement does not create a general agency, joint venture, partnership, employment relationship or franchise between the parties. Neither party shall represent itself to be an agent of the other, nor shall it execute any documents or make any commitments to any contractual or other obligations with third parties.

12. NOTICE

Any notice or other communication required or permitted under this Agreement shall be in writing and will be deemed given at the time it is deposited in the United States mail, postage paid, certified or registered mail, return receipt requested, addressed to the party to whom it is to be given as follows:

To Mr. Jones:
Steve Jones
320 Maple Street
Clinton, Tennessee 37716

To the City:
Mark Watson, City Manager
P. O. Box 1
Oak Ridge, Tennessee 37831

Either party may change its address to which notices will be sent by a notice similarly sent.

13. TERMINATION

The City may terminate this Agreement at any time for any reason or no reason by giving written notice to Mr. Jones. In such event, the termination will be effective immediately. In the event of termination, the City shall compensate Mr. Jones as provided in Section 3 through the termination date.

14. GOVERNING LAW

This Agreement is governed by the laws of the State of Tennessee

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE


City Attorney

Mayor

JAMES S. (STEVE) JONES

Signature

Approved by Resolution _____

**FINAL ADOPTION
OF
ORDINANCES**

PERSONNEL MEMORANDUM
13-109

DATE: August 26, 2013
TO: Mark S. Watson, City Manager
FROM: Penelope H. Sissom, Personnel Director
SUBJECT: PERSONNEL PLAN/ORDINANCE AMENDMENTS – COMPENSATION PHILOSOPHY AND POLICY; BONUSES; PROMOTIONS AND GRIEVANCE PROCEDURE

An item for the City Council agenda is an ordinance to amend the Personnel Plan/Ordinance in order to update certain sections of the document to provide clarification of the definition of compensation philosophy and policy; specify service requirements for promotion eligibility; add a new section on bonuses; and provide a totally revised Grievance Procedure.

The following sections of Personnel Plan/Ordinance are proposed to be amended:

ARTICLE 5 – PAY PLAN; Section 5.1 – COMPENSATION PHILOSOPHY AND POLICY

As proposed, this section modifies the existing section by eliminating phrases that were confusing to employees and emphasizes that the City's compensation plan is designed to be comparable to the existing recruiting area. Some employees were interpreting this section as the basis of a grievance when comparing their salaries with those of other employees. The old section also addressed the use of a merit system in influencing employee performance. Unfortunately, the City Budget has contained no money for merit increases for employees since FY 2008. The last merit increases were granted effective July 1, 2007. Listed below is the salary history since then with the percentage of adjustment applicable to all employees regardless of level and quality of performance:

July 3, 2008 – 2.00% salary adjustment
July 12, 2009 -- 1.00% salary adjustment
July, 2010 – No increase
June 26, 2011 – 2.00% Salary adjustment
July 8, 2012 – 1.50% Salary adjustment + additional holiday
July 7, 2013 – 1.00% Salary adjustment

ARTICLE 6 – HOURS OF WORK, OVERTIME AND PREMIUM COMPENSATION – Section 6.11 – BONUSES

This is a new section that is provided in order to recognize outstanding employee performance. As indicated above, even though the City Charter requires a merit system, the City has not had sufficient funding to implement a true merit system in several years. However, an aspect of merit is built into the longevity pay program and performance evaluation/merit would certainly be a consideration in the case of layoff and/or reorganization. Implementation of this new section would be dependent on the availability of funds. For this reason, the Personnel Advisory Board did not specify a cap on either the number of bonuses that could be granted each fiscal year or the amount of a bonus.

ARTICLE 7 – RECRUITMENT, SELECTION AND APPOINTMENT OF EMPLOYEES – Section 7.3 b Promotion

One way the City fills any vacancies is through promotion of existing employees. The only change in this section is to clarify that employees will not be eligible for promotion until they have completed probation in

their current job. This would be twelve months in a position for public safety employees and six months, for all other employees. For example, a new employee would not be eligible for promotion until the completion of the initial probationary period. Likewise, a current recently promoted employee would not be eligible for a subsequent promotion until completion of the employee's current probationary period.

ARTICLE 10 – GRIEVANCE PROCEDURE

This Article has been rewritten in its entirety since it has not been changed since the original Personnel Plan/Ordinance was adopted. The revision simplifies the Grievance Procedure by adding needed definitions, specifying time limits on each step of the process and providing for action on an employee grievance if the Department Head or the City Manager should be absent for an extended period of time. The revision further clarifies the Personnel Advisory Board's involvement in grievances as well as spells out when a grievance is considered abandoned. This revision still retains the provisions for group grievances and assistance with grievances from most other employees.

Some of the suggested modifications are as a result of grievances filed by employees in the past that the Personnel Advisory Board has heard. The Board met on July 23, 2013 and August 9, 2013 and carefully reviewed the staff's wording and justification and made minor modifications in the suggested changes. The members present at the August 9, 2013 meeting unanimously approved all four amendments.

If City Council approves these revisions in the Personnel Plan/Ordinance, it will also be necessary for the City Council to approve revised By-Laws for the Personnel Advisory Board due to changes in the Grievance Procedure.

The City Manager and staff recommend approval of the attached ordinance.

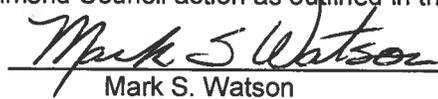


Penelope H. Sissom

Attachment

City Manager's Comments:

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

 8/30/13
Mark S. Watson Date

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 27-85, TITLED "A PERSONNEL PLAN FOR EMPLOYEES OF THE CITY OF OAK RIDGE, TENNESSEE," AS AMENDED, BY DELETING SECTION 5.1, TITLED "COMPENSATION PHILOSOPHY AND POLICY," AND SUBSTITUTING THEREFOR A NEW SECTION 5.1 TITLED "COMPENSATION PHILOSOPHY AND POLICY"; BY ADDING A NEW SECTION 6.11, TITLED "BONUSES"; BY DELETING SUBSECTION B OF SECTION 7.3, TITLED "APPOINTMENTS," AND SUBSTITUTING THEREFOR A NEW SUBSECTION B; AND DELETING ARTICLE 10, TITLED "GRIEVANCE PROCEDURE," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW ARTICLE 10, TITLED "GRIEVANCE PROCEDURE," ALL FOR THE PURPOSE OF UPDATING THE PERSONNEL PLAN.

WHEREAS, the City desires to clarify the pay plan's compensation philosophy and policy, add a new section on bonuses, specify service requirements for promotion eligibility, and revise the grievance procedure; and

WHEREAS, the Personnel Advisory Board at its July 23, 2013 and August 9, 2013 meetings reviewed the proposed amendments to the Personnel Plan and unanimously recommended their adoption; and

WHEREAS, the City Manager recommends that the Personnel Plan be amended as set forth below.

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

Section 1. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," Article 5, titled "Pay Plan," is hereby amended by deleting Section 5.1, titled "Compensation Philosophy and Policy," in its entirety, and substituting therefor a new Section 5.1, titled "Compensation Philosophy and Policy," which new section shall read as follows:

5.1 COMPENSATION PHILOSOPHY AND POLICY

The compensation plan is an integral component of the City's overall mission to provide quality, responsive service efficiently and effectively. Further, it is recognized that compensation influences people by (1) offering a salary attractive enough for individuals to seek employment with the City, (2) influencing their performance levels once they are employees, and (3) keeping employees sufficiently rewarded and valued to reduce the potential for losing them to other opportunities.

In order to ensure the employment and retention of personnel necessary to maintain a continued high level of public service, it is the policy of the City that the level of compensation of municipal employees should be compared with prevailing rates in private industry and other governmental agencies in the recruiting area when establishing the compensation plan. When there is clear evidence that the compensation plan should be adjusted in order to meet the policies described above and sufficient funds are available, the City Manager is authorized to include in his budget any recommendation for adjustment to the pay plan which he deems advisable, but such adjustment should be based on the prevailing rates in the recruiting area.

AMENDED ON FIRST READING

Section 2. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," Article 6, titled "Hours of Work, Overtime and Premium Compensation," is hereby amended by adding a new Section 6.11, titled, "Bonuses," which new section shall read as follows:

6.11 BONUSES

The City Manager shall have the authority and discretion to award bonuses to employees to recognize outstanding performance. A bonus is an amount of money given to an employee that does not increase an employee's base pay. The total bonus awarded to an employee is at the discretion of the City Manager; however, no employee may receive more than one bonus per fiscal year. No employee is entitled to a bonus and there is no expectation thereof.

A bonus is subject to the normal deductions for Social Security and Federal Income Tax.

Section 3. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," Article 7, titled "Recruitment, Selection and Appointment of Employees," Section 7.3, titled "Appointments," is hereby amended by deleting Subsection 7.3.b. in its entirety, and substituting therefor a new Subsection 7.3.b., which new subsection shall read as follows:

7.3 APPOINTMENTS

- b. Promotion is the movement of an employee to a position with a higher classification and a higher salary range. Since the City encourages employees to develop skills, attain greater knowledge of their work and make known their qualifications for promotion, a qualified employee shall not be denied the right to apply for promotional opportunity in any City office or department. Employees will not be eligible for promotion until they have completed their probationary periods in the current job.

Section 4. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," is hereby amended by deleting Article 10, titled "Grievance Procedure," in its entirety, and substituting therefor a new Article 10, titled "Grievance Procedure," which new article shall read as follows:

ARTICLE 10 – GRIEVANCE PROCEDURE

10.1 PURPOSE

It is the desire of the City to reconcile issues informally between the employee and his or her immediate supervisor. However, it is recognized that there will be occasions when employee issues can only be resolved after a formal appeal and review.

10.2 DEFINITIONS

Business Day – A business day is defined as a City working day (Monday through Friday) absent City observed holidays. For Fire Department and Police Department personnel, a business day is still defined as a regular City working day and not department shift days.

Employee – An employee is defined as a regular full-time or part-time employee. The grievance process is not available to temporary or seasonal employees or employees who terminated through retirement, resignation, or removal from initial probation.

Grievance – A complaint by an employee that there has been a violation, misapplication or misinterpretation of existing policies, rules, regulations, laws, or the Personnel Plan/Ordinance, resulting in an adverse personnel action; or a complaint by an employee

AMENDED ON FIRST READING

that the employee's health or safety has been jeopardized by conditions which should be corrected by the City.

10.3 GRIEVANCE PROCEDURE

An employee is encouraged, but not required, to attempt to resolve any grievance informally with his or her immediate supervisor prior to filing a written grievance.

A. Unresolved Grievances to be brought to the Department Head; Timely Appeals

If informal discussion does not resolve the matter, the affected employee must file a written grievance to the employee's Department Head within thirty (30) calendar days of the cause of the grievance. The grievance must be signed by the employee. The grievance must contain the following information:

1. A clear, concise, and factual statement of the specific perceived wrongful act or harm done;
2. A statement of the specific remedy sought; and
3. A citation of any policies, rules, regulations, or ordinance, the violation of which constitutes the basis of the grievance.

Failure of an employee to comply with the above requirements is a failure of the employee to follow the grievance procedure and is an abandonment of the grievance.

The Department Head or the Department Head's designee has the option of scheduling a meeting with the affected employee to discuss the grievance, or may render a written decision on the grievance and provide the affected employee with a copy of the decision within seven (7) business days of receipt of the grievance. Failure of a Department Head or the Department Head's designee to make and communicate a decision within the specified timeframe shall constitute a denial of the grievance and the relief sought and shall permit the grievance to be appealed to the City Manager.

B. Unresolved Grievances to be brought to the City Manager; Timely Appeals

If an employee's grievance is not resolved at the Department Head level, the affected employee may appeal the grievance to the City Manager by forwarding to the City Manager the original grievance filed with the Department Head along with the Department Head's/designee's response, if any. This appeal must be filed in writing with the City Manager within ten (10) business days of the Department Head's or designee's decision to the employee's grievance (or within ten (10) business days of when the Department Head's/designee's decision was due to the employee) and must be signed by the employee. The City Manager or the City Manager's designee has the option of scheduling a meeting with the affected employee to discuss the grievance, or may render a written decision on the grievance and provide the affected employee with a copy of the decision within ten (10) business days of receipt of the appeal.

If the City Manager's designee is the Department Head of the aggrieved employee, a mutual timeframe will be established for a response from the City Manager on the grievance.

AMENDED ON FIRST READING

The City Manager's/designee's decision is final for all grievances except suspensions, dismissals, or other perceived adverse personnel actions which may be appealed to the Personnel Advisory Board.

C. Unresolved Grievances Involving Suspensions, Dismissals, or Perceived Adverse Personnel Actions to be brought to Personnel Advisory Board

If an employee's grievance is not resolved at the City Manager level and said grievance involves a suspension, dismissal, or other perceived adverse personnel actions, the employee may appeal the grievance to the Personnel Advisory Board. This appeal must be filed in writing with the Personnel Director (as liaison to the board) within ten (10) business days of the City Manager's/designee's decision. The Personnel Advisory Board will meet at a time convenient to the board members in order to hear the employee's grievance.

By City Charter Article V, Section 25, if in the opinion of the board the procedures established for such personnel action were not complied with, the board shall make decisions that shall be binding on the City. In all other cases, the board shall report its findings and recommendations, which shall be advisory in nature, in writing to the City Manager, and the decision of the City Manager shall be final.

10.4 ABANDONMENT OF GRIEVANCE

An employee's failure to file a grievance within the time specified in this article constitutes as abandonment of the grievance by the employee. The employee's failure to appeal the decision of the Department Head to the City Manager within the time specified in this article shall constitute an abandonment of the grievance by the employee. A grievance may also be terminated at any time by the employee upon receipt of a signed statement from the employee requesting such termination.

10.5 GROUP GRIEVANCES

When three or more employees are aggrieved due to a common cause and the grievances have not been resolved at the Department Head/designee level, those employees may request the City Manager to accept representation of the aggrieved employees by a committee of up to three aggrieved employees when the grievance is appealed to the City Manager.

However, the grievance procedure shall not be used as a means of collectively bringing about changes in wages, hours, or other conditions of employment applicable to other employees.

10.6 ASSISTANCE BY OTHER EMPLOYEES

Aggrieved employees may seek assistance from other employees during any and all steps of the grievance procedure. This assistance, however, may be not requested from the City Manager, Personnel Director, City Attorney, or Senior Staff Attorney.

10.7 PREPARATION OF GRIEVANCE

Employees must use their personal time, not City time, to work on a grievance.

AMENDED ON FIRST READING

10.8 COERCION

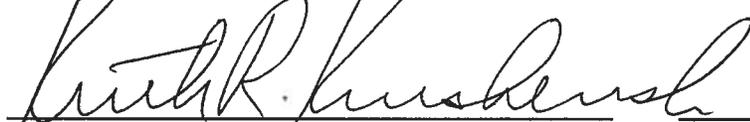
Any attempt on the part of a supervisor to coerce or intimidate an employee in order to prevent participation in the grievance process shall subject that supervisor to disciplinary action.

10.9 JUDICIAL REVIEW

By City Charter Article V, Section 25, employees have the right to common law certiorari to review the action of the Personnel Advisory Board and the City Manager. By City Charter Article V, Section 24, the City has a merit based system not a civil service system, therefore, the Personnel Advisory Board is not a civil service board within the meaning of Tennessee Code Annotated §27-9-114.

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

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

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

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 27-85, TITLED "A PERSONNEL PLAN FOR EMPLOYEES OF THE CITY OF OAK RIDGE, TENNESSEE," AS AMENDED, BY DELETING SECTION 5.1, TITLED "COMPENSATION PHILOSOPHY AND POLICY," AND SUBSTITUTING THEREFOR A NEW SECTION 5.1 TITLED "COMPENSATION PHILOSOPHY AND POLICY"; BY ADDING A NEW SECTION 6.11, TITLED "BONUSES"; BY DELETING SUBSECTION B OF SECTION 7.3, TITLED "APPOINTMENTS," AND SUBSTITUTING THEREFOR A NEW SUBSECTION B; AND DELETING ARTICLE 10, TITLED "GRIEVANCE PROCEDURE," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW ARTICLE 10, TITLED "GRIEVANCE PROCEDURE," ALL FOR THE PURPOSE OF UPDATING THE PERSONNEL PLAN.

WHEREAS, the City desires to clarify the pay plan's compensation philosophy and policy, add a new section on bonuses, specify service requirements for promotion eligibility, and revise the grievance procedure; and

WHEREAS, the Personnel Advisory Board at its July 23, 2013 and August 9, 2013 meetings reviewed the proposed amendments to the Personnel Plan and unanimously recommended their adoption; and

WHEREAS, the City Manager recommends that the Personnel Plan be amended as set forth below.

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

Section 1. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," Article 5, titled "Pay Plan," is hereby amended by deleting Section 5.1, titled "Compensation Philosophy and Policy," in its entirety, and substituting therefor a new Section 5.1, titled "Compensation Philosophy and Policy," which new section shall read as follows:

5.1 COMPENSATION PHILOSOPHY AND POLICY

The compensation plan is an integral component of the City's overall mission to provide quality, responsive service efficiently and effectively. Further, it is recognized that compensation influences people by (1) offering a salary attractive enough for individuals to seek employment with the City, (2) influencing their performance levels once they are employees, and (3) keeping employees sufficiently rewarded and valued to reduce the potential for losing them to other opportunities.

In order to ensure the employment and retention of personnel necessary to maintain a continued high level of public service, it is the policy of the City that the level of compensation of municipal employees should be compared with prevailing rates in private industry and other governmental agencies in the recruiting area when establishing the compensation plan. When there is clear evidence that the compensation plan should be adjusted in order to meet the policies described above and sufficient funds are available, the City Manager is authorized to include in his budget any recommendation for adjustment to the pay plan which he deems advisable, but such adjustment should be based on the prevailing rates in the recruiting area.

Section 2. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," Article 6, titled "Hours of Work, Overtime and Premium Compensation," is hereby amended by adding a new Section 6.11, titled, "Bonuses," which new section shall read as follows:

6.11 BONUSES

The City Manager shall have the authority and discretion to award bonuses to employees to recognize outstanding performance. A bonus is an amount of money given to an employee that does not increase an employee's base pay. The total bonus awarded to an employee is at the discretion of the City Manager; however, no employee may receive more than one bonus per fiscal year. No employee is entitled to a bonus and there is no expectation thereof.

A bonus is subject to the normal deductions for Social Security and Federal Income Tax.

Section 3. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," Article 7, titled "Recruitment, Selection and Appointment of Employees," Section 7.3, titled "Appointments," is hereby amended by deleting Subsection 7.3.b. in its entirety, and substituting therefor a new Subsection 7.3.b., which new subsection shall read as follows:

7.3 APPOINTMENTS

- b. Promotion is the movement of an employee to a position with a higher classification and a higher salary range. Since the City encourages employees to develop skills, attain greater knowledge of their work and make known their qualifications for promotion, a qualified employee shall not be denied the right to apply for promotional opportunity in any City office or department. Employees will not be eligible for promotion until they have completed their probationary periods in the current job.

Section 4. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," is hereby amended by deleting Article 10, titled "Grievance Procedure," in its entirety, and substituting therefor a new Article 10, titled "Grievance Procedure," which new article shall read as follows:

ARTICLE 10 – GRIEVANCE PROCEDURE

10.1 PURPOSE

It is the desire of the City to reconcile issues informally between the employee and his or her immediate supervisor. However, it is recognized that there will be occasions when employee issues can only be resolved after a formal appeal and review.

10.2 DEFINITIONS

Business Day – A business day is defined as a City working day (Monday through Friday) absent City observed holidays. For Fire Department and Police Department personnel, a business day is still defined as a regular City working day and not department shift days.

Employee – An employee is defined as a regular full-time or part-time employee. The grievance process is not available to temporary or seasonal employees or employees who terminated through retirement, resignation, or removal from initial probation.

Grievance – A complaint by an employee that there has been a violation, misapplication or misinterpretation of existing policies, rules, regulations, laws, or the Personnel Plan/Ordinance, resulting in an adverse personnel action; or a complaint by an employee

that the employee's health or safety has been jeopardized by conditions which should be corrected by the City.

10.3 GRIEVANCE PROCEDURE

An employee is encouraged, but not required, to attempt to resolve any grievance informally with his or her immediate supervisor prior to filling a written grievance.

A. Unresolved Grievances to be brought to the Department Head; Timely Appeals

If informal discussion does not resolve the matter, the affected employee must file a written grievance to the employee's Department Head within ten (10) business days of the cause of the grievance. The grievance must be signed by the employee. The grievance must contain the following information:

1. A clear, concise, and factual statement of the specific perceived wrongful act or harm done;
2. A statement of the specific remedy sought; and
3. A citation of any policies, rules, regulations, or ordinance, the violation of which constitutes the basis of the grievance.

Failure of an employee to comply with the above requirements is a failure of the employee to follow the grievance procedure and is an abandonment of the grievance.

The Department Head or the Department Head's designee has the option of scheduling a meeting with the affected employee to discuss the grievance, or may render a written decision on the grievance and provide the affected employee with a copy of the decision within seven (7) business days of receipt of the grievance. Failure of a Department Head or the Department Head's designee to make and communicate a decision within the specified timeframe shall constitute a denial of the grievance and the relief sought and shall permit the grievance to be appealed to the City Manager.

B. Unresolved Grievances to be brought to the City Manager; Timely Appeals

If an employee's grievance is not resolved at the Department Head level, the affected employee may appeal the grievance to the City Manager by forwarding to the City Manager the original grievance filed with the Department Head along with the Department Head's/designee's response, if any. This appeal must be filed in writing with the City Manager within ten (10) business days of the Department Head's or designee's decision to the employee's grievance (or within ten (10) business days of when the Department Head's/designee's decision was due to the employee) and must be signed by the employee. The City Manager or the City Manager's designee has the option of scheduling a meeting with the affected employee to discuss the grievance, or may render a written decision on the grievance and provide the affected employee with a copy of the decision within ten (10) business days of receipt of the appeal.

If the City Manager's designee is the Department Head of the aggrieved employee, a mutual timeframe will be established for a response from the City Manager on the grievance.

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By City Charter Article V, Section 25, if in the opinion of the board the procedures established for such personnel action were not complied with, the board shall make decisions that shall be binding on the City. In all other cases, the board shall report its findings and recommendations, which shall be advisory in nature, in writing to the City Manager, and the decision of the City Manager shall be final.

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

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

First Reading: 9/09/2013
Publication Date: 9/16/2013
Second Reading: _____
Publication Date: _____
Effective Date: _____

FINANCE DEPARTMENT MEMORANDUM

13-21

DATE: August 26, 2013
TO: Mark S. Watson, City Manager
FROM: Janice E. McGinnis, Finance Director
SUBJECT: ORDINANCE AMENDMENT TO WATER AND WASTEWATER RATES

Introduction

An item for City Council's consideration is an ordinance amendment to water and wastewater rates. For both water and wastewater, the ordinance amendment includes a rate structure effective January 1, 2014 and a rate structure effective January 1, 2015. The ordinance amendments contain the rates recommended by Chris Mitchell, Management Consultant, based on his recent water and wastewater rate study. The rates for both water and wastewater were last adjusted effective January 1, 2013.

The applicable water and wastewater rate increase percentages are the same across all non-DOE customers with the exception of customers with a 10" meter size. Minimum bill rates for 6", 8" and 10" meter sizes were added to the ordinance. There is currently only one customer with a 10" meter size and no customers with a 6" or 8" meter size. The minimum bill rate for the customer with a 10" meter size was previously billed at the 4" meter rate. All minimum bill user charges include up to the first 2,000 gallons usage.

Water Rate Analysis

The water rates incorporated in the ordinance amendment include a 10% increase effective January 1, 2014 and an 8% increase effective January 1, 2015. The water rate ordinance amendment retains the per gallon tier structure that is incorporated in the current rate structure. Listed below is the summary of the rate changes for the minimum rate bill for the 5/8" meter size and the per thousand gallon rate structure. 94% of all water billings are for the 5/8" meter size. The minimum bill rate for meter sizes larger than 5/8" all increase at the same percentage as the 5/8" meter.

	Current Rates	Proposed Rates January 1, 2014	Proposed Rates January 1, 2015
Minimum Bill 2,000 Gallons 5/8" Meter	\$13.50	\$14.85	\$16.04
3,000 – 10,000 Per Gallon	\$5.60	\$6.16	\$6.65
11,000 – 50,000 Per Gallon	\$5.10	\$5.61	\$6.06
Over 50,000 Per Gallon	\$4.15	\$4.57	\$4.94

As shown above, the monthly bill increase for the residential minimum bill user is \$1.35 effective January 1, 2014 and an additional \$1.19 per month effective January 1, 2015.

Wastewater Rate Analysis

The wastewater rates incorporated in the ordinance amendment include a 15% increase effective January 1, 2014 and a 10% increase effective January 1, 2015. The wastewater rate ordinance amendment retains the per gallon tier structure that is incorporated in the current rate structure. Listed below is the summary of the rate changes for the minimum rate bill for the 5/8" meter size and the per thousand gallon rate structure. 95% of all wastewater billings are for the 5/8" meter size. The minimum bill rate for meter sizes larger than 5/8" all increase at the same percentage as the 5/8" meter.

	Current Rates	Proposed Rates January 1, 2014	Proposed Rates January 1, 2015
Minimum Bill 2,000 Gallons 5/8" Meter	\$18.50	\$21.28	\$23.41
Over 2,000 Per Gallon	\$7.75	\$8.91	\$9.80

As shown above, the monthly bill increase for the residential minimum bill user is \$2.78 effective January 1, 2014 and an additional \$2.13 per month effective January 1, 2015.

Recommendation

Staff recommends adoption of the attached water and wastewater ordinance amendments. Both the water and wastewater rate increases are required to continue to operate and maintain these systems, perform necessary capital improvements and meet our contractual and debt service obligations. Cash levels have been seriously hampered due to reduced sales volume, particularly in water, due to the unusually high rainfall this summer and are insufficient to finance ongoing obligations without these rate increases.

The water rates will fund the planned initial phases of \$14,650,000 in capital improvements to the Water Treatment Plant to occur through 2019. The Department of Energy will fund approximately half of the cost for these capital improvements.

The wastewater rates will fund debt service for capital projects required to meet the EPA administrative order (AO). To meet the requirements of the EAP AO, approximately \$23,090,000 in capital projects must be completed by September 2015. In June 2013, an \$18,000,000 million loan was approved by the State Revolving Loan (SRF) program to fund capital projects required to meet EPA's AO. An additional up to \$3,000,000 in borrowings is estimated to be necessary to complete the EPA AO required capital projects. In August 2013, the first major capital project to be funded from the SRF loans was approved by City Council for \$3,334,437.50.

The water and sewer rate increases are necessary to continue with the operation and maintenance and capital costs required for these systems to function. In addition to the above major projects, water and sewer rates provide funding to operate and maintain over 248 miles of water and 261 miles of sewer lines along with related pumping systems and operate the water and wastewater treatment plants..

The rate structures in both the water and wastewater ordinance amendments are from the rate study conducted by Chris Mitchell, Management Consultant, based on a long-term view of those systems through 2019. The study anticipates rate increases on January 1 of each calendar year through fiscal 2019 based on the funding parameters contained in the study (e.g. capital and debt service requirements, operating expenses, inflation, etc.). The projected rate increases have been spread across the years of the study with a goal of building much needed cash reserve levels and funding the anticipated capital and ongoing operations of the water and wastewater activities.

The attached ordinance amendments include the recommended rates for the next two calendar years. The attached schedule of Rate Impact for Sample Customers shows that the rate increases are uniform over all customer usage levels. Approximately 36% of our customer base is billed at only the minimum bill rate, 65% is billed for only 4,000 gallons usage or less per month and 91% of water and 94% of wastewater billings are for only 10,000 gallons or less usage per month.

An updated rate review status will be conducted in the summer of 2014 and if any adjustments are necessary for the January 2015 rate they will be brought forward for amendment at that time. The two year rate adoption schedule provides customers with the adopted rate for a two-year period for planning purposes. As with any study, actual results will vary from estimates and longer range estimates are less accurate than those in the near term time frames.

Attachment(s)

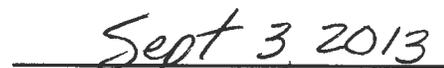
Water Rate Ordinance
Wastewater Rate Ordinance
Rate Impact on Sample Customers



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

City of Oak Ridge
Water and Wastewater Proposed Rate Increase
Rate Impact on Sample Customers

Monthly Billing	Water										Wastewater										Water and Wastewater Combined																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
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	Current Rate	January 2014 Rate	Monthly Increase	% Increase	January 2015 Rate	January 2014 Rate	Monthly Increase	% Increase	January 2015 Rate	January 2014 Rate	Monthly Increase	% Increase	January 2015 Rate	January 2014 Rate	Monthly Increase	% Increase	January 2015 Rate	January 2014 Rate	Monthly Increase	% Increase	January 2015 Rate	Monthly Increase	% Increase																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
Minimum Bill/8" Meter*	\$ 13.50	\$ 14.85	\$ 1.35	10.0%	\$ 16.04	\$ 1.19	8.0%	2.54	18.8%	\$ 18.50	\$ 21.28	\$ 2.78	15.0%	\$ 23.40	\$ 2.12	10.0%	\$ 4.90	26.5%	\$ 7.44	23.3%	\$ 19.10	\$ 21.01	\$ 1.91	10.0%	\$ 22.69	\$ 1.68	8.0%	3.59	18.8%	\$ 26.25	\$ 30.19	\$ 3.94	15.0%	\$ 33.20	\$ 3.01	10.0%	6.85	26.5%	\$ 10.54	\$ 10.54	\$ 0.00	0.0%																																																																																																																																																																																																																																																																																																																																																																																																																																																											
3,000 gallons	\$ 19.10	\$ 21.01	\$ 1.91	10.0%	\$ 22.69	\$ 1.68	8.0%	3.59	18.8%	\$ 26.25	\$ 30.19	\$ 3.94	15.0%	\$ 33.20	\$ 3.01	10.0%	6.85	26.5%	\$ 10.54	23.3%	\$ 24.70	\$ 27.17	\$ 2.47	10.0%	\$ 29.34	\$ 2.17	8.0%	4.64	18.8%	\$ 34.00	\$ 39.10	\$ 5.10	15.0%	\$ 43.00	\$ 3.90	10.0%	9.00	26.5%	\$ 13.64	\$ 13.64	\$ 0.00	0.0%																																																																																																																																																																																																																																																																																																																																																																																																																																																											
4,000 gallons	\$ 24.70	\$ 27.17	\$ 2.47	10.0%	\$ 30.30	\$ 2.86	8.0%	5.69	18.8%	\$ 41.75	\$ 48.01	\$ 6.26	15.0%	\$ 52.80	\$ 4.79	10.0%	11.05	26.5%	\$ 16.74	23.2%	\$ 30.30	\$ 33.33	\$ 3.03	10.0%	\$ 35.99	\$ 2.86	8.0%	5.69	18.8%	\$ 41.75	\$ 48.01	\$ 6.26	15.0%	\$ 52.80	\$ 4.79	10.0%	11.05	26.5%	\$ 16.74	\$ 16.74	\$ 0.00	0.0%																																																																																																																																																																																																																																																																																																																																																																																																																																																											
5,000 gallons	\$ 30.30	\$ 33.33	\$ 3.03	10.0%	\$ 35.99	\$ 3.15	8.0%	6.74	18.8%	\$ 49.50	\$ 56.92	\$ 7.42	15.0%	\$ 62.60	\$ 5.68	10.0%	13.10	26.5%	\$ 19.84	23.2%	\$ 35.99	\$ 39.49	\$ 3.50	10.0%	\$ 42.64	\$ 3.15	8.0%	6.74	18.8%	\$ 49.50	\$ 56.92	\$ 7.42	15.0%	\$ 62.60	\$ 5.68	10.0%	13.10	26.5%	\$ 19.84	\$ 19.84	\$ 0.00	0.0%																																																																																																																																																																																																																																																																																																																																																																																																																																																											
6,000 gallons	\$ 35.90	\$ 39.49	\$ 3.59	10.0%	\$ 42.64	\$ 3.64	8.0%	7.79	18.8%	\$ 57.25	\$ 65.83	\$ 8.58	15.0%	\$ 72.40	\$ 6.57	10.0%	15.15	26.5%	\$ 22.94	23.2%	\$ 41.50	\$ 45.65	\$ 4.15	10.0%	\$ 49.29	\$ 3.64	8.0%	7.79	18.8%	\$ 57.25	\$ 65.83	\$ 8.58	15.0%	\$ 72.40	\$ 6.57	10.0%	15.15	26.5%	\$ 22.94	\$ 22.94	\$ 0.00	0.0%																																																																																																																																																																																																																																																																																																																																																																																																																																																											
7,000 gallons	\$ 41.50	\$ 45.65	\$ 4.15	10.0%	\$ 49.29	\$ 4.13	8.0%	8.84	18.8%	\$ 65.00	\$ 74.74	\$ 9.74	15.0%	\$ 82.20	\$ 7.46	10.0%	17.20	26.5%	\$ 26.04	23.2%	\$ 47.10	\$ 51.81	\$ 4.71	10.0%	\$ 55.94	\$ 4.13	8.0%	8.84	18.8%	\$ 65.00	\$ 74.74	\$ 9.74	15.0%	\$ 82.20	\$ 7.46	10.0%	17.20	26.5%	\$ 26.04	\$ 26.04	\$ 0.00	0.0%																																																																																																																																																																																																																																																																																																																																																																																																																																																											
8,000 gallons	\$ 47.10	\$ 51.81	\$ 4.71	10.0%	\$ 55.94	\$ 4.62	8.0%	9.89	18.8%	\$ 72.75	\$ 83.65	\$ 10.90	15.0%	\$ 92.00	\$ 8.35	10.0%	19.25	26.5%	\$ 29.14	23.2%	\$ 52.70	\$ 57.97	\$ 5.27	10.0%	\$ 62.59	\$ 4.62	8.0%	9.89	18.8%	\$ 72.75	\$ 83.65	\$ 10.90	15.0%	\$ 92.00	\$ 8.35	10.0%	19.25	26.5%	\$ 29.14	\$ 29.14	\$ 0.00	0.0%																																																																																																																																																																																																																																																																																																																																																																																																																																																											
9,000 gallons	\$ 52.70	\$ 57.97	\$ 5.27	10.0%	\$ 62.59	\$ 5.11	8.0%	10.94	18.8%	\$ 80.50	\$ 92.56	\$ 12.06	15.0%	\$ 101.80	\$ 9.24	10.0%	21.30	26.5%	\$ 32.24	23.2%	\$ 58.30	\$ 64.13	\$ 5.83	10.0%	\$ 69.24	\$ 5.11	8.0%	10.94	18.8%	\$ 80.50	\$ 92.56	\$ 12.06	15.0%	\$ 101.80	\$ 9.24	10.0%	21.30	26.5%	\$ 32.24	\$ 32.24	\$ 0.00	0.0%																																																																																																																																																																																																																																																																																																																																																																																																																																																											
10,000 gallons	\$ 58.30	\$ 64.13	\$ 5.83	10.0%	\$ 69.24	\$ 5.11	8.0%	10.94	18.8%	\$ 80.50	\$ 92.56	\$ 12.06	15.0%	\$ 101.80	\$ 9.24	10.0%	21.30	26.5%	\$ 32.24	23.2%	\$ 65.00	\$ 72.75	\$ 7.75	12.0%	\$ 83.65	\$ 8.35	10.0%	19.25	26.5%	\$ 92.00	\$ 101.80	\$ 9.24	10.0%	\$ 101.80	\$ 9.24	10.0%	21.30	26.5%	\$ 32.24	\$ 32.24	\$ 0.00	0.0%																																																																																																																																																																																																																																																																																																																																																																																																																																																											
Minimum Bill:	\$ 17.00	\$ 18.70	\$ 1.70	10.0%	\$ 20.20	\$ 1.50	8.0%	3.20	18.8%	\$ 22.00	\$ 25.30	\$ 3.30	15.0%	\$ 27.83	\$ 2.53	10.0%	5.83	26.5%	\$ 9.03	23.2%	\$ 30.00	\$ 33.00	\$ 3.00	10.0%	\$ 35.64	\$ 2.64	8.0%	5.64	18.8%	\$ 40.25	\$ 46.79	\$ 6.54	16.3%	\$ 47.00	\$ 51.68	\$ 4.68	10.0%	\$ 54.68	\$ 4.68	10.0%	10.0%	26.5%	\$ 160.12	\$ 160.12	\$ 0.00	0.0%																																																																																																																																																																																																																																																																																																																																																																																																																																																							
3/4"	\$ 30.00	\$ 33.00	\$ 3.00	10.0%	\$ 35.64	\$ 2.64	8.0%	5.64	18.8%	\$ 35.00	\$ 40.25	\$ 5.25	15.0%	\$ 44.28	\$ 4.03	10.0%	9.28	26.5%	\$ 14.92	23.0%	\$ 65.00	\$ 71.50	\$ 6.50	10.0%	\$ 77.22	\$ 5.72	8.0%	12.22	18.8%	\$ 80.50	\$ 88.55	\$ 8.05	10.0%	\$ 92.00	\$ 101.80	\$ 9.24	10.0%	\$ 101.80	\$ 9.24	10.0%	21.30	26.5%	\$ 32.24	\$ 32.24	\$ 0.00	0.0%																																																																																																																																																																																																																																																																																																																																																																																																																																																							
1 1/2"	\$ 65.00	\$ 71.50	\$ 6.50	10.0%	\$ 77.22	\$ 5.72	8.0%	12.22	18.8%	\$ 70.00	\$ 80.50	\$ 10.50	15.0%	\$ 88.55	\$ 8.05	10.0%	18.55	26.5%	\$ 23.77	22.8%	\$ 125.00	\$ 137.50	\$ 12.50	10.0%	\$ 148.50	\$ 11.00	8.0%	23.50	18.8%	\$ 164.45	\$ 184.45	\$ 14.95	10.0%	\$ 199.63	\$ 219.63	\$ 15.00	7.5%	\$ 234.63	\$ 254.63	\$ 20.00	8.5%	\$ 274.63	\$ 294.63	\$ 20.00	7.3%	\$ 294.63	\$ 294.63	\$ 0.00	0.0%																																																																																																																																																																																																																																																																																																																																																																																																																																																				
2"	\$ 125.00	\$ 137.50	\$ 12.50	10.0%	\$ 148.50	\$ 11.00	8.0%	23.50	18.8%	\$ 130.00	\$ 148.50	\$ 19.50	15.0%	\$ 164.45	\$ 14.95	10.0%	34.45	26.5%	\$ 57.95	22.7%	\$ 220.00	\$ 242.00	\$ 22.00	10.0%	\$ 261.36	\$ 19.36	8.0%	41.36	18.8%	\$ 284.63	\$ 313.18	\$ 28.55	10.0%	\$ 341.73	\$ 370.28	\$ 28.55	8.3%	\$ 400.33	\$ 428.88	\$ 28.55	7.2%	\$ 458.93	\$ 487.48	\$ 28.55	6.2%	\$ 517.03	\$ 545.58	\$ 28.55	5.5%	\$ 575.58	\$ 604.13	\$ 28.55	5.0%	\$ 633.63	\$ 662.18	\$ 28.55	4.5%	\$ 691.68	\$ 720.23	\$ 28.55	4.1%	\$ 750.23	\$ 778.78	\$ 28.55	3.8%	\$ 808.83	\$ 837.38	\$ 28.55	3.5%	\$ 867.38	\$ 895.93	\$ 28.55	3.3%	\$ 925.93	\$ 954.48	\$ 28.55	3.1%	\$ 984.03	\$ 1012.58	\$ 28.55	2.9%	\$ 1042.13	\$ 1070.68	\$ 28.55	2.7%	\$ 1099.68	\$ 1128.23	\$ 28.55	2.6%	\$ 1157.23	\$ 1185.78	\$ 28.55	2.5%	\$ 1214.78	\$ 1243.33	\$ 28.55	2.4%	\$ 1272.33	\$ 1300.88	\$ 28.55	2.3%	\$ 1330.38	\$ 1358.93	\$ 28.55	2.2%	\$ 1388.43	\$ 1416.98	\$ 28.55	2.1%	\$ 1446.48	\$ 1475.03	\$ 28.55	2.0%	\$ 1504.53	\$ 1533.08	\$ 28.55	1.9%	\$ 1562.58	\$ 1591.13	\$ 28.55	1.8%	\$ 1620.63	\$ 1649.18	\$ 28.55	1.7%	\$ 1678.68	\$ 1707.23	\$ 28.55	1.6%	\$ 1736.73	\$ 1765.28	\$ 28.55	1.5%	\$ 1794.78	\$ 1813.33	\$ 28.55	1.4%	\$ 1852.83	\$ 1871.38	\$ 28.55	1.3%	\$ 1910.88	\$ 1929.43	\$ 28.55	1.2%	\$ 1968.93	\$ 1987.48	\$ 28.55	1.1%	\$ 2026.98	\$ 2045.53	\$ 28.55	1.0%	\$ 2085.03	\$ 2103.58	\$ 28.55	0.9%	\$ 2143.08	\$ 2161.63	\$ 28.55	0.8%	\$ 2201.13	\$ 2219.68	\$ 28.55	0.7%	\$ 2259.18	\$ 2277.73	\$ 28.55	0.6%	\$ 2317.23	\$ 2335.78	\$ 28.55	0.5%	\$ 2375.28	\$ 2393.83	\$ 28.55	0.4%	\$ 2433.33	\$ 2451.88	\$ 28.55	0.3%	\$ 2491.38	\$ 2509.93	\$ 28.55	0.2%	\$ 2549.43	\$ 2567.98	\$ 28.55	0.1%	\$ 2607.48	\$ 2626.03	\$ 28.55	0.0%	\$ 2665.53	\$ 2684.08	\$ 28.55	0.0%	\$ 2723.58	\$ 2742.13	\$ 28.55	0.0%	\$ 2781.63	\$ 2800.18	\$ 28.55	0.0%	\$ 2839.68	\$ 2858.23	\$ 28.55	0.0%	\$ 2897.73	\$ 2916.28	\$ 28.55	0.0%	\$ 2955.78	\$ 2974.33	\$ 28.55	0.0%	\$ 3013.83	\$ 3032.38	\$ 28.55	0.0%	\$ 3071.88	\$ 3090.43	\$ 28.55	0.0%	\$ 3129.93	\$ 3148.48	\$ 28.55	0.0%	\$ 3187.98	\$ 3206.53	\$ 28.55	0.0%	\$ 3246.03	\$ 3264.58	\$ 28.55	0.0%	\$ 3304.08	\$ 3322.63	\$ 28.55	0.0%	\$ 3362.13	\$ 3380.68	\$ 28.55	0.0%	\$ 3420.18	\$ 3438.73	\$ 28.55	0.0%	\$ 3478.23	\$ 3496.78	\$ 28.55	0.0%	\$ 3536.28	\$ 3554.83	\$ 28.55	0.0%	\$ 3594.33	\$ 3612.88	\$ 28.55	0.0%	\$ 3652.38	\$ 3670.93	\$ 28.55	0.0%	\$ 3710.43	\$ 3728.98	\$ 28.55	0.0%	\$ 3768.48	\$ 3787.03	\$ 28.55	0.0%	\$ 3826.53	\$ 3845.08	\$ 28.55	0.0%	\$ 3884.58	\$ 3903.13	\$ 28.55	0.0%	\$ 3942.63	\$ 3961.18	\$ 28.55	0.0%	\$ 4000.68	\$ 4019.23	\$ 28.55	0.0%	\$ 4058.73	\$ 4077.28	\$ 28.55	0.0%	\$ 4116.78	\$ 4135.33	\$ 28.55	0.0%	\$ 4174.83	\$ 4193.38	\$ 28.55	0.0%	\$ 4232.88	\$ 4251.43	\$ 28.55	0.0%	\$ 4290.93	\$ 4309.48	\$ 28.55	0.0%	\$ 4348.98	\$ 4367.53	\$ 28.55	0.0%	\$ 4407.03	\$ 4425.58	\$ 28.55	0.0%	\$ 4465.08	\$ 4483.63	\$ 28.55	0.0%	\$ 4523.13	\$ 4541.68	\$ 28.55	0.0%	\$ 4581.18	\$ 4600.73	\$ 28.55	0.0%	\$ 4639.23	\$ 4658.78	\$ 28.55	0.0%	\$ 4697.28	\$ 4716.83	\$ 28.55	0.0%	\$ 4755.33	\$ 4774.88	\$ 28.55	0.0%	\$ 4813.38	\$ 4832.93	\$ 28.55	0.0%	\$ 4871.43	\$ 4890.98	\$ 28.55	0.0%	\$ 4929.48	\$ 4949.03	\$ 28.55	0.0%	\$ 4987.53	\$ 5007.08	\$ 28.55	0.0%	\$ 5045.58	\$ 5065.13	\$ 28.55	0.0%	\$ 5103.63	\$ 5123.18	\$ 28.55	0.0%	\$ 5161.68	\$ 5181.23	\$ 28.55	0.0%	\$ 5219.73	\$ 5239.28	\$ 28.55	0.0%	\$ 5277.78	\$ 5297.33	\$ 28.55	0.0%	\$ 5335.83	\$ 5355.38	\$ 28.55	0.0%	\$ 5393.88	\$ 5413.43	\$ 28.55	0.0%	\$ 5451.93	\$ 5471.48	\$ 28.55	0.0%	\$ 5509.98	\$ 5529.53	\$ 28.55	0.0%	\$ 5568.03	\$ 5587.58	\$ 28.55	0.0%	\$ 5626.08	\$ 5645.63	\$ 28.55	0.0%	\$ 5684.13	\$ 5703.68	\$ 28.55	0.0%	\$ 5742.18	\$ 5761.73	\$ 28.55	0.0%	\$ 5800.23	\$ 5819.78	\$ 28.55	0.0%	\$ 5858.28	\$ 5877.83	\$ 28.55	0.0%	\$ 5916.33	\$ 5935.88	\$ 28.55	0.0%	\$ 5974.38	\$ 5993.93	\$ 28.55	0.0%	\$ 6032.43	\$ 6051.98	\$ 28.55	0.0%	\$ 6090.48	\$ 6110.03	\$ 28.55	0.0%	\$ 6148.53	\$ 6168.08	\$ 28.55	0.0%	\$ 6206.58	\$ 6226.13	\$ 28.55	0.0%	\$ 6264.63	\$ 6284.18	\$ 28.55	0.0%	\$ 6322.68	\$ 6342.23	\$ 28.55	0.0%	\$ 6380.73	\$ 6400.28	\$ 28.55	0.0%	\$ 6438.78	\$ 6458.33	\$ 28.55	0.0%	\$ 6496.83	\$ 6516.38	\$ 28.55	0.0%	\$ 6554.88	\$ 6574.43	\$ 28.55	0.0%	\$ 6612.93	\$ 6632.48	\$ 28.55	0.0%	\$ 6670.98	\$ 6690.53	\$ 28.55	0.0%	\$ 6729.03	\$ 6748.58	\$ 28.55	0.0%	\$ 6787.08	\$ 6806.63	\$ 28.55	0.0%	\$ 6845.13	\$ 6864.68	\$ 28.55	0.0%

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 ITS 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 December 31, 2013, and substituting therefor a new Section 2 which shall read as follows:

Section 2 – Water Rate Schedule – Effective January 1, 2014

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 January 1, 2014 water billings.

1. Commodity Charge

First 2,000 gallons or any part thereof, minimum billing as outlined in subsection 2 below.			
Next	8,000 gallons	@	\$6.16 per thousand
Next	40,000 gallons	@	\$5.61 per thousand
Over	50,000 gallons	@	\$4.57 per thousand

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

For customers using 5/8" meter	\$ 14.85 per month
For customers using 3/4" meter	18.70 per month
For customers using 1" meter	33.00 per month
For customers using 1-1/2" meter	71.50 per month
For customers using 2" meter	137.50 per month
For customers using 3" meter	242.00 per month
For customers using 4" meter	319.00 per month
For customers using 6" meter	459.00 per month
For customers using 8" meter	599.00 per month
For customers using 10" meter	739.00 per month

For customers using meters sizes not specifically listed above, the minimum billing monthly amount will be 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 – Water Rate Schedule – Effective January 1, 2015

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 January 1, 2015 water billings.

1. Commodity Charge

First 2,000 gallons or any part thereof, minimum billing as outlined in subsection 2 below.			
Next	8,000 gallons	@	\$6.65 per thousand
Next	40,000 gallons	@	\$6.06 per thousand
Over	50,000 gallons	@	\$4.94 per thousand

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

For customers using 5/8" meter	\$ 16.04 per month
For customers using 3/4" meter	20.20 per month
For customers using 1" meter	35.64 per month
For customers using 1-1/2" meter	77.22 per month
For customers using 2" meter	148.50 per month
For customers using 3" meter	261.36 per month
For customers using 4" meter	344.52 per month
For customers using 6" meter	495.72 per month
For customers using 8" meter	646.92 per month
For customers using 10" meter	798.12 per month

For customers using meters sizes not specifically listed above, the minimum billing monthly amount will be 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: 9/09/2013
Publication Date: 9/16/2013
Second Reading: _____
Publication Date: _____
Effective Date: _____

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 21-82, AS AMENDED, BY DELETING THE PROVISION OF SECTION 13 PERTAINING TO THE SCHEDULE OF WASTEWATER RATES IN ITS ENTIRETY, AND SUBSTITUTING THEREFOR A NEW SCHEDULE OF WASTEWATER 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 December 31, 2013, and substituting therefor a new Section 13 which shall read as follows:

Section 13 – Wastewater Rate Schedule – Effective January 1, 2014

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 January 1, 2014 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 \$8.91 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" meter	\$ 21.28 per month
For customers using 3/4" meter	25.30 per month
For customers using 1" meter	40.25 per month
For customers using 1-1/2" meter	80.50 per month
For customers using 2" meter	149.50 per month
For customers using 3" meter	258.75 per month
For customers using 4" meter	339.25 per month
For customers using 6" meter	479.25 per month
For customers using 8" meter	619.25 per month
For customers using 10" meter	759.25 per month

For customers using meters sizes not specifically listed above, the minimum billing monthly amount will be determined by the City at the time the service is established.

3. Customers whose single-meter usage averages over 8,000,000 gallons per month for a contiguous 12 month period will be charged a minimum flat monthly rate of \$120,000.00 each month for the succeeding 12 month period. The minimum flat monthly rate covers usage up to 8,000,000 gallons. Monthly usage over 8,000,000 gallons will be charged an additional \$8.91 per thousand gallons.

Minimum Charge per Month

The total wastewater charge shall be no less than \$21.28 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 13 – Wastewater Rate Schedule – Effective January 1, 2015

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 January 1, 2015 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 \$9.80 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" meter	\$ 23.41 per month
For customers using 3/4" meter	27.83 per month
For customers using 1" meter	44.28 per month
For customers using 1-1/2" meter	88.55 per month
For customers using 2" meter	164.45 per month
For customers using 3" meter	284.63 per month
For customers using 4" meter	373.18 per month
For customers using 6" meter	527.18 per month
For customers using 8" meter	681.18 per month
For customers using 10" meter	835.18 per month

For customers using meters sizes not specifically listed above, the minimum billing monthly amount will be determined by the City at the time the service is established.

- 3. Customers whose single-meter usage averages over 8,000,000 gallons per month for a contiguous 12 month period will be charged a minimum flat monthly rate of \$120,000.00 each month for the succeeding 12 month period. The minimum flat monthly rate covers usage up to 8,000,000 gallons. Monthly usage over 8,000,000 gallons will be charged an additional \$8.91 per thousand gallons.

Minimum Charge per Month

The total wastewater charge shall be no less than \$23.41 per month.

Maximum Charge per Month

The following terms are defined:

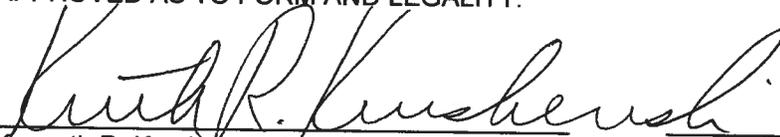
- Winter Period – November 2 through May 1.
- Summer Period – May 2 through November 1.

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: 9/08/2013
Publication Date: 9/16/2013
Second Reading: _____
Publication Date: _____
Effective Date: _____

ELECTIONS
&
APPOINTMENTS
ANNOUNCEMENTS
SCHEDULING

Oak Ridge Heritage Railroad Authority

NumVacancies 1
Total # of Members 2

Term of Office
A three (3) year term of office commencing on October 10, 2013.

Qualifications

The applicant must be at least twenty-five (25) years of age and shall have resided for one year proceeding appointment in the boundaries of the municipality, and the county wherein the Railroad Authority is located, which is Roane County.

Applicants

Oak Ridge Heritage Railroad Authority	Submitted	Preference	# of Previous Submissions
Mr. Gordon G Fee	9/16/2013	1	

Current Members

Oak Ridge Heritage Railroad Authority		Term Expires
Dr. Pete Craven	Mayor's Designee	2015
Mr. Gordon G Fee	City Council Designated	2013

City of Oak Ridge Board Application

BoardName: Oak Ridge Heritage Railroad Authority

2013

Application Submitted

Applicant: Fee, Gordon

Choice

1

9/16/2013 09:10

Race (Optional):

1064 W. Outer Drive

HomePhone

(865) 483-4018

Email

MobilePhone

(865) 414-2390

feeg@aol.com

Oak Ridge

TN

OfficePhone

Retired?

Y

Current Position / Title

Senior Consultant

Current Employer

Fee/Hedrick Family Entertainment Group

Company / Organization Retired From

Lockheed Martin Energy Systems

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

Oak Ridge Heritage Railroad Authority

Education, Professional and or Community Activity

Currently Chair Oak Ridge Heritage Railroad Authority. Have been chair since 2001. Co-Chair Public School Forum of East Tennessee Board Member, Tennessee Business Roundtable. Member Dean's Advisory Committee College of Arts and Sciences, University of Tennessee Member Advocacy Committee, Oak Ridge Chamber of Commerce Board Member, Distinguished Professionals Education Institute Member Oak Ridge Heritage Preservation Association Education B.S. Physics 1956 The Pennsylvania State University. (Named Distinguished Alumni) M.S. Nuclear Engineering 1962 University of Tennessee PMD Graduate, Harvard University 1977

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

I have served on the Oak Ridge Heritage Railroad Authority since it's founding in 2001 and have been Chairman for that term. I believe the Authority has fulfilled it's mission of obtaining State funding in order to help maintain the track used by the Heritage Railroad and the Southern Appalachian Museum Excursion Trains at K-25. I would like to continue to be a member of the Authority in order to help assure this vital railroad link to the City is maintained.

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

Twelve years experience as a member of the Authority.

Notes

Gordon G. Fee
Retired CEO & President
Lockheed Martin Energy Systems Inc.

Gordon G. Fee, a native of Canonsburg, Pennsylvania, received his bachelor's degree in physics from the Pennsylvania State University and his master's degree in nuclear engineering from the University of Tennessee. In 1996 Penn State named him a Distinguished Alumni.

He came to Oak Ridge in 1956 and worked at all three Department of Energy Facilities. He served as Y-12 plant manager for 9 years and retired in 1997 as President of Lockheed Martin Energy Systems overseeing all three Department of Energy facilities in Oak Ridge, Tennessee. He currently services as a Senior Consultant to the Fee/Hedrick Family Entertainment Group in Pigeon Forge, Tennessee.

He is very active in Public Education and currently serves as Co-Chair of the Public School Forum of East Tennessee, Chairman Emeritus of The Education Subcommittee of the Tennessee Business Roundtable, member of TN Higher Education Master Plan Steering Committee and has been a member of the Board of Visitors for UT's College of Arts and Sciences for 12 years. He is Chairman of The Heritage Railroad Authority of Oak Ridge, and is on the Board of Directors of (a) Distinguished Professionals Education Institute, and (b) The Apple View River Condo Homeowners Association of Sevierville, TN. He is a lifetime member of The Circus Fans of America and a member of The Circus Model Builders Association. He is a member of the steering committee for preserving the history of the K-25 Gaseous Diffusion Plant.

Gordon and his wife Miriam live at 1064 West Outer Drive, Oak Ridge, Tennessee; they have two grown children and four grandchildren.

Revised Sept 2013

2

1

End of Application for

Fee, Gordon

For Board:

Oak Ridge Heritage Railroad Authority

2013 ELECTION NOTICE

Boards and Commissions

The Oak Ridge City Council will appoint members to serve on the following boards and commissions at a special meeting of the Oak Ridge City Council scheduled for **December 16, 2013**

Boards or Commissions	Number of Vacancies	Terms of Office	Qualifications	Incumbents
Anderson County Community Action Commission	1	One (1) year commencing on January 1, 2014	No special qualifications, other than Oak Ridge residency.	Benjamin Stephens
Anderson County Development Corporation	2	Four (4) years commencing on January 1, 2013	One (1) position shall be an executive of Anderson County's commercial and financial institution community and the second (2) position shall have industrial and/or commercial development experience. (Mayoral Appointments)	Richard Chinn Thomas Tuck
Anderson County Economic Development Association	1	Four (4) years commencing on January 1, 2013	No special qualifications, other than Oak Ridge residency.	Dominic Giuliano
Anderson County Tourism Council	1	One (1) year commencing on January 1, 2014	Nominated by either the City Manager or the Mayor and confirmed by City Council.	Anne Garcia Garland
Beer Permit Board	2	Three (3) years commencing on January 1, 2014	Applicants must be at least twenty-two (22) years old and have been a resident of Oak Ridge for at least two (2) years.	Vacant Debra Solmonson
Board of Building and Housing Code Appeals	2	Three (3) years commencing on January 1, 2014	One (1) vacancy is a physician or person from a health-related field, one (1) is for one architect or engineer. If no individuals meet the above criteria, City Council may appoint applicants from the public-at-large.	Bruce LeForce John Russell
Board of Zoning Appeals	1	Five (5) year term commencing on January 1, 2014	No special qualifications, other than Oak Ridge residency.	Keith Craft
Convention and Visitors Bureau	3	One (1) year terms commencing on January 1, 2014	Two (2) members shall be the general managers of the top local hotel/motel establishments based upon actual hotel/motel occupancy collections, and one (1) member shall be the general manager of one of the remaining local hotel/motel establishments.	Gretchen Julius Misty Williams Adrian Zarczynski
Environmental Quality Advisory Board	4	(3) Three (3) years commencing on January 1, 2014; and (1) Balance of an unexpired term ending on December 31, 2014.	No special qualifications, other than Oak Ridge residency.	Patricia Fain Stephen Kenworthy James Placke Chuck Agle* (*Resigning 12/31/2013)

2013 Election Notice

Boards or Commissions	Number of Vacancies	Terms of Office	Qualifications	Incumbents
Health and Education Facilities Board	3	Three (3) years commencing on January 1, 2014	No special qualifications, other than Oak Ridge residency.	William Biloski Harold Osucha David Wilson
Highland View Redevelopment Board	4	Three (3) years commencing on January 1, 2014	One (1) member must be a resident of the Highland View neighborhood, the second (2) members is a representative of the Oak Ridge Municipal Planning Commission, and the remaining member from the community at large shall include a contractor with renovation and/or remodeling experience; however, if no individuals meeting these criteria apply for appointment, Council may appoint persons who do not possess such qualifications.	Gerald Cooksey Rosa Korpi Claudia Lever Laurel Patrick
Oak Ridge Housing Authority	1	Five (5) years commencing on January 1, 2014	No special qualifications, other than Oak Ridge residency.	Carol Cox
Oak Ridge Municipal Planning Commission	3	(2) Four (4) years commencing on January 1, 2014; and (1) Balance of an unexpired term ending on December 31, 2014.	No special qualifications, other than Oak Ridge residency.	Lauren Biloski Claudia Lever Chuck Agle* (*Resigning 12/31/2013)
Personnel Advisory Board	2	Three (3) years commencing on January 1, 2014	No special qualifications, other than Oak Ridge residency.	Jonathan Forstrom William Tedford
Recreation and Parks Advisory Board	4	Three (3) years commencing on January 1, 2014	No special qualifications, other than Oak Ridge residency.	Vacant Sherith Colverson Gerry Palau Laurel Patrick
Senior Advisory Board	3	Three (3) years commencing on January 1, 2014	One (1) members shall be a representative of the Anderson County Adult Safety Coalition and Elder Watch, one (1) members shall be a representative of the Senior Citizens Club, and the remaining member is an at-large position.	Elizabeth Batchelor Gene Dunaway Margaret Gottshall
Trade Licensing Board	4	Three (3) years commencing on January 1, 2014	One (1) member shall hold a current and valid Class I or II electrical license from the City of Oak Ridge, one (1) member shall hold a current and valid plumber's license from the City of Oak Ridge, one (1) members holding a current and valid mechanical license from the City of Oak Ridge, if such qualified applicants are available. The remaining member is from the public at large, including persons who possess current and valid electrical, plumbing, and mechanical licenses.	Mike Maddux Joe McCarty Philip Nipper Jerry Seiber

2013 Election Notice

Boards or Commissions	Number of Vacancies	Terms of Office	Qualifications	Incumbents
Traffic Safety Advisory Board	4	Three (3) years commencing on January 1, 2014	All members must be residents of the City of Oak Ridge, the fourth (4) position must be an Oak Ridge Municipal Planning Commission Representative	Sharon Kohler Richard Raridon Ben Redmond Jane Shelton

Individuals interested in serving on the above boards and commission must submit a completed 2013 Boards and Commissions Application to the City Clerk's Office in the Municipal Building by **5:00 p.m. on Friday, November 15, 2013**. Please visit www.oakridgetn.gov/online/cityclerk/bcelections for additional information.

ALL APPLICANTS MUST BE RESIDENTS OF THE CITY OF OAK RIDGE

For further information, contact the City Clerk's Office at (865) 425-3411.