

**OAK RIDGE CITY COUNCIL MEETING**

Municipal Building Courtroom

January 11, 2016 —7:00 p.m.

AGENDA

I. INVOCATION

Julie Rogoish, East Tennessee Rationalists

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPEARANCE OF CITIZENS

V. PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation designating January 31, 2016 as Dr. Elizabeth Rona Day.

VI. SPECIAL REPORTS

Presentation from Neil Wilson of Realty Link, Main Street Project Update

Transmittal of Report on debt Obligation presented by Janice McGinnis

City Manager Evaluation Committee report, by Chair Charlie Hensley

VII. CONSENT AGENDA

a. Approval of the December 14, 2015 City Council meeting minutes.

VIII. RESOLUTIONS

- a. A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS WITH VARIOUS QUALIFIED CONSULTANTS FOR AS-NEEDED ENGINEERING SERVICES FOR THE ELECTRIC DEPARTMENT IN THE ESTIMATED AMOUNT OF \$90,000.00.
- b. A RESOLUTION APPROVING THE PURCHASE OF REPLACEMENT PUMPS FOR THE WASTEWATER TREATMENT PLANT FROM ABBA PUMP PARTS AND SERVICE, BURLINGTON, ONTARIO, CANADA, IN THE ESTIMATED AMOUNT OF \$40,679.00 AND NEDROW & ASSOCIATES, INC., MURFREESBORO, TENNESSEE, IN THE ESTIMATED AMOUNT OF \$39,700.00.
- c. A RESOLUTION APPROVING AN AGREEMENT WITH LDA ENGINEERING TO DEVELOP A POST REMEDIATION PLAN IN THE ESTIMATED AMOUNT OF \$65,000.00, AND AN AGREEMENT WITH LDA ENGINEERING FOR ENGINEERING SERVICES RELATED TO A SEWER REHABILITATION PROJECT IN THE TURTLE PARK SEWER SHED IN THE ESTIMATED AMOUNT OF \$362,500.00.
- d. A RESOLUTION WAIVING THE COMPETITIVE BID PROCESS AND AMENDING THE CONTRACT (COR 96-01) BETWEEN THE CITY AND WASTE CONNECTIONS OF TENNESSEE, INC., TO EXTEND THE CONTRACT TERM BY FIVE YEARS FOR A NEW TERMINATION DATE OF JUNE 30, 2026.

- e. A RESOLUTION TO ACCEPT THE REPORT OF THE JOINT CITY/SCHOOLS PRESCHOOL PLANNING COMMITTEE DATED OCTOBER 20, 2015.
- f. A RESOLUTION TO AMEND RESOLUTION 6-57-2015 REGARDING HEAVY EQUIPMENT RENTALS FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2016 TO ADD ADDITIONAL FUNDING FOR A NEW ESTIMATED AMOUNT OF \$110,000.00.

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

X. FINAL ADOPTION OF ORDINANCES

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

a. Elections/Appointments

b. Announcements

c. Scheduling

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. SUMMARY OF CURRENT EVENTS

a. CITY MANAGER'S REPORT

b. CITY ATTORNEY'S REPORT

XIV. ADJOURNMENT

**PROCLAMATIONS  
AND  
PUBLIC RECOGNITIONS**

# PROCLAMATION

**WHEREAS**, the Oak Ridge Friends of the Library (FOL) will sponsor a special event to honor the late Dr. Elizabeth Rona on Sunday, January 31, 2016, at 3 PM; and

**WHEREAS**, Dr. Rona was recently recognized and installed in the Tennessee Women's Hall of Fame; and

**WHEREAS**, Dr. Rona's work in the European laboratories of Marie Curie, Otto Hahn, and others, and later in the United States, brought her to The Manhattan Project in Oak Ridge; and

**WHEREAS**, Dr. Rona's sharing her scientific experiences through journals and the writing of her life's work alongside the world's pioneers of radioactivity led to safer laboratories and a stricter set of radiation safety standards; and

**WHEREAS**, Dr. Rona's work in nuclear chemistry and physics and the measurement of radioactivity also put her on the front lines of isotope discovery, fission, and the making of polonium sources; and

**WHEREAS**, Dr. Elizabeth Rona's participation in the creation of the atom bomb to her teaching the safe use of radioactive isotopes through the "Atoms for Peace Program," Elizabeth Rona had a front row seat at some of the great scientific moments of the 20<sup>th</sup> century.

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

That this Council declares January 31, 2016 as

## DR. ELIZABETH RONA DAY

and accords her an honored place as an outstanding citizen in the history of this city.

**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 11<sup>th</sup> day of January in the year 2016.

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**WARREN L. GOOCH**  
**MAYOR**

# SPECIAL REPORTS

**FINANCE DEPARTMENT MEMORANDUM**  
**16-01**

DATE: January 4, 2016  
TO: Mark S. Watson, City Manager  
FROM: Janice E. McGinnis, Finance Director  
SUBJECT: Transmittal of Report on Debt Obligation – State Form CT-0253 for General Obligation Refunding Bonds, Series 2015A and Series 2015B

On December 18, 2015, the City closed on the issuance of \$9,140,000 in General Obligation Refunding Bonds, Series 2015A and \$9,445,000 in General Obligation Refunding Bonds, Series 2015B to refund the outstanding Series B-9-A and Series B-11-A Bonds which were issued in 2005 and 2006 to finance a portion of the Oak Ridge High School renovation project.

Fidelity Capital Markets purchased the Series 2015A Bonds, being the lowest of 5 bidders. The true interest cost on the bonds was 1.7341436% with a debt service savings of \$1,794,291.15 and a net present value gain of \$1,501,044.22. The Series 2015A Bonds mature in 2024.

Robert W. Baird & Company, Inc. purchased the Series 2015B bonds, being the lowest of 6 bidders. The true interest cost on the bonds was 2.1063305% with a debt service savings of \$4,768,695.30 and a net present value gain of \$2,890,762.90. The Series 2015B Bonds mature in 2032.

Overall, both issues achieved a true interest cost of 1.9727591% total debt service savings of \$6,562,986.45, of which \$390,000 was in principal savings, and a net present value gain of \$4,391,807.12. The overall life of the bonds was reduced by six years, with final maturity dropping from 2038 down to 2032.

Attached is the State Form CT-0253 Report on Debt Obligation for both the General Obligation Refunding Bonds, Series 2015A and Series 2015B for transmittal to City Council. The resolutions authorizing this debt was approved at the November 16, 2015 City Council meeting. The State Comptroller requires that the CT-0253 form be completed and returned to the Comptroller's Office of State and Local Finance and presented to the governing body at a public meeting. The Official Statement for these debt issuances is located on the City's web site. They describe the essential terms of the bonds along with financial information about the City of Oak Ridge and brief economic information about Oak Ridge and the surrounding area for prospective bond purchasers.

City staff will be happy to answer questions regarding the attached information at the January 11, 2016 City Council meeting. The presentation is for transparency regarding debt transactions; no action is required by City Council.

  
Janice McGinnis

**Attachments**

CT-0253 Form for \$9,140,000 General Obligation Bonds, Series 2015A  
CT-0253 Form for \$9,445,000 General Obligation Bonds, Series 2015B

RECEIVED

DEC 22 2015

STATE AND LOCAL FINANCE  
REPORT ON DEBT OBLIGATION

(Pursuant to Tennessee Code Annotated Section 9-21-151)

**1. Public Entity:**  
 Name: City of Oak Ridge, TN  
 Address: 200 South Tulane Ave  
Oak Rdige, TN 37830  
 Debt Issue Name: General Obligation Refunding Bonds, Series 2015B  
 If disclosing initially for a program, attach the form specified for updates, indicating the frequency required

**2. Face Amount:** \$ 9,445,000  
 Premium/Discount: \$ 147,147.70

**3. Interest Cost:** 2.1063305 %  Tax-exempt  Taxable  
 TIC  NIC  
 Variable: Index \_\_\_\_\_ plus \_\_\_\_\_ basis points; or  
 Variable: Remarketing Agent \_\_\_\_\_  
 Other: \_\_\_\_\_

**4. Debt Obligation:**  
 TRAN  RAN  CON  
 BAN  CRAN  GAN  
 BOND  Loan Agreement  Capital Lease  
 If any of the notes listed above are issued pursuant to Title 9, Chapter 21, enclose a copy of the executed note with the filing with the Official State and Local Finance ("OSFL")

**5. Ratings:**  
 Unrated  
 Moody's \_\_\_\_\_ Standard & Poor's AA+ Fitch \_\_\_\_\_

**6. Purpose:**

		BRIEF DESCRIPTION
<input type="checkbox"/>	General Government	_____ %
<input type="checkbox"/>	Education	_____ %
<input type="checkbox"/>	Utilities	_____ %
<input type="checkbox"/>	Other	_____ %
<input checked="" type="checkbox"/>	Refunding/Renewal	100% Refinance portion Series B-9-A (2005) Loan Agreement & Series B-11-A (2006) Loan Agreement

**7. Security:**  
 General Obligation  General Obligation + Revenue/Tax  
 Revenue  Tax Increment Financing (TIF)  
 Annual Appropriation (Capital Lease Only) Other (Describe): \_\_\_\_\_

**8. Type of Sale:**  
 Competitive Public Sale  Interfund Loan  
 Negotiated Sale  Loan Program  
 Informal Bid

**9. Date:**  
 Dated Date: 12/18/2015 Issue/Closing Date: 12/18/2015



**REPORT ON DEBT OBLIGATION**  
(Pursuant to Tennessee Code Annotated Section 9-21-151)

**12. Recurring Costs:**  
 No Recurring Costs

	AMOUNT (Basis points/\$)	FIRM NAME (if different from #11)
Remarketing Agent		
Paying Agent/Registrar	\$ 500.00	Regions Bank
Trustee		
Liquidity/Credit Enhancement		
Escrow Agent		
Sponsorship/Program/Admin		
Other		

**13. Disclosure Document/Official Statement:**

None Prepared  
 EMMA Link <http://emma.msrb.org/EP893766-EP691990-EP1093697.pdf> or  
 Copy Attached

**14. Continuing Disclosure Obligations:**

Is there an existing continuing disclosure obligation related to the security for this debt?  Yes  No  
 Is there a continuing disclosure obligation agreement related to this debt?  Yes  No  
 If yes to either question, date that disclosure is due 6/30/2015  
 Name and title of person responsible for compliance Cumberland Securities Company, Inc.

**15. Written Debt Management Policy:**

Governing Body's approval date of the current version of the written debt management policy 11/14/2011  
 Is the Debt obligation in compliance with and clearly authorized under the policy?  Yes  No

**16. Written Derivative Management Policy:**

No Derivative  
 Governing Body's approval date of the current version of the written derivative management policy \_\_\_\_\_  
 Date of Letter of Compliance for derivative \_\_\_\_\_  
 Is the derivative in compliance with and clearly authorized under the policy?  Yes  No

**17. Submission of Report:**

To the Governing Body: on 12/18/2015 and presented at the public meeting held on 1/12/2016  
 Copy to Director of OSLF: on 12/18/2015 either by:  
 Mail to: \_\_\_\_\_  Email to: StateAndLocalFinance.PublicDebtForm@cot.tn.gov  
 505 Deaderick Street, Suite 1600  
 James K. Polk State Office Building  
 Nashville, TN 37243-1402

**18. Signatures:**

	AUTHORIZED REPRESENTATIVE	PREPARER
Name	<u><i>Joe Ayres</i></u>	<u>Joseph Ayres</u>
Title	<u>Mayor</u>	<u>President</u>
Firm	<u>City of Oak Ridge, Tennessee</u>	<u>Cumberland Securities Company, In</u>
Email	<u>JMcGinnis@oakridgetn.gov</u>	<u>joe.ayres@cumberlandsecurities.com</u>
Date	<u>12/18/2015</u>	<u>12/18/2015</u>

RECEIVED

DEC 22 2015

State Form No. CT-0253

Revised Effective 1/1/14

STATE AND LOCAL FINANCE

REPORT ON DEBT OBLIGATION

(Pursuant to Tennessee Code Annotated Section 9-21-151)

**1. Public Entity:**  
 Name: City of Oak Ridge, TN  
 Address: 200 South Tulane Ave  
Oak Rdige, TN 37830  
 Debt Issue Name: General Obligation Refunding Bonds, Series 2015A  
 If disclosing initially for a program, attach the form specified for updates, indicating the frequency required

**2. Face Amount:** \$ 9,140,000  
 Premium/Discount: \$ 622,656.80

**3. Interest Cost:** 1.7341436 %  Tax-exempt  Taxable  
 TIC  NIC  
 Variable: Index \_\_\_\_\_ plus \_\_\_\_\_ basis points; or  
 Variable: Remarketing Agent \_\_\_\_\_  
 Other: \_\_\_\_\_

**4. Debt Obligation:**  
 TRAN  RAN  CON  
 BAN  CRAN  GAN  
 BOND  \_\_\_\_\_ Loan Agreement  Capital Lease  
 If any of the notes listed above are issued pursuant to Title 9, Chapter 21, enclose a copy of the executed note with the filing with the Official State and Local Finance ("OSFL")

**5. Ratings:**  
 Unrated  
 Moody's \_\_\_\_\_ Standard & Poor's AA+ Fitch \_\_\_\_\_

**6. Purpose:**

		BRIEF DESCRIPTION
<input type="checkbox"/> General Government	_____ %	_____
<input type="checkbox"/> Education	_____ %	_____
<input type="checkbox"/> Utilities	_____ %	_____
<input type="checkbox"/> Other	_____ %	_____
<input checked="" type="checkbox"/> Refunding/Renewal	<u>100%</u>	<u>Refinance portion Series B-9-A (2005) Loan Agreement</u>

**7. Security:**  
 General Obligation  General Obligation + Revenue/Tax  
 Revenue  Tax Increment Financing (TIF)  
 Annual Appropriation (Capital Lease Only) Other (Describe): \_\_\_\_\_

**8. Type of Sale:**  
 Competitive Public Sale  Interfund Loan  
 Negotiated Sale  Loan Program  
 Informal Bid

**9. Date:**  
 Dated Date: 12/18/2015 Issue/Closing Date: 12/18/2015



**REPORT ON DEBT OBLIGATION**  
(Pursuant to Tennessee Code Annotated Section 9-21-151)

**12. Recurring Costs:**  
 No Recurring Costs

	AMOUNT (basis points/\$)	FIRM NAME (if different from #11)
Remarketing Agent		
Paying Agent/Registrar	\$ 500.00	Regions Bank
Trustee		
Liquidity/Credit Enhancement		
Escrow Agent		
Sponsorship/Program/Admin		
Other		

**13. Disclosure Document/Official Statement:**

None Prepared  
 EMMA Link <http://emma.msrb.org/ER923989-ER721740-ER1123097.pdf> or  
 Copy Attached

**14. Continuing Disclosure Obligations:**

Is there an existing continuing disclosure obligation related to the security for this debt?  Yes  No  
 Is there a continuing disclosure obligation agreement related to this debt?  Yes  No  
 If yes to either question, date that disclosure is due 6/30/2015  
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To the Governing Body: on 12/18/2015 and presented at the public meeting held on 1/12/2016  
 Copy to Director of OSLF: on 12/18/2015 either by:  
 Mail to: \_\_\_\_\_  Email to: StateAndLocalFinance.PublicDebtForm@cot.tn.gov  
 505 Deaderick Street, Suite 1600  
 James K. Polk State Office Building  
 Nashville, TN 37243-1402

**18. Signatures:**

	AUTHORIZED REPRESENTATIVE	PREPARER
Name	<u>Wanda J. Jones</u>	<u>Joseph Ayres</u>
Title	<u>Mayor</u>	<u>President</u>
Firm	<u>City of Oak Ridge, Tennessee</u>	<u>Cumberland Securities Company, In</u>
Email	<u>JMcGinnis@oakridgetn.gov</u>	<u>joe.ayres@cumberlandsecurities.com</u>
Date	<u>12/18/2015</u>	<u>12/18/2015</u>

CITY MANAGER EVALUATION COMMITTEE  
MEMORANDUM

DATE: December 30, 2015

TO: Fellow Members of City Council

FROM: City Manager Evaluation Committee  
L. Charles Hensley, Chair  
Kelly Callison  
Ellen D. Smith

SUBJECT: CITY MANAGER EVALUATION REPORT AND RECOMMENDATIONS FOR FY 2015

The City Manager Performance Evaluation was done using a survey sent to all City Council members as has been done in recent years. Of the seven members of Council, six (6) submitted survey forms to the City Clerk, and the Committee's summary and recommendations are based on a consensus opinion of the Committee after review of the submitted results, including the summary bar charts of ratings results.

In arriving at a summary consensus, it is noted that the consensus of the Committee is the City Manager's performance is generally and at least "meets expectations" and is overall positive. Categories with two or more "NIs" were discussed in greater detail.

**Leadership** (*Meets Expectations*)

Added focus on earlier brainstorming among staff and stakeholders was discussed prior to major decisions with possible periodic retreats.

**Budgeting** (*Meets Expectations*)

Greater focus on major issues and returning to use of the multi-year model were discussed. Replacing the current accounting system should be a major priority.

**Service Delivery and Administration** (*Meets Expectations*)

A simple process is needed to assure requests from citizens, including those from individual community leaders, are provided and/or are completed.

**Citizen and Community Relations** (*Meets Expectations*)

Establishing a staff public relations position to provide honest and accurate information on events and issues was discussed. Assessment and ranking of Community Groups for their impact on the City was discussed.

**Personal and Professional Qualities** (*Exceeds Expectations*)

More and earlier brainstorming among staff was discussed and requested for major issues.

**Council Relations** (*Meets Expectations*)

Also, presenting issues on the City website for broader understanding within citizenry was discussed. Presenting multiple options is requested instead of just presenting the preferred option. More information on staff turn-over rates, departures, and new hires is requested. Also, more communications on on-going issues was discussed.

December 30, 2015

**Summary**

In summary of the results and process, the submitted surveys support the conclusion that our City Manager, at the least, meets job performance expectations and often exceeds in some areas. The Committee recommends he receive a 2% salary increase, in line with the balance of City staff, and that he receive a one year contract extension until August 8, 2018.

Respectfully submitted for the City Manager Evaluation Committee of 2015,

  
L. Charles Hensley, Chairman

Attachments:

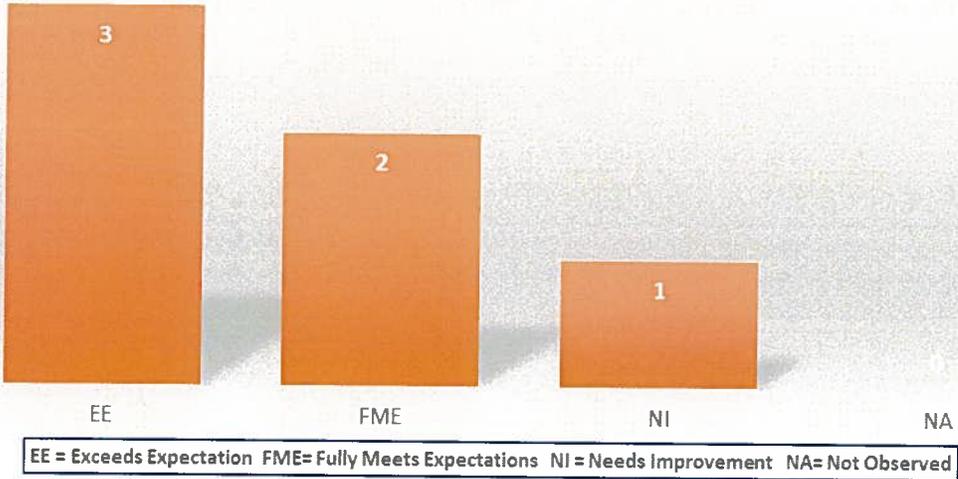
FY2015 City Manager Evaluation Results

City Manager Employment Agreement

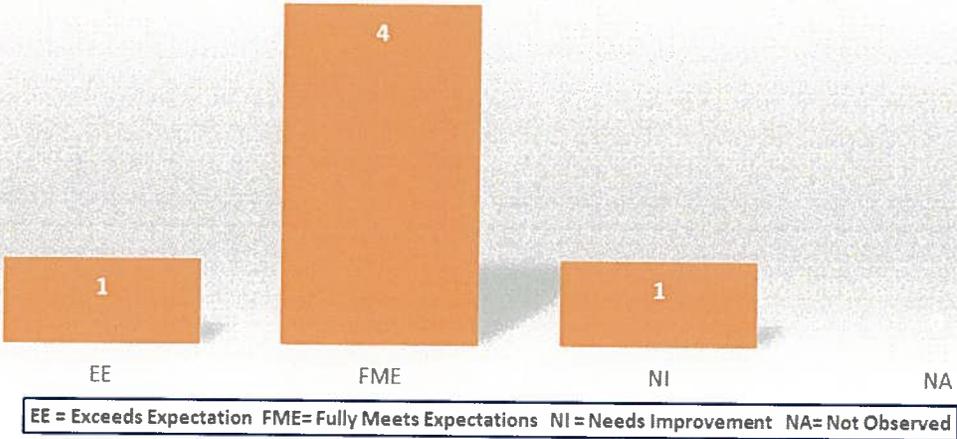
Resolution

City Manager Evaluation Data Set Visualization

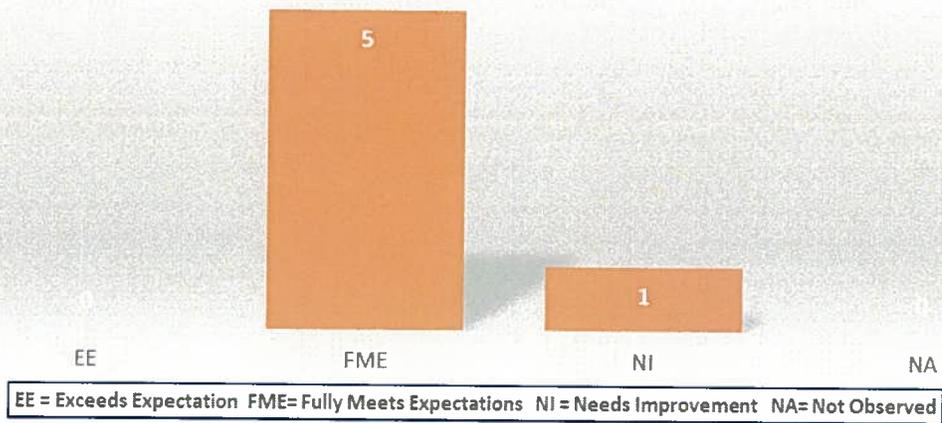
>> Takes a proactive approach to issues



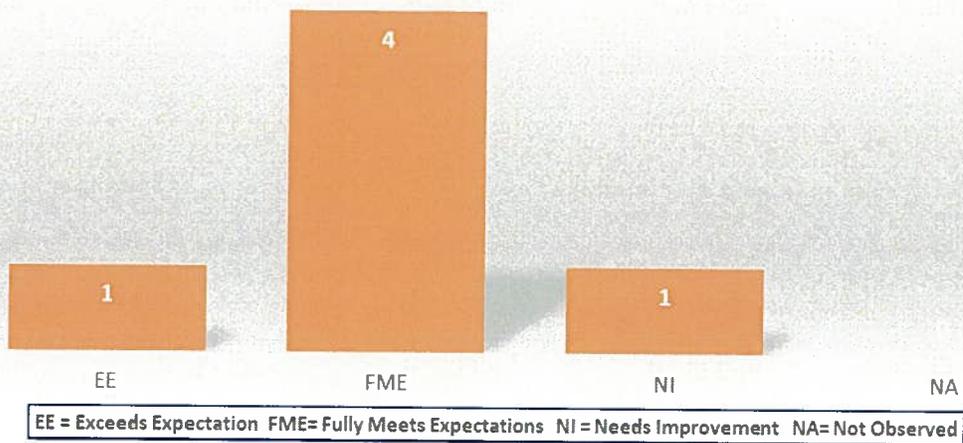
>> Offers new motivation, ideas, processes and procedures to council, staff and the public



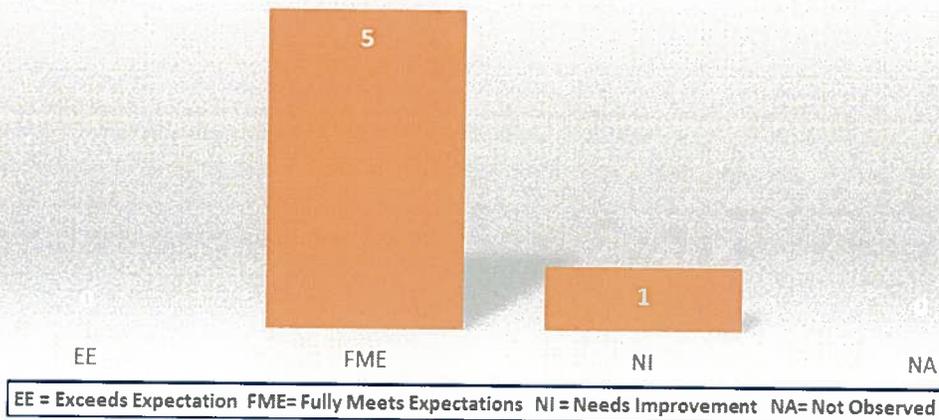
>> Provides mentoring and coaching to key staff



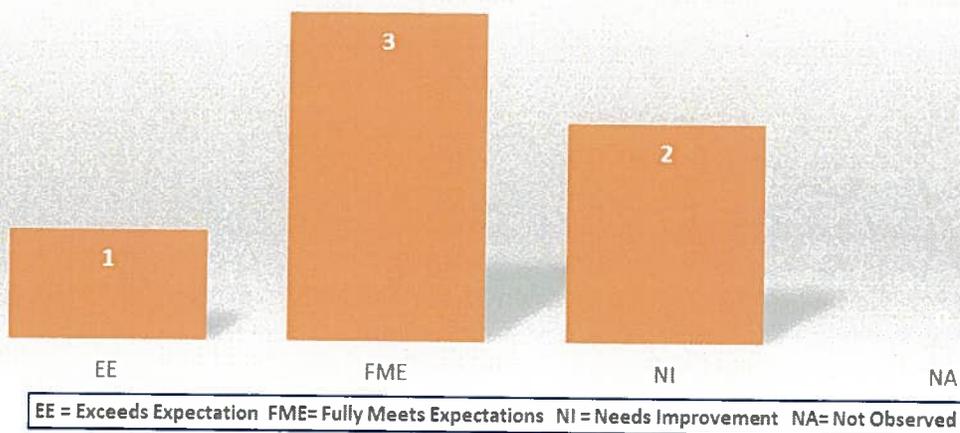
>> Understands his staff's strengths and shapes programs around those



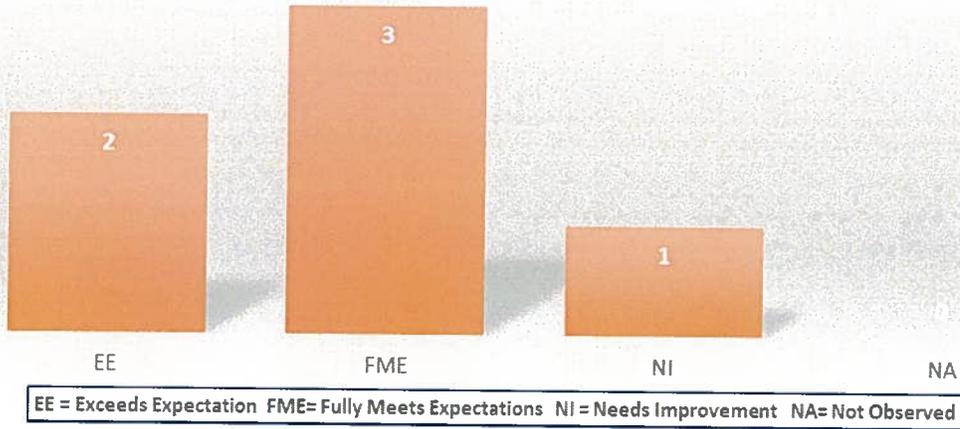
>> Ensures purchasing policies are followed and informs council when revisions are needed



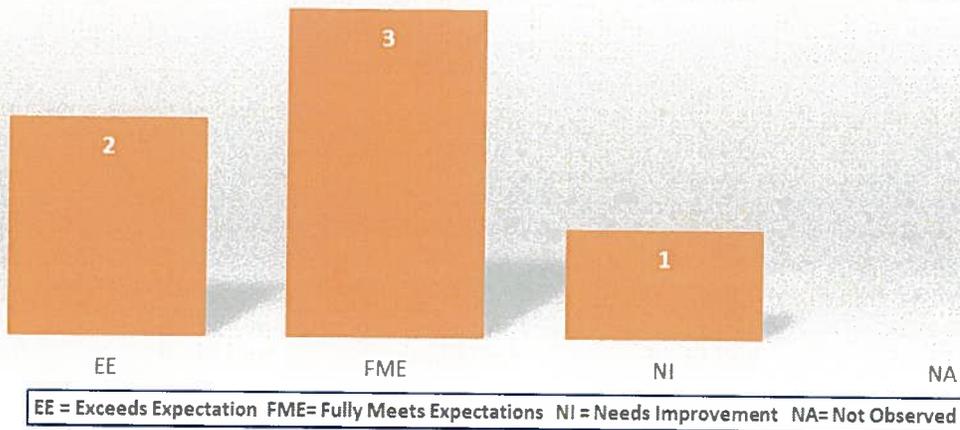
>> Prepares realistic and understandable budget documents



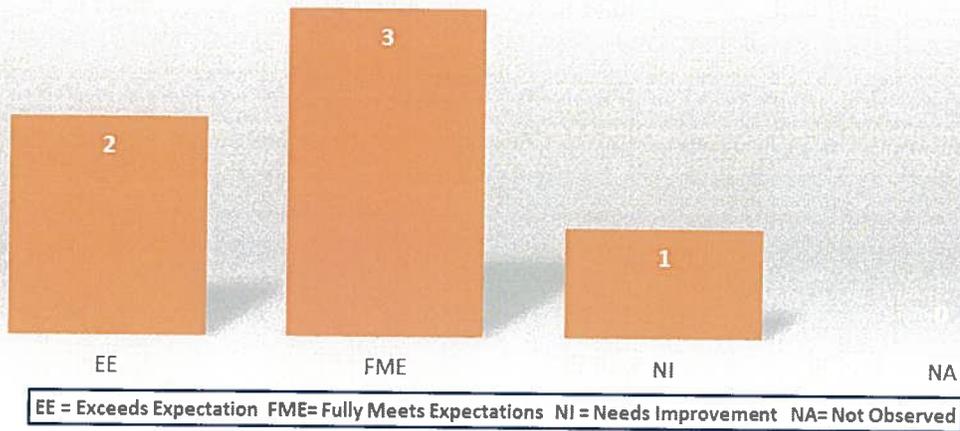
>> Operates the City's finances in compliance with generally accepted accounting principles.



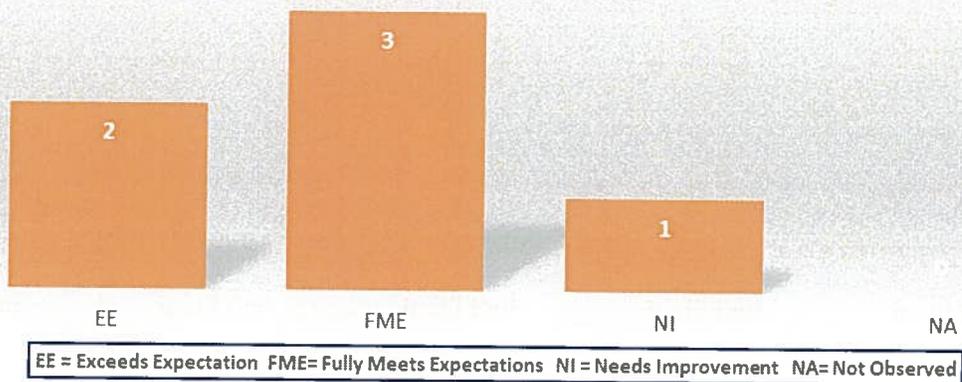
>> Maximizes all efforts to collect taxes and other revenues and seeks new revenue sources



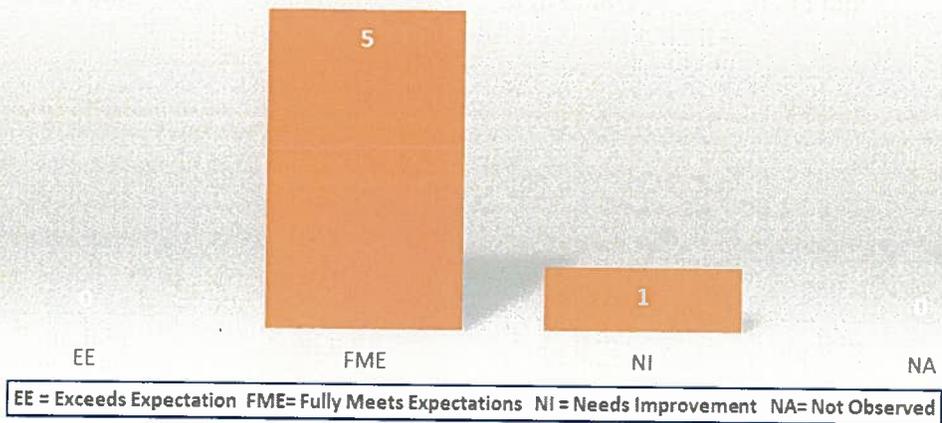
>> Manages the budget within the confines of what the council adopted



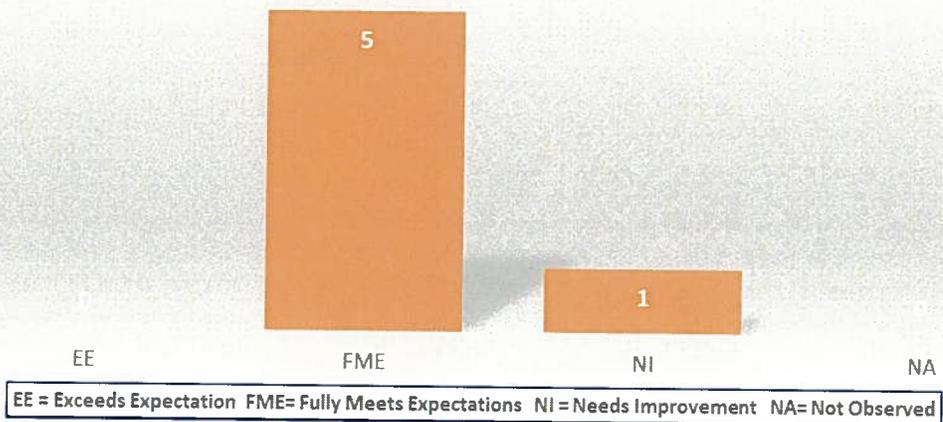
>> Makes the best use of available funds, conscious of the need to operate the city efficient...



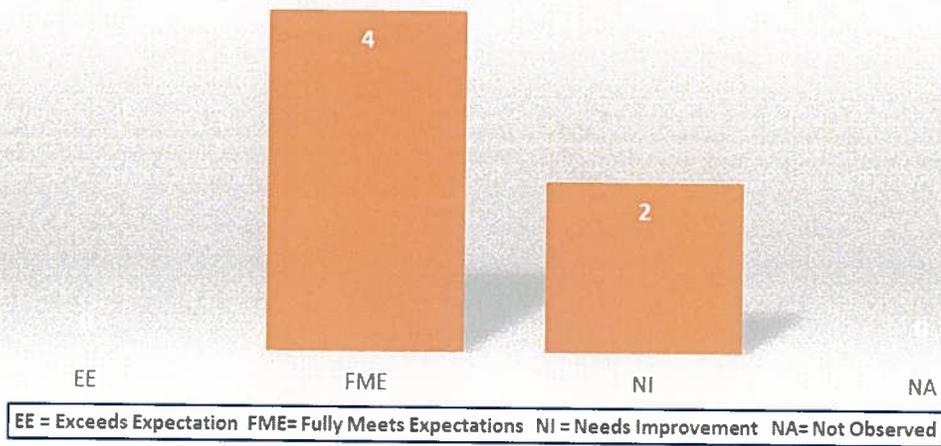
>> Ensures the public receives city services efficiently and effectively



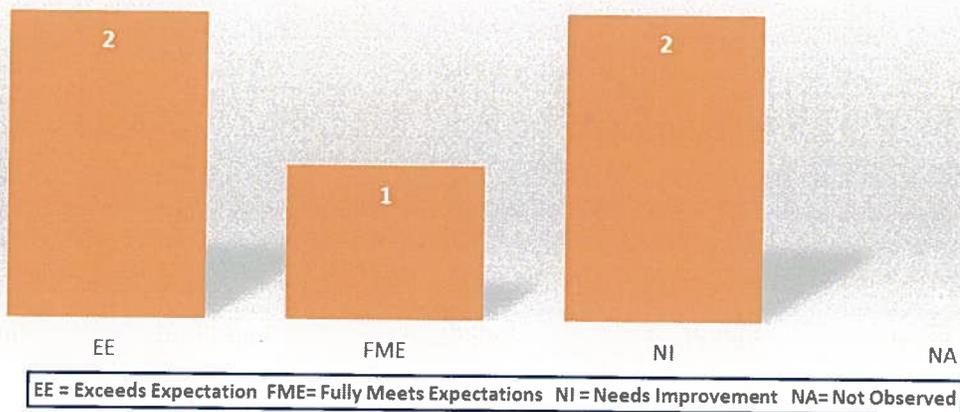
>> Enforces laws and policies adopted by the council and the state



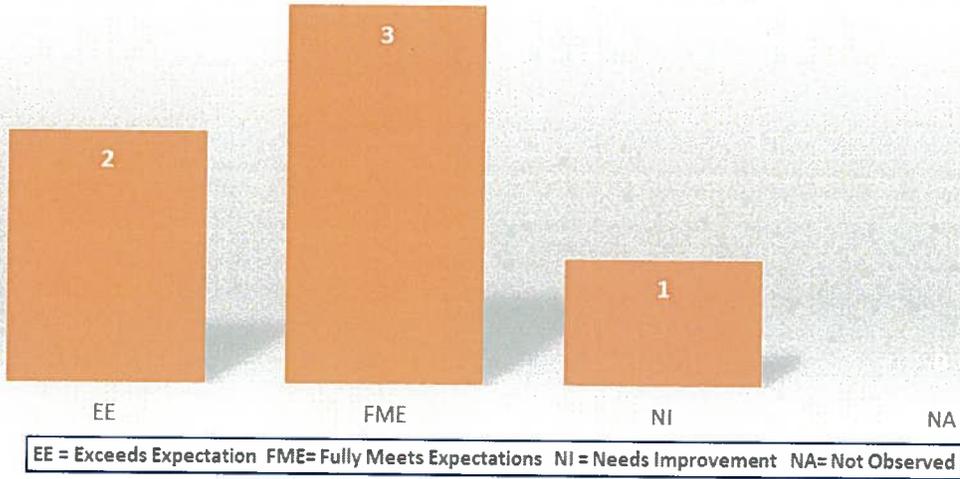
>> Manages resources appropriately to assist staff in performing their duties.



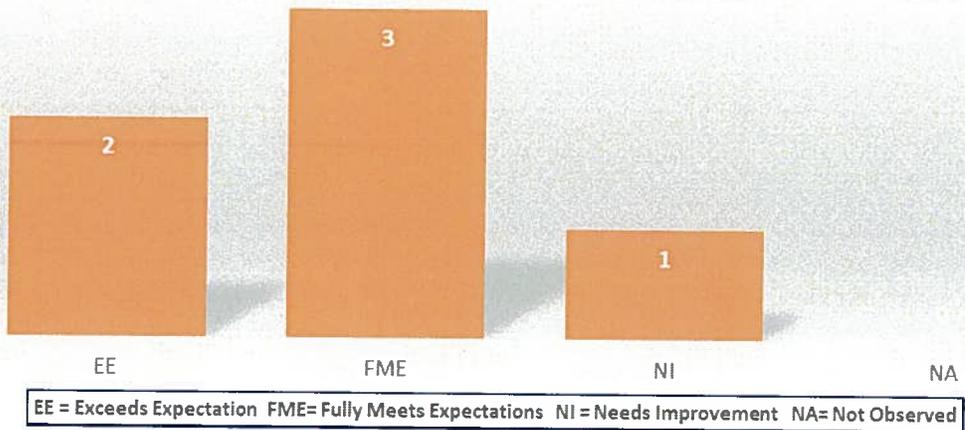
>> Responds appropriately to citizen and employee suggestions and/or concerns



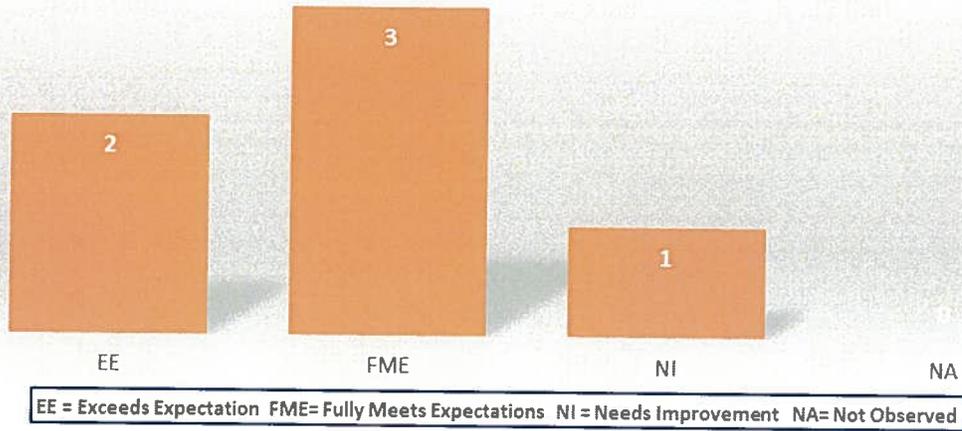
>> Responsive in completion of duties.



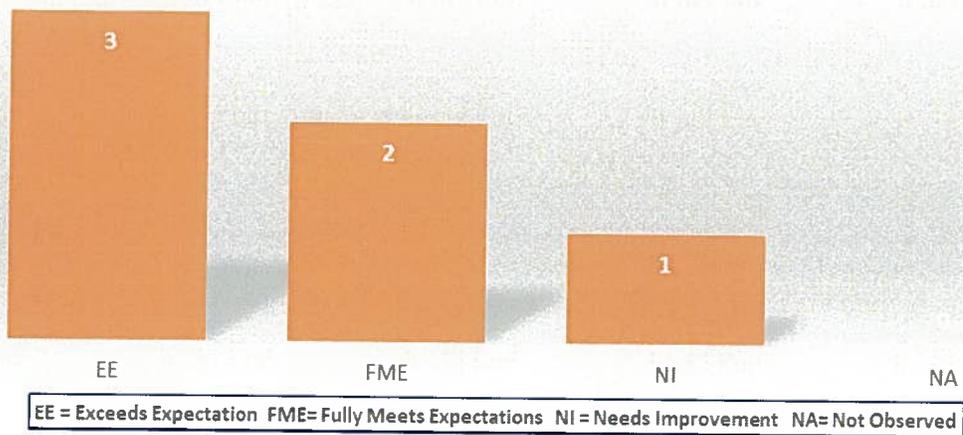
>> Gives attention to concerns and opinions of community groups and individuals



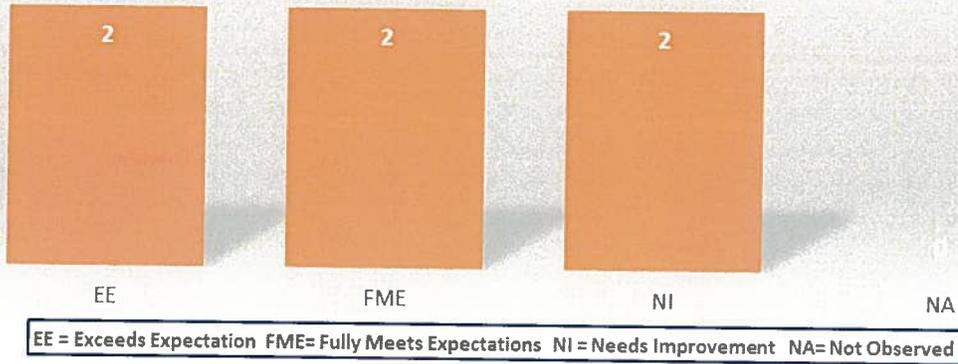
>> Uses sensitivity, diplomacy, and empathy when dealing with the public



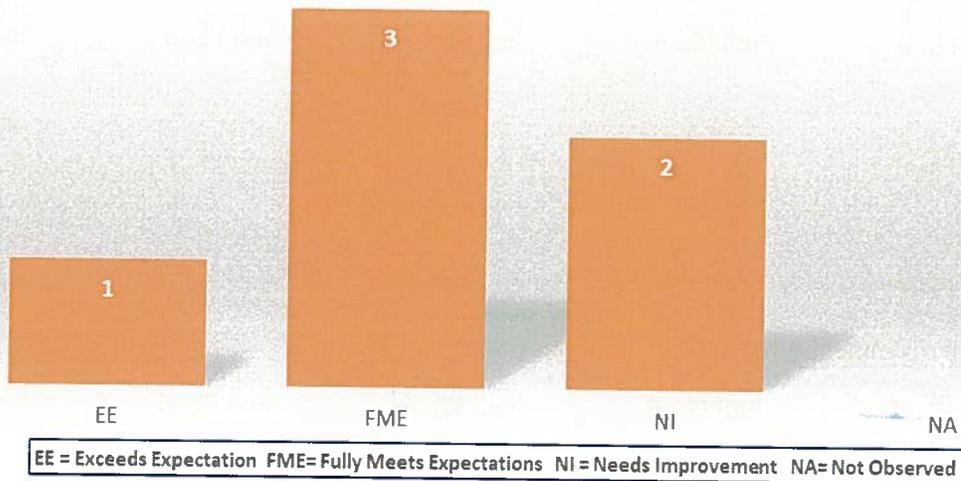
>> Interacts effectively with federal, state, and other local government representatives to a...



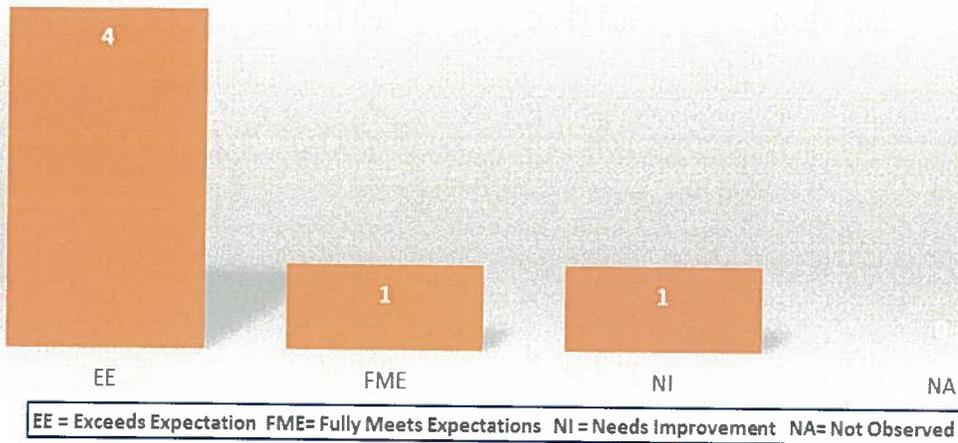
>> Demonstrates openness, receptiveness, and approachability in both formal and informal situ...



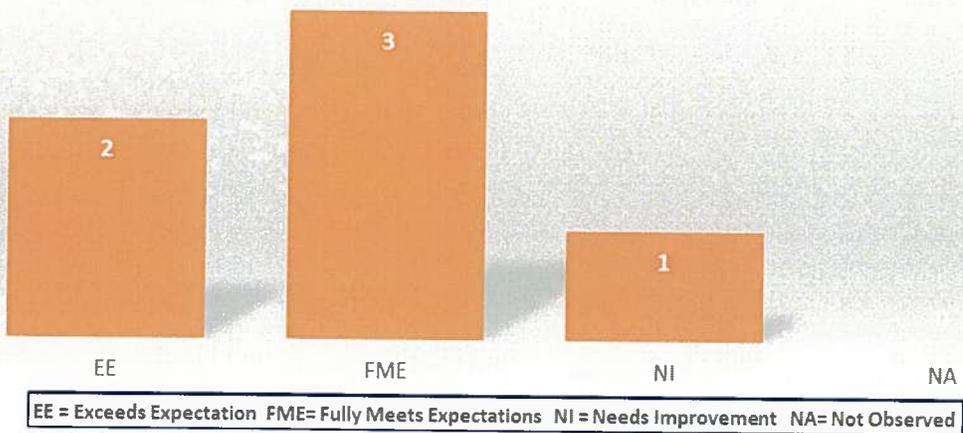
>> Deals effectively with the media



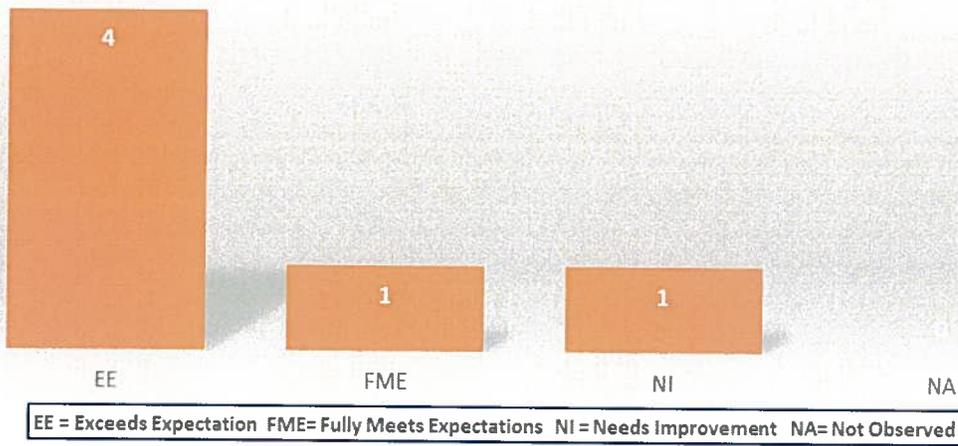
>> Projects a positive personal and professional image



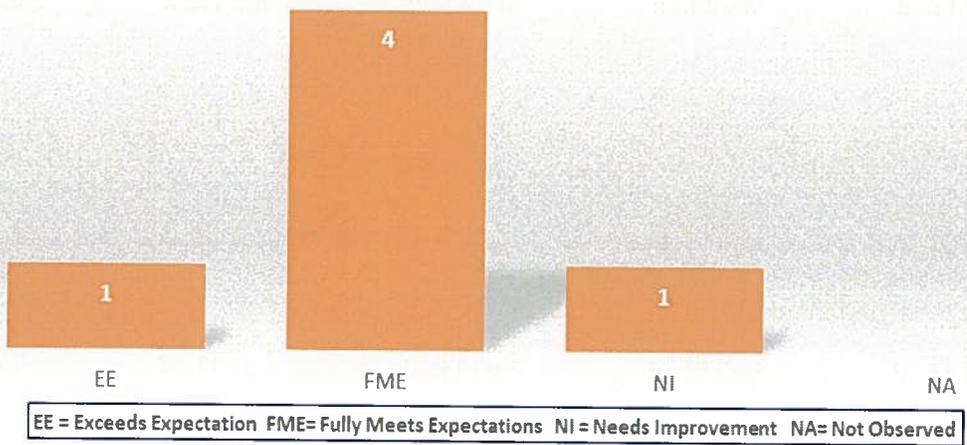
>> Has complete professional integrity and adheres by the ICMA Code of Ethics



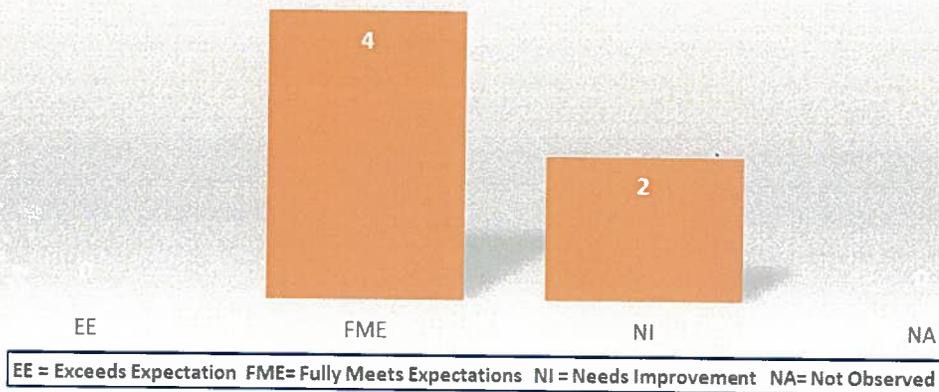
>> Demonstrates continuous professional development



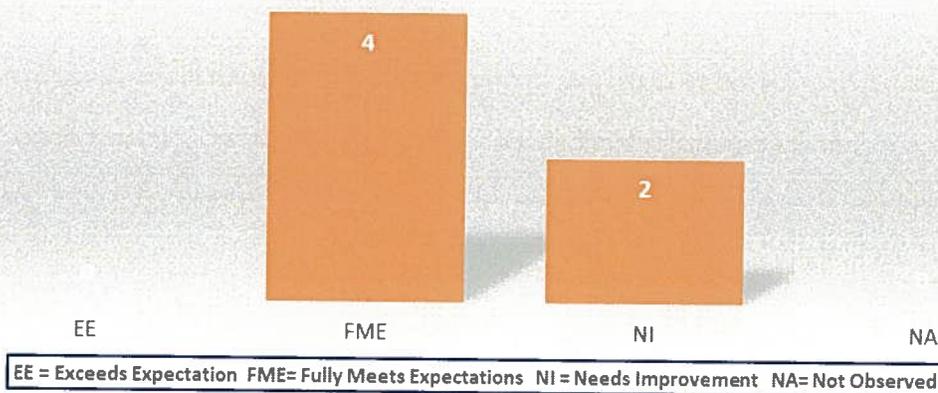
>> Works toward gaining and maintaining the respect and support of staff



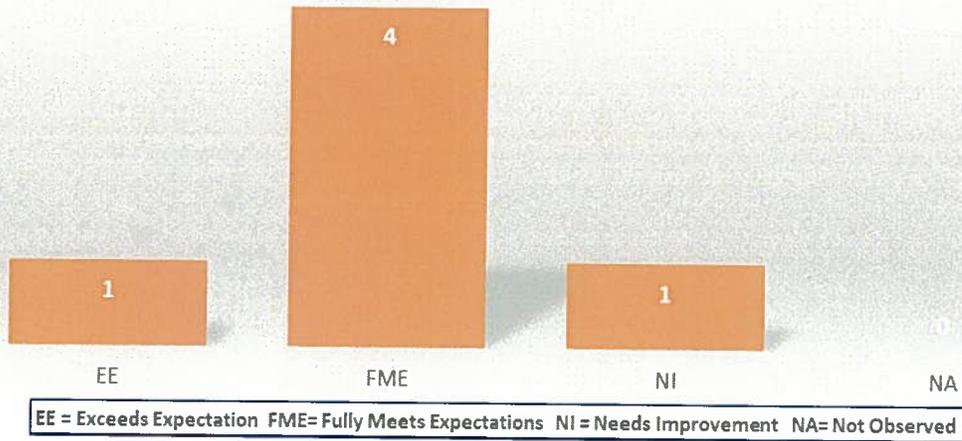
>> Progress toward accomplishing established goals set by the City Manager and the City Council



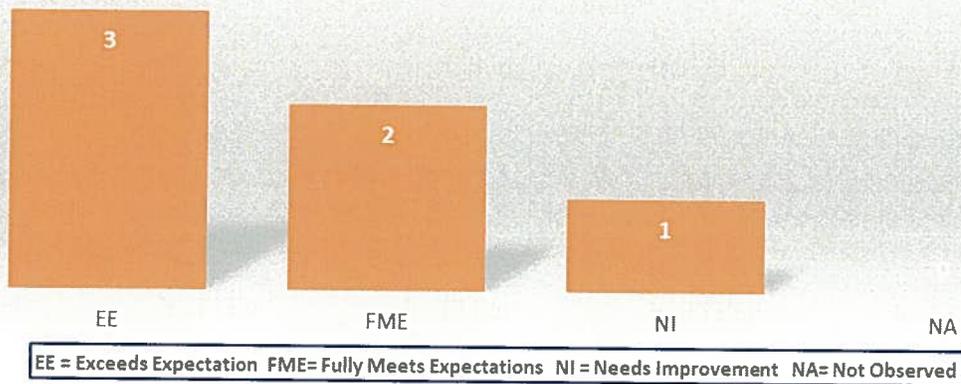
>> Progress toward accomplishing established goals set by the City Manager and the City Council



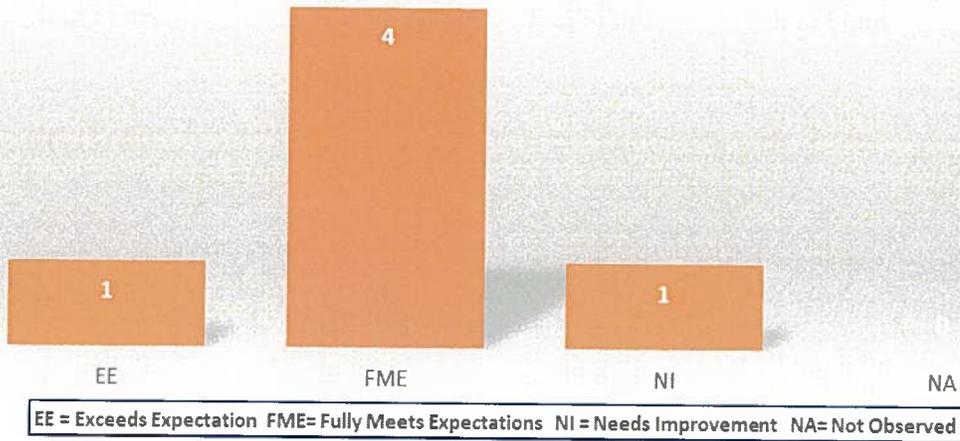
>> Assists by facilitating decision making without overstepping authority



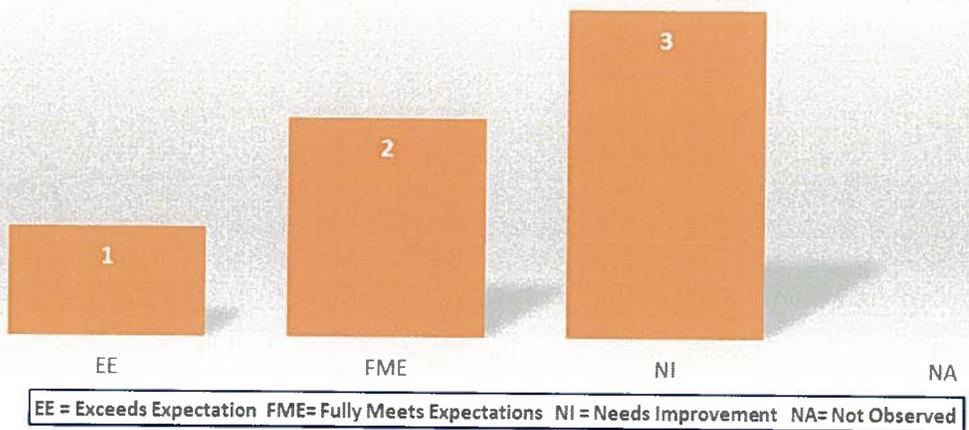
>> Disseminates complete and accurate information equally to all members in a timely manner



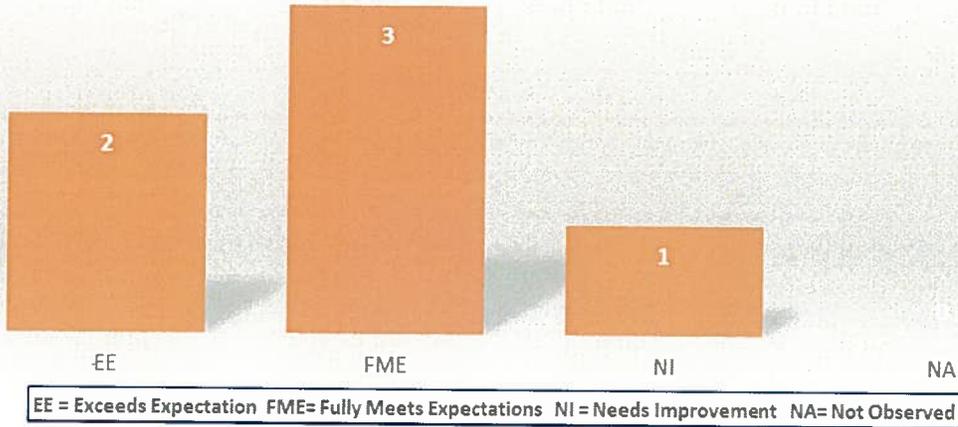
>> Appropriately responds to requests, advice,  
and constructive criticism



>> Presents multiple options for council to  
consider



>> Keeps the council informed of administrative developments



## Leadership

### **Takes a proactive approach to issues.**

Mark does well in seeking the best approach.

### **Offers new motivation, ideas, processes and procedures to council, staff and the public.**

I would like to see more brainstorming with available experienced individuals and involved staff prior to determining initial directions and approaches for projects.

### **Provides mentoring and coaching to key staff.**

I am aware of the Manager's involvement as a mentor/coach to some of the staff, but as a Council member I can't go around asking staff how well they are being mentored.

Has done a good job of hiring key staff, especially in light of limitations on funding.

### **Understands his staff's strengths and shapes programs around those.**

I would like to see, at least annually, a staff retreat to allow key staff persons to provide suggestions for more efficient organization.

## **Fiscal Management & Budgeting**

### **Ensures purchasing policies are followed and informs council when revisions are needed.**

[Rated FME]. Please aim for greater communication when annual “not to exceed” procurement authorizations are presented to Council for approval, specifically to clarify the relationship between budgets and procurement authorizations.

### **Prepares realistic and understandable budget documents.**

[Rated FME] Budgets are realistic, and documents are understandable as far as they go. In the future, however, the annual proposed budget should give Council and the public somewhat more detail about certain expenditures that are different in kind, but are lumped together on the same budget line. In this connection, the recent consolidation of several formerly separate funds into the General Fund served to reduce information provided. I hope the manager will arrange in the future to resume separate reporting of budget lines for the paratransit bus vs. taxi coupons, household refuse collection vs. other contractual services from the solid waste contractor, and various different activities formerly in the grant fund. (This is a topic for discussion by the Council Budget and Finance Committee.)

I would like very much to return to using a 5-yr financial planning spreadsheet (multi-year model) that allowed quick presentation of impacts of proposals on tax rate, capital funding requirements, and other input to the Budget and Finance Committee...and eventually to Council as a whole.

### **Operates the City’s finances in compliance with generally accepted accounting principles.**

Audits and continually shown full compliance.

### **Maximizes all efforts to collect taxes and other revenues and seeks new revenue sources**

A better explanation of the impact of moving the tax-due date is needed.

### **Manages the budget within the confines of what the council adopted.**

Reduced emphasis on minor issues, an example being the Healthy Start funding, is needed. This issue required far more political capital and debate to restore the funding than the eventual magnitude of the expenditure ever warranted.

[Rated FME] Under the city charter, the “confines of what the council adopted” are pretty broad. Communication regarding budget management could be better. Council has not been sufficiently informed when the manager makes significant changes within a fund such as the General Fund.

### **Makes the best use of available funds, conscious of the need to operate the city efficiently and effectively.**

The waterfront bathroom; expenditures indicated a need for better inter-department tracking and control system. Hopefully this will be addressed soon.

## **Service Delivery & Administration**

### **Ensures the public receives city services efficiently and effectively.**

[Rated FME]. The February ice storms were a severe challenge for effective service delivery. I was gratified to see how well Oak Ridge performed, when compared with some neighboring communities.

### **Enforces laws and policies adopted by the council and the state.**

(no comments)

### **Manages resources appropriately to assist staff in performing their duties.**

Frivolous, negatively motivated, or tangential requests for actions or information, involving measurable staff time (greater than a few minutes) should be brought before Council for a vote prior to using City resources. This is especially true if such requests circumvent the Manager. Also, a log of such requests should be kept for Council information and consideration.

Senior staff managers should be involved in decisions at a greater degree in the beginning of projects and tasks, especially those requiring significant resources.

### **Responds appropriately to citizen and employee suggestions and/or concerns.**

[Rated FME]. When response occurs, the actions are appropriate, but city staff sometimes falls short on ensuring that communications actually get a response.

## Citizen & Community Relations

### **Responsive in completion of duties.**

(no comments)

### **Gives attention to concerns and opinions of community groups and individuals.**

Some citizen groups such as the Boys and Girls Club should be candidates for City support. Criteria is needed to allow public funding of some organizations who can be shown to improve safety, quality of life, and desirability of the City.

### **Uses sensitivity, diplomacy, and empathy when dealing with the public.**

(no comments)

### **Interacts effectively with federal, state, and other local government representatives to achieve potential benefit for the city.**

The Extreme Energy Makeover Grant from TVA is an indication of some of the successes that Mark and his staff have achieved for the City.

### **Demonstrates openness, receptiveness, and approachability in both formal and informal situations.**

Sometimes seems reluctant to seek individual advice but projects are usually successful.

### **Deals effectively with the media.**

The manager's approach works reasonably well with traditional media, but I believe we are following short in communication using nontraditional media. The public should be able to expect major announcements from the city to be available on social media, along with real-time information regarding matters like "when will my power come back on?"

Oak Ridge needs a dedicated PR person whose sole job is to get the full story to the media on issues of interest to the citizens. Too often...almost always... negatively motivated versions of situations reach the media before the balanced and full story emerges. The City often finds itself in recovery mode when the media's version of a subject situation has not been based on a balanced perspective.

## **Personal & Professional**

### **Projects a positive personal and professional image.**

Does a great job of projecting a positive image for the City.

### **Has complete professional integrity and adheres by the ICMA Code of Ethics.**

(No comments)

### **Demonstrates continuous professional development.**

Seeks professional development and applies new knowledge to his performance level.

### **Works toward gaining and maintaining the respect and support of staff.**

Again, needs to provide mechanisms for improvement and suggestions from within the staff organization.

## City Council Relations

### **Progress toward accomplishing established goals set by the City Manager and the City Council.**

As stated earlier, too much attention is given to tangential requests for actions or information, staff efficiency and morale is negatively affected as a result. Requests for actions or information, especially if directed around the Manager to members of staff, should be logged and brought to the full Council for review and discussion.

### **Assists by facilitating decision making without overstepping authority.**

(no comments)

### **Disseminates complete and accurate information equally to all members in a timely manner.**

(no comments)

### **Appropriately responds to requests, advice, and constructive criticism.**

(no comments)

### **Presents multiple options for council to consider.**

[Rated NI]. Council sometimes hears only the manager's preferred option and does not get a chance to weigh the alternatives.

Options are presented and considered on large issues. Small issues are, as they should be, handled within the Manager's authority. Issues, after they are handled, should be publicly presented on the City website through a dedicated PR person or staff(see similar comment on page 6).

### **Keeps the council informed of administrative developments.**

[Rated FME.] We are kept informed about major changes, such as pending retirements of department heads, but I don't believe we are always sufficiently aware of other developments that can have a large impact on both the smooth operation of city government and public perception of city government. Two examples in the past year: (1) When two-thirds of the Community Development planning staff left in short succession, Council members should have been made aware of the situation. (2) Due to recent public interest in turnover rates in public safety departments, it would be a good idea to give Council members periodic notification about departures and new hires in police and fire departments. More informal communication about these things, please!

## Additional Narrative

### **What would you identify as the manager's strength(s), expressed in terms of the principal results achieved during the rating period?**

Mark's ability to strategize to create solutions to "big problems" has been evident over the last year or so in the city's progress related to the downtown shopping area, industrial recruitment, and successfully obtaining the TVA extreme energy makeover grant.

Successes of the Jackson Sq project, Energy Make-over, Mainstreet progress, Blankenship Field, and Illinois Avenue projects have greatly improved our outlook for the future. The extreme weather events of 2014-15 winter months demonstrated the ability of our City staff to respond well beyond the normal.

Mark Watson, Since you came to Oak Ridge, the financial burden on our residents has increased in numerous ways including the increase of our total debt by over \$24 million, the doubling of water and sewer rates and the doubling of their refuse collection fees. Half of our community is economically disadvantaged while you receive a total compensation package worth over \$220,000. They deserve better. At the very least, they deserve transparency and accountability, both of which you eschew at every turn. Please consider voluntarily resigning from your position and foregoing the roughly \$140,000 golden parachute built into your contract. Regards, Trina

Honest, articulate, hardworking and very bright.

His ability to see the big picture, looking ahead, planning for the next steps the city needs to take.

Very broad background brought to the job gives a good sense of what has worked in the past. I believe he provides the overall leadership and lets the staff do their job. Continued engagement in outside educational and city manager organizations are important to help bring new ideas to the city.

### **What performance area(s) would you identify as most critical for improvement?**

I made relevant comments in the sections requiring specific ratings.

Dealing with tangential requests from Council members, sometimes circumventing the chain of command, have become morale and efficiency-draining problems. Council needs to be more involved in how these circumstances are handled.

Continuing to increase his knowledge and sensitivity about the challenges faced by locally owned businesses in Oak Ridge.

Continue to work with all stakeholders within the community to build better understanding of where and what we as a city want to be.

Figure out the best possible way to present the budget and move to closure. While certainly limited by the tools available this is one of the more contentious things we do.

### **What constructive suggestions or assistance can you offer the City Manager to enhance performance?**

Be more open to brainstorming and suggestions from (especially) department heads and staff as to how to head off some problems.

Listen and allow city staff the room to do their job, give them the tools to improve each of their areas and the city becomes stronger as a whole.

I will offer my own perspective and advice related to business development and regulatory issues affecting companies and individuals doing business in our City.

**What constructive suggestions or assistance can you offer the City Manager to enhance performance?(cont'd)**

Continue providing great communications.

**What other comments do you have for the City Manager, e.g. priorities, expectations, goals, or objectives for the new rating period?**

Please figure out how to acquire new accounting software real soon.

I am very excited as to where the City is headed and feel that a greater focus on the positive events, both ongoing and projected, will move us further in the positive direction.

Clear articulation of the Manager's future career objectives after obtaining his Ph.D.

Continued focus on the Not in our City initiative. Working towards a solution to our housing situation – legacy homes – continues to be a major issue. Increase the number of housing inspectors.

**Please provide recommendations and comments on a possible change in compensation (currently 153,337.60) and a contract extension beyond the current expiration date of August 8, 2017.**

Same percentage increase as is being provided to other staff, a one- or two-year contract extension to demonstrate the city's commitment to continuity in leadership.

I recommend the Manager receive the same percentage increase as the rest of City staff. His contract should be extended for at least one more year... to August 8, 2018.

Mark Watson, Since you came to Oak Ridge, the financial burden on our residents has increased in numerous ways including the increase of our total debt by over \$24 million, the doubling of water and sewer rates and the doubling of their refuse collection fees. Half of our community is economically disadvantaged while you receive a total compensation package worth over \$220,000. They deserve better. At the very least, they deserve transparency and accountability, both of which you eschew at every turn. Please consider voluntarily resigning from your position and foregoing the roughly \$140,000 golden parachute built into your contract. Regards, Trina

2-3% pay raise would be my recommendation at this time.

None at the moment.

2% increase and six month contract extension.

**EMPLOYMENT AGREEMENT**  
**Mark S. Watson, City Manager**

This is an agreement entered into this 15<sup>th</sup> day of July, 2010 between the City of Oak Ridge (the City) by the City Council and Mark S. Watson (City Manager) to provide for the employment of Mark S. Watson as City Manager of the City of Oak Ridge and to set forth the terms and conditions of his employment and the mutual obligations, rights and duties of each party.

Now, therefore, in consideration of the mutual promises as set forth in this agreement, the City of Oak Ridge and Mark S. Watson agree as follows:

**Section 1. Duties**

City Council agrees to employ Mark S. Watson as City Manager of the City of Oak Ridge to perform the functions and duties as specified in the City Charter and the City Code, and to perform such other legally permissible and proper duties and functions as the City Council shall from time to time assign.

**Section 2. Term**

A. Nothing in this agreement shall prevent, limit, or otherwise interfere with the right of the City Council to terminate the services of the City Manager at any time, subject only to the provisions set forth in Section 5, Paragraphs A and B, of this agreement.

B. Nothing in this agreement shall prevent, limit, or otherwise interfere with the right of the City Manager to resign at any time.

C. Except as otherwise herein stated, this agreement shall become effective as of August 9, 2010 and shall continue in effect until August 8, 2013, except as provided in Section 2, Paragraph D.

D. In order to extend the term of this agreement, City Council shall take action by February 1, 2013. However, upon the request of the City Manager during this same period, City Council shall make a decision as to whether it desires to extend said agreement.

**Section 3. Performance Evaluation**

A. No later than the last business day of June of each year, City Council and the City Manager shall establish performance criteria and goals and objectives which shall provide the basis for the evaluation of the City Manager for the following fiscal year. The performance criteria and the goals and objectives will be those that are necessary for the proper operation of the City and the attainment of City Council's policy objectives. The performance criteria and the goals and objectives shall be assigned a relative priority, and shall generally be attainable within the time limitations established and within the annual operating and capital budgets and the appropriations provided.

B. The first formal evaluation of the City Manager's performance shall be completed by July 31, 2011. Thereafter, evaluations shall be conducted on an annual basis by July 31 of each year for the previous fiscal year.

Section 4. Code of Ethics

Inasmuch as the City Manager is an active member of ICMA, the "Code of Ethics" promulgated by ICMA is incorporated herein and attached hereto, and by this reference made a part hereof. Said Code of Ethics shall furnish principles to govern the City Manager's conduct and actions as the City Manager of the City.

Section 5. Termination and Severance Pay

A. In the event the City Manager is terminated by the Council at its will and pleasure, during such time that the City Manager is willing and able to perform his duties under this agreement, then in that event the City agrees to pay the City Manager a lump sum cash payment equal to six (6) months' aggregate salary plus one (1) additional month's aggregate salary for each year of service for the first six years, not to exceed a total of 12 months, plus any accrued general leave and benefits less applicable deductions as required by agreement, law, ordinance or policy for other employees and/or the City Manager's matching portion of benefits provided for and during said severance period. At City Council's option, the actual resignation date may be extended through earned and accrued leave balances due the City Manager then in effect. Provided, however, that in the event the City Manager is terminated "for just cause," then in such event, the City shall have no obligation to pay the aggregate severance sum designated in this paragraph. "Just cause" is defined and limited for the purposes of this Agreement to the following reasons: (1) willful neglect of duty; (2) felony or misdemeanor conviction of any crime involving moral turpitude; (3) violation of duties by the City Manager of honesty and sobriety; (4) any other act of a similar nature of the same or greater seriousness.

B. In the event the City at any time reduces the salary or other financial benefits of the City Manager in a greater percentage than an applicable across-the-board reduction for all City employees, then the City Manager may at his option be deemed to be "terminated" at the date of such reduction within the meaning and context of the herein severance pay provision.

Section 6. Disability

If the City Manager becomes permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity or health for a period of four successive weeks beyond any accrued leave, the City shall have the option to terminate this agreement, subject to the severance pay requirements of Section 5, Paragraphs A and B.

Section 7. Salary

A. City agrees to pay the City Manager for his services rendered pursuant hereto an annual base salary of \$131,996.80, payable in installments at the same time as other City employees are paid.

B. In addition, City agrees to increase said base salary and/or other benefits of the City Manager in such amounts and to such an extent as the City Council may determine desirable on the basis of the performance evaluation developed as required by Section 3 of this agreement. Nothing in this paragraph shall require the City to increase the base salary or other benefits of the City Manager.

**Section 8. Hours of Work**

The City of Oak Ridge requires the full-time service of its City Manager and, therefore, in the event the City Manager is not available for his duties, he shall designate a City employee as his representative to be responsible in his place, and so inform members of City Council when appropriate.

**Section 9. Automobile and Communications Equipment**

A. The City Manager requires that he shall have for business and personal use during his employment with the City an automobile provided to him by the City. City shall be responsible for paying liability, property damage, and comprehensive insurance and for the purchase, operation, maintenance, repair, and regular replacement of said automobile.

B. The City agrees to provide a mobile or portable radio compatible with the City's radio system for the City Manager's exclusive use.

C. The City agrees to provide a cellular or digital telephone for the exclusive business and personal use of the City Manager.

**Section 10. Dues and Subscriptions**

The City agrees to budget and to pay the professional dues and subscriptions of the City Manager for his continuation and full participation in national, regional, state, and local associations, organizations, and service clubs as necessary and desirable for his continued professional participation, growth, and advancement, and for the good of the City.

**Section 11. Professional Development**

A. The City agrees to budget and to pay the travel and subsistence expenses of the City Manager for professional and official travel, meetings, and occasions adequate to continue the professional development of the City Manager and to adequately pursue necessary official and other functions for the City, including but not limited to the Annual Conference of the International City Management Association, the Tennessee Municipal League, and such other national, regional, state, and local governmental groups and committees thereof which the City Manager serves as a member.

B. The City also agrees to budget and to pay for the travel and subsistence expenses of the City Manager for short courses, institutes, and seminars that are necessary for his professional development and for the good of the City.

**Section 12. Retirement**

A. The City Manager shall be immediately covered by the Tennessee Consolidated Retirement System in the same manner as is provided all other general employees of the City.

B. The City may contribute to the City Manager's Deferred Compensation Plan with the International City Management Association Retirement Corporation, on behalf of the City Manager, a sum equal to the annual contribution to such plan by the City Manager. Such annual contribution by the City shall not exceed three (3) percent of the City Manager's annual salary.

**Section 13. Community Involvement**

The City recognizes the desirability of representation in and before local civic and other organizations, and the City Manager is encouraged to participate in these organizations in order to maintain a continuing awareness of our community attitudes and ideas.

**Section 14. Leave**

The City Manager shall be credited 120 hours of general leave and 140 hours of emergency leave upon the effective date of his employment with the City and shall thereafter accrue leave in the same manner as other City employees and as specified in Article 11 of the City of Oak Ridge Personnel Plan.

**Section 15. Medical, Dental, Disability, Long-Term Care, and Life Insurance Benefits**

The City agrees to provide medical, dental, disability, long-term care and life insurance benefits to the City Manager, and to pay the premiums thereon equal to that which is provided all other general employees of the City.

**Section 16. Liability Protection**

The City shall provide the same liability protection for the City Manager as provided for all general employees of the City, as specified in Section 13.4 of the Personnel Ordinance.

**Section 17. Bonding**

The City agrees to bear the full cost of any fidelity or other bonds required of the City Manager under any law, ordinance or regulation.

Section 18. Residence

The City requires and the City Manager agrees to maintain his principal residence inside the corporate limits of the City during the term of this agreement including any renewals and extensions.

Section 19. Moving and Relocation Expenses

A. The City agrees to pay for the expenses of moving the City Manager, his family and personal property from Yuma, Arizona, to the City of Oak Ridge, with said moving expenses to include packing, moving, storage costs, unpacking, and insurance charges. The City Manager agrees to secure at least three bids from reputable moving companies for such services, and shall use the lowest responsible bidder.

B. The City shall assume the reasonable costs for one visit to Oak Ridge by the City Manager and his wife which shall be for the purpose of locating a principal residence within the City limits.

C. The City shall pay for up to one month's temporary housing costs if necessary.

Section 20. General Provisions

A. The text herein shall constitute the entire agreement between the parties.

B. If any provisions contained in this agreement, or portion thereof, are held to be unconstitutional, invalid, or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE

Kurt R. Kuskush  
City Attorney

Thomas J. Beehan  
Mayor

Mark S. Watson  
City Manager

ATTEST:

Jaquelyn J. Bernard  
City Clerk

**RESOLUTION**

A RESOLUTION TO AMEND THE CITY MANAGER'S EMPLOYMENT AGREEMENT (APPROVED BY RESOLUTION 7-73-10 AND AMENDED BY RESOLUTIONS 7-72-11, 7-61-2012, 11-103-2013 AND 10-97-2014) TO PROVIDE FOR A ONE-YEAR CONTRACT EXTENSION AND AN EQUIVALENT TWO PERCENT (2%) SALARY INCREASE RETROACTIVE TO AUGUST 2, 2015.

WHEREAS, Article V, Section 1, of the City Charter provides that City Council shall appoint a chief administrative officer of the City who shall be entitled City Manager and who shall serve at the pleasure of City Council; and

WHEREAS, by Resolution 7-73-10, City Council entered into an employment agreement in which City Council agreed to employ Mark S. Watson as the City Manager; and

WHEREAS, said employment agreement provides that formal evaluations of the City Manager shall be conducted on an annual basis by July 31st of each year, and to this end City Council appointed a City Manager Evaluation Committee (the Committee) to develop an evaluation procedure; and

WHEREAS, the Committee has completed its work and based upon the evaluation results recommends that the City Manager's term of office be extended by one year and that he receive an equivalent two percent (2%) salary increase consistent with the raise given to all City employees.

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

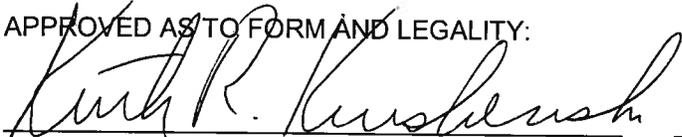
That the Employment Agreement between the City of Oak Ridge and Mark S. Watson as City Manager is hereby amended as follows:

- Section 2, Term, Subsection C, be amended to provide that the Employment Agreement shall continue in effect until August 8, 2018; and
- Section 7, Salary, Subsection A, be amended to provide for a new base salary amount of \$156,416.00, which is the equivalent of a two percent (2%) salary increase, which shall become effective retroactive to the pay period beginning August 2, 2015.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute all necessary legal documents to accomplish the same.

This the 11th day of January 2016.

APPROVED AS TO FORM AND LEGALITY:

  
 \_\_\_\_\_  
 Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
 Warren L. Gooch, Mayor

\_\_\_\_\_  
 Bruce M. Applegate, Jr., Acting City Clerk

# CONSENT AGENDA

**OAK RIDGE CITY COUNCIL MEETING**  
Municipal Building Courtroom

December 14, 2015—7:00 p.m.

Minutes

INVOCATION

The Invocation was delivered by Mayor Warren L. Gooch.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

*Councilmember Baughn*  
*Councilmember Callison*  
*Councilmember Chinn*  
*Mayor Gooch*  
*Councilmember Hensley*  
*Councilmember Hope*  
*Mayor Pro Tem Smith*

Prior to Appearance of Citizens, Councilmembers made the following changes to the Agenda:

Mayor Pro Tem Smith requested that a report on upcoming Tree Management Plan be added to the agenda under special reports. No objection from Council to this request.

Mayor Gooch moved to add a Proclamation Honoring Mary Ann Damos of the Oak Ridge Children's Museum.  
Seconded Charlie Hensley. Unanimously approved

Mayor Gooch moved to move elections up in agenda after proclamations and public recognitions.  
Seconded Charlie Hensley. Unanimously approved.

Councilmember Hensley requested to postpone City Manager Evaluation report. No objection from Council to this request.

Mayor Gooch moved to address proclamations and special reports before appearance of citizens.  
Seconded by Councilmember Chinn. Unanimously approved.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation congratulating the Kerbela Shriners 100th year Anniversary.

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

The proclamation was approved by unanimous voice vote with Councilmembers, Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye".

A proclamation congratulating the Emory Valley Center's 60<sup>th</sup> Anniversary.

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

The proclamation was approved by unanimous voice vote with Councilmembers, Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye".

A proclamation congratulating Tee Higgins' on his achievement of the Mr. Football Award.

Councilmember Chinn moved, seconded by Councilmember Hope that the proclamation be adopted.

The proclamation was approved by unanimous voice vote with Councilmembers, Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye".

A proclamation congratulating Joe Gaddis and the Oak Ridge Wildcats Football Team.

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

The proclamation was approved by unanimous voice vote with Councilmembers, Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye".

A proclamation honoring Mary Ann Damos retiring Director of the Oak Ridge Children's Museum.

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

The proclamation was approved by unanimous voice vote with Councilmembers, Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye".

### **Elections/Appointments, Announcements and Scheduling**

#### **Elections/Appointments**

Councilmember Chinn moved, seconded by Councilmember Hope, to postpone election for those boards without a full slate of candidates, and to extend the application process for those boards through January. The motion was not approved with Councilmembers, Baughn, Callison, Hensley, Mayor Pro Tem Smith, and Mayor Gooch voting "Nay", and Councilmembers Chinn, and Hope voting "Aye".

Councilmember Hensley moved, seconded by Councilmember Callison, to have an additional election in January to fill the remaining board positions at a special called meeting preceding the January 19, 2015 work session. The motion was approved unanimously with Councilmembers, Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye".

- i. Elect one (1) applicant to the Anderson County Economic Development Association

*Mr. Leonard Abbatiello was elected on first ballot.*

- ii. Elect three (3) applicants to the Beer Permit Board

*Ms. Wende Doolittle, Ms. Theresa Scott, and Mr. Danny Whitson were elected on first ballot.*

- iii. Elect three (3) applicants to the Board of Building and Housing Code Appeals

*Mr. Joseph E. Lee, Mr. Michael Marsh, and Mr. Leonard Vaughn were elected on first ballot.*

- iv. Elect one (1) applicant to the Board of Zoning Appeals

*Mayor Pro Tem Smith moved, seconded by Councilmember Smith, to elect Ms. Susan Donnelly by acclamation. The motion was approved unanimously with Councilmembers,*

*Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye".*

- v. Elect seven (7) applicants to the Convention and Visitors Bureau (including the hotel representatives)

*Councilmember Baughn moved, seconded by Councilmember Chinn, to elect Ms. Heather Buck, Ms. Gretchen A. Julius, and Mr. Troy Patel by acclimation. The motion was approved unanimously with Councilmembers, Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye".*

*Mr. Owen Driskill, Mr. Martin McBride, and Ms. Rebecca Williams were elected on first ballot. Ms. Susan Frederick was elected on third ballot.*

- vi. Elect three (3) applicants to the Environmental Quality Advisory Board

*Mayor Pro Tem Smith moved, seconded by Councilmember Hope, to elect Mr. Leon Baker, Mr. Bryan Crable, and Ms. Kaela O'Dell by acclimation. The motion was approved unanimously with Councilmembers, Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye".*

- vii. Elect three (3) applicants to the Health and Educational Facilities Board

*Councilmember Hensley moved, seconded by Councilmember Callison, to elect Mr. Leon Baker, Ms. Sue Anne Lewis, and Mr. William Mark Logan by acclimation. The motion was approved unanimously with Councilmembers, Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye".*

*Comment Councilmember Baughn addressed the potential conflict of interest of having another member serving on both the Land Bank and Housing Authority Boards.*

*City Attorney was asked if there was a conflict of interest, and elaborated that nothing in the existing rules prevented the serving on both aforementioned boards.*

*Councilmember Hensley and Councilmember Callison commented that having an individual on both boards strengthened the cities focus on resolving housing issues.*

- viii. Elect one (1) applicant to the Oak Ridge Housing Authority

*Mr. James Palmer was elected on the second ballot.*

- ix. Elect four (4) applicants to the Oak Ridge Land Bank Corporation Board of Directors

*Councilmember Chinn moved, seconded by Councilmember Hensley, to vote on full terms before the unexpired term. The motion was approved unanimously with Councilmembers, Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye".*

*Mrs. Annie Dunthorn, Mrs. Melinda K. Hillman, and Mr. Charlie Jernigan were elected on first ballot.*

*Mr. James Palmer was elected for the remainder of the unexpired term ending December 31, 2016, on first ballot.*

- x. Elect two (2) applicants to the Oak Ridge Municipal Planning Commission

*Mr. Hans Vogel, was elected on the first ballot. Ms. Sharon Kohler was elected on the third ballot.*

- xi. Elect three (3) applicants to the Personnel Advisory Board

Councilmember Baughn moved, seconded by Councilmember Hope, to approve the two personal Advisory Board applicants to the full term positions by acclamation. The motion was not unanimously approved, with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye", and Councilmember Chinn voting "Nay".

Mayor Gooch moved, seconded by Councilmember Baughn, the two full terms be voted on first. The motion was approved unanimously with Councilmembers, Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye".

*Ms. Anne Garcia Garland, and Ms. Lisa Bollinger were elected on first ballot.*

- xii. Elect two (2) applicants to the Recreation and Parks Advisory Board

*Dr. Kevin Hoyt, and Mr. B. Alan Tatum were elected on first ballot.*

- xiii. Elect three (3) applicants to the Senior Advisory Board

Mayor Pro Tem Smith moved, seconded by Councilmember Callison, that Patricia Gengozian and Robert Smallridge be elected by acclamation. The motion was not unanimously approved, with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye", and Councilmember Chinn voting "Nay".

*Ms. Patricia Gengozian, and Mr. Robert Smallridge were elected on first ballot.*

- xiv. Elect one (1) applicant to the Trade Licensing Board

Councilmember Hensley moved, seconded by Councilmember Callison, that Mr. F. Wayne Garber be elected by acclamation. The motion was not unanimously approved, with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye", and Councilmember Chinn voting "Nay".

*Mr. F. Wayne Garber was elected on first ballot.*

- xv. Elect three (2) applicants to the Traffic Safety Advisory Board

Councilmember Hensley moved, seconded by Councilmember Callison, that Mrs. Jana F. Humphrey be elected by acclamation. The motion was not unanimously approved, with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye", and Councilmember Chinn voting "Nay".

*Mrs. Jana F. Humphrey was elected on first ballot.*

- xvi. Elect seven (8) applicants to the Secret City Festival 501(c ) (3) Board of Directors

Councilmember Baughn moved, seconded by Councilmember Callison, that the six applicants be elected by acclamation. The motion was not unanimously approved, with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye", and Councilmember Chinn voting "Nay".

*Ms. Cynthia Beatty, Mr. James Dodson, Mr. Don Hughes, Mr. Bill Lawrence, Ms. Emilee S. H.*

*Smith, and Mr. John Stone were elected on first ballot.*

Councilmember Hensley requests short break.

(10 minute intermission)

City Manager, Mark S. Watson, introduced Austin Lance, and identified Oak Ridge would be a part of the University of Tennessee MBA students' upcoming projects.

### **APPEARANCE OF CITIZENS**

Christine Heron, 235 Dellwood Dr., commented to the need for an increased community focus on assisting the homeless population within the county and city.

Councilmember Baughn commented on the need for the community to take interest in this issue, and for city council to evaluate how community funds are spent on social issues.

Mayor Pro Tem Smith commented on the budget and process of TORCH, and its contributions to the area.

Martin McBride, 954 West Outer Drive, commented on the need for follow up on Senator McNally's letter concerning Department of Energy (DOE) hotel usage in Oak Ridge. A response to this letter will give DOE an opportunity to set the record straight. A request was made for the City manager to call representatives of the DOE to follow up on their travel practices.

Councilmember Hensley commented on discussions at the Budget and Finance meeting that put a timeline on receiving answers to the city's request about the Landfill letter that had been crafted.

Mayor Gooch asked the city manager to reach out to the listed DOE representatives.

### **SPECIAL REPORTS**

Charlie Jernigan, Chairman of the Oak Ridge Land Bank Corporation Board of Directors, presented an update on the Land Bank activities through the 2015 calendar year.

Mayor Pro Tem Smith, asked if the Land Bank required continued legislative approval.

Charlie Jernigan and City Attorney Ken Krushenski identified that continued approval was not required as there were no sunset provisions in the legislation.

Councilmember Hensley commented on the City of Oak Ridge's inability to be considered for Rural Development qualifications, and the need to get back on that list.

### **CONSENT AGENDA**

Councilmember Chinn moved, seconded by Councilmember Callison, to approve the consent agenda. The motion was approved unanimously, with Councilmembers Baughn, Chinn, Callison, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye", thereby:

- Approving the November 16, 2015 City Council Meeting Minutes.
- Approving Resolution No. 12-133-2015A RESOLUTION APPROVING A FY2016 GRANT AGREEMENT WITH PREVENT CHILD ABUSE TENNESSEE FOR USE IN THE

HEALTHY START OF ANDERSON COUNTY PROGRAM AND AUTHORIZING THE DISBURSEMENT OF BUDGETED FUNDS IN THE AMOUNT OF \$31,850.00 FOR THIS PURPOSE.

## **RESOLUTIONS**

### **Resolution No. 12-134-2015**

**A RESOLUTION ACCEPTING AN ENHANCEMENT GRANT FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION IN THE ESTIMATED AMOUNT OF \$432,960.00, WITH AN APPROXIMATE \$108,240.00 LOCAL CASH MATCH, FOR OAK RIDGE TURNPIKE INTERSECTION PEDESTRIAN SAFETY IMPROVEMENTS AT SOUTH TULANE AVENUE AND EAST DIVISION ROAD/TENNYSON ROAD.**

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

City Manager Mark Watson, and Katheryn Baldwin responded to questions and comments of City Council.

Mayor Pro Tem Smith moved, seconded by Councilmember Hensley, to amend the resolutions funding source to say "Capital Projects Fund" and for city staff to provide information on where the money will come from.

The resolution to amend was passed with Councilmembers Callison, Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye", and Councilmember Baughn abstaining.

Councilmember Baughn addressed that passing the main resolution will commit funds from the current budget. Councilmember Baughn's questions were addressed by city staff.

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

### **Resolution No. 12-135-2015**

**A RESOLUTION TO ADOPT THE CITY OF OAK RIDGE, TENNESSEE 2016 STATE AND FEDERAL LEGISLATIVE AGENDA TO INFORM STATE AND FEDERAL OFFICIALS OF KEY PROJECTS, POLICIES, AND PRIORITIES IN THE CITY OF OAK RIDGE AND TO HELP SECURE FUNDING FOR AGREED UPON PROPERTIES OF THE COMMUNITY.**

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

City Manager Mark Watson, and Government Affairs and Information Services Director Amy Fitzgerald responded to questions and comments of City Council.

Mayor Gooch moved, seconded by Councilmember Chinn, to move forward with the Legislative agenda, schedule meetings with state legislators before the next Council meeting, and readdress the state legislative agenda with the additional information at the January Council meeting.

The Resolution was passed with Councilmembers Baughn, Callison, Chinn, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye", and Councilmember Hensley abstaining.

### **Resolution No. 12-136-2015**

**A RESOLUTION AUTHORIZING A TRANSFER OF \$325,000.00 FROM THE GENERAL FUND TO THE GOLF COURSE FUND TO PROVIDE OPERATIONAL FUNDING FOR TENNESSEE CENTENNIAL GOLF COURSE.**

Mayor pro Tem Smith moved, seconded by Councilmember Callison, that the resolution be adopted.

City Manager Mark Watson, and Nick Bednar of Billy Casper Golf responded to questions and comments by City Council.

City Council heard comments pertaining to the golf course from:

David Kitzmiller, 144 Wellington Circle

Walter Eichen, 116 Capital Circle

Anne Garcia Garland, 120 Outer Drive

Mike Lloyd, 126 Rockbridge Greens Blvd.

Joseph Lee, 99 E. Pasadena Rd.

Councilmember Baughn moved to reduce amount of dispersal by \$70,000 and renegotiate with Billy Casper Group. Motion failed for lack of a second.

The resolution was passed with Councilmembers Callison, Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye", and Councilmember Baughn voting "Nay".

**Resolution No. 12-137-2015**

**A RESOLUTION DESIGNATING D. RAY SMITH AS "HONORARY CITY HISTORIAN" FOR THE CITY OF OAK RIDGE, TENNESSEE, AND IN SUCH CAPACITY SHALL PROVIDE RECOMMENDATIONS TO CITY LEADERSHIP ON HISTORICAL ACCURACY OF PUBLIC INFORMATION.**

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

Comments were made by Council congratulating D. Ray Smith for his contributions to the city.

The Resolution, amended to remove the Dr., was passed with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye".

**Resolution No. 12-138-2015**

**A RESOLUTION TO GENERALLY ESTABLISH MONTHLY REGULAR CITY COUNCIL MEETINGS AND MONTHLY WORK SESSION MEETINGS FOR CALENDAR YEAR 2016.**

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

Comments were made by City Manager Mark Watson and City Council about dates for upcoming events, and budgetary meetings. May 23-24 (2016) would be scheduled for the annual Budget Workshop, allowing public budget adoption to occur on June 6, 2016 and June 13, 2016.

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

**Resolution No. 12-139-2015**

**A RESOLUTION TO MODIFY THE CURRENT WATER SERVICES CONTRACT BETWEEN THE CITY AND THE UNITED STATES DEPARTMENT OF ENERGY (DOE) TO SET FORTH A NEW ANNUAL POTABLE WATER RATE AND OTHER NECESSARY MODIFICATIONS.**

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

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

**PUBLIC HEARINGS AND FIRST READING OF ORDINANCES**

**First Reading of Ordinances**

(None)

**FINAL ADOPTION OF ORDINANCES**

(None)

**COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS**

Councilmember Hensley identified he would like to have a proclamation put forth for Municipal Planning Commission member Terry Domm at the upcoming January meeting.

**SUMMARY OF CURRENT EVENTS**

**City Manager Report**

City Manager Mark Watson commented on the success of the Finance Department's recent bond issuance, indicating the favorable rates received will produce a long term savings to the community.

**City Attorney Report**

(None)

**ADJOURNEMENT**

The meeting adjourned at 11:14 p.m.

# RESOLUTIONS

**ELECTRIC DEPARTMENT MEMORANDUM**  
**15-30**

**DATE:** December 21, 2015  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Electric Director  
**SUBJECT:** POWER ENGINEERING CONSULTANTS EXPENDITURES

Introduction

An item for City Council's consideration is a resolution authorizing the expenditure of funds for electrical engineering services from a variety of qualified consultants in the estimated amount of \$90,000.

Funding

Funding will be through the Electric Fund and is further charged to the particular project for which the work is required.

Consideration

The Electric Department has utilized the services of various engineering consultant firms for over twenty-five years, both to supplement its engineering staff and for specialty engineering work. This arrangement is required to allow for completion of work in a timely manner. For work costing in excess of a few hundred dollars, a written proposal is required prior to the commencement of the work.

The expenditures will be made to qualified engineering firms with electrical distribution experience, including, but not limited to: Cannon and Cannon Inc., NovaTech, Gresham Smith and Partners, Mesa, Fiber Planners, S&C and Stanley Consultants.

Projects typical of those for which these funds will be used include evaluation of solar projects, engineering studies involved in planning SCADA, designs for optimizing and expanding the fiber optic system. Also, responding to large projects such as the mall area, evaluation of the impact of specific speculative loads, cost estimates related to new or expanded industrial loads, engineering design services for projects that exceed staff capacity and similar.

Larger projects, such as the engineering required for the construction of a substation (should one be required) and the detail design and documentation for a system wide SCADA system will be brought to the Council separately for consideration.

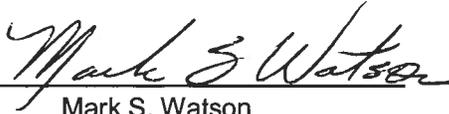
Recommendation

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

**RESOLUTION**

A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS WITH VARIOUS QUALIFIED CONSULTANTS FOR AS-NEEDED ENGINEERING SERVICES FOR THE ELECTRIC DEPARTMENT IN THE ESTIMATED AMOUNT OF \$90,000.00.

WHEREAS, the Electric Department has a need for professional engineering services throughout the fiscal year; and

WHEREAS, by State law, professional services agreements are not to be based upon competitive procurement methods, but shall be awarded on the basis of recognized competence and integrity; and

WHEREAS, in the past, the Electric Department has used the services of various qualified engineering firms with electrical distribution experience such as Cannon and Cannon Inc., Fiber Planners, Gresham Smith and Partners, Mesa Engineering, NovaTech, S&C, Stanley Consultants, and other consultants, which services have been satisfactory to the City; and

WHEREAS, the City Manager recommends authorization to enter into professional services agreements with various qualified consultants, including but not limited to those listed above, for as-needed engineering services for the Electric Department in the estimated amount of \$90,000.00.

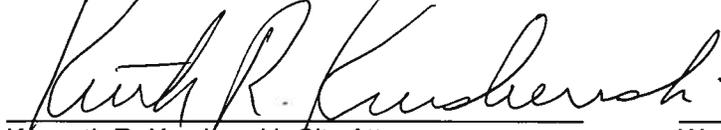
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into professional services agreements with various qualified consultants for as-needed engineering services for the Electric Department for Fiscal Year 2016 in the estimated amount of \$90,000.00.

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

This the 11th day of January 2016

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Bruce M. Applegate, Jr., City Clerk

**PUBLIC WORKS DEPARTMENT MEMORANDUM**

**15-35**

**DATE:** December 21, 2015  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Interim Public Works Director  
**SUBJECT:** PURCHASE OF PUMPS FOR WASTE WATER TREATMENT PLANT

Introduction

An item for City Council's consideration is a resolution approving the purchase of five pumps from Abba Pump Parts and Service, Burlington, Ontario, Canada, in the estimated amount of \$40,679.00 and four pumps from Nedrow & Associates, Inc., Murfreesboro, Tennessee, in the estimated amount of \$39,700, all pumps for use in the waste water treatment plant.

Funding

Funding is available in the FY2016 waterworks budget.

Review & Consideration

Operation of the waste water treatment plant requires the use of pumps to move various liquids from one location to another in the treatment process. Of the nineteen pumps that are currently in service, nine have reached the point where they require replacement.

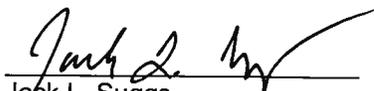
These pumps serve to move sludge, backwash water and the contents of various tanks, all of which contain appreciable amounts of grit in addition to their intended contents. Although the pumps have served well, they are now over thirty years old. In addition to the normal maintenance required and performed, the impellers, volutes and other moving parts have worn to the point where replacement is required.

Such replacement is a planned step in the normal operation and maintenance of any waste water plant. Other upgrades to the pump system will also be accomplished at this time, including replacement of control equipment, such as variable frequency drives.

The result of this purchase and the subsequent replacement of the pumps and associated electronics will be the continued reliable operation of the waste water treatment plant.

Recommendation

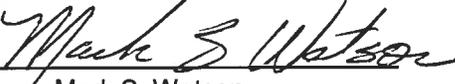
Staff recommends approval of the attached resolution.

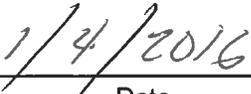
  
\_\_\_\_\_  
Jack L. Suggs  
Interim Public Works Director

Attachments:  
Abstract of Bids

**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**

RFQ #146282

OPENING DATE: December 10, 2015 11:15 A.M.

FOR --- WWTP Pumps			BIDDER: Abba Pump Parts and Service 5370 Munro Court Burlington, Ontario, Canada L7L 5N8		BIDDER: Nedrow & Associates, Inc. 2233 Southpark Drive Murfreesboro, TN 37128		BIDDER: J.T. Guthrie & Son, Inc. 7003 Chadwick Drive, Suite 300 Brentwood, TN 37027		BIDDER:		
DESCRIPTION	ITEM *	QTY							UNIT COST	TOTAL	
PURCHASE OF 9 (NINE) PUMPS FOR THE WASTEWATER TREATMENT PLANT PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE PUBLIC WORKS DEPARTMENT	1	2	\$ 10,735.00	\$ 21,470.00	\$ 10,350.00	\$ 20,700.00		No Bid			
	2	2	\$ 5,470.00	\$ 10,940.00			No Bid	\$ 5,978.00	\$ 11,956.00		
	3	1	\$ 6,621.00	\$ 6,621.00	\$ 8,000.00	\$ 8,000.00		No Bid			
	4	2	\$ 10,442.00	\$ 20,884.00	\$ 9,500.00	\$ 19,000.00		No Bid			
	5	2	\$ 11,559.00	\$ 23,118.00	\$ 13,750.00	\$ 27,500.00		No Bid			
* ITEM											
1 - 40 HP Return Sludge Pump											
2 - 7.5 HP Activated Sludge Pump											
3 - 10 HP Tank Drainage Pump											
4 - 40 HP Tank Drainage Pump											
5 - 25 HP Back Wash Waste Pump											
TOTAL PRICE			\$ 83,033.00		\$ 75,200.00			\$ 11,956.00		\$ -	
SELECTED ITEMS TOTAL			\$ 40,679.00		\$ 39,700.00			\$ -		\$ -	
TERMS			Net 30		Net 30		Net 30				
DELIVERY DATE			12-14 Weeks (Subject to Qty Ordered)		22 Weeks A.R.O.		11 weeks A.R.O.				
F.O.B.			F.O.B. Oak Ridge (Freight Incl.)		Oak Ridge		Destination (Oak Ridge) FFA				
VIA			Ours		Truck		Truck				
OTHER BIDDERS CONTACTED: BAR Environmental - Nashville, TN							BIDS OPENED AND RECORDED BY--- <i>Lyn Majeski</i> Lyn Majeski Accounting Division Manager				
REASON FOR AWARD:			RECOMMEND AWARD BE MADE TO:				BIDS REVIEWED BY---				
ONLY BID RECEIVED <input type="checkbox"/>			ITEMS #'s 2, 3, 5		ITEM #'s 1, 4		<i>Janice McGinnis</i> Janice McGinnis Finance Director				
LOW PRICE <input type="checkbox"/>			Abba Pump Parts and Service		Nedrow & Associates, Inc.						
BETTER OR REQUIRED DESIGN <input type="checkbox"/>			5370 Munro Court		2233 Southpark Drive						
EARLY DELIVERY <input type="checkbox"/>			Burlington, Ontario, Canada L7L 5N8		Murfreesboro, TN 37128						
LOWEST TOTAL COST <input checked="" type="checkbox"/>											

# BID PROCESS FORM



## BID NAME

Pumps for the Wastewater Treatment Plant

## DESCRIPTION

Provide 9 (nine) pumps for the Wastewater Treatment Plant.

## CITY COUNCIL MEETING

January 11, 2016

## BIDDERS CONTACTED ( CONTACT INFORMATION)

<u>Company</u>	<u>Name</u>	<u>Address</u>	<u>City, State ZIP</u>	<u>Phone</u>	<u>Email</u>	<u>Contacted Via</u>
Abba Pump Parts and Service	Wendy Jamison	5370 Munro Court	Burlington, Ontario, Canada L7L 5N8	905-333-2720	wendy_j@abbaparts.com	[e-mail]
Nedrow & Associates, Inc.	Tim Nedrow	2233 Southpark Drive	Murfreesboro, TN 37129	615-867-7576	tim@Nedrow.com	[e-mail]
J.T. Guthrie & Son, Inc.	John Park	7003 Chadwick Drive, Suite 300	Brentwood, TN 37027	615-377-3952	john@jtguthrie.com	[e-mail]
	Chris Jones				chris@jtguthrie.com	[e-mail]
BAR Environmental	Bobby Clemmer	51 Century Blvd., Suite 307	Nashville, TN 37214	615-373-0788	bclemmer@bar-enviro.com	[e-mail]

## BIDS RECEIVED FROM BIDDERS CONTACTED DIRECTLY BY THE CITY

Abba Pump Parts and Service, Nedrow & Associates, Inc. and J.T. Guthrie & Sons, Inc.

## BIDS RECEIVED FROM BIDDERS NOT DIRECTLY CONTACTED BY THE CITY

(e.g., City's Website, Vendor Registry, Planrooms, Word of Mouth)

## ADVERTISEMENT

The City of Oak Ridge advertised this bid on the Finance Department's Departmental Webpage for a duration of 10 days.

**RESOLUTION**

A RESOLUTION APPROVING THE PURCHASE OF REPLACEMENT PUMPS FOR THE WASTEWATER TREATMENT PLANT FROM ABBA PUMP PARTS AND SERVICE, BURLINGTON, ONTARIO, CANADA, IN THE ESTIMATED AMOUNT OF \$40,679.00 AND NEDROW & ASSOCIATES, INC., MURFREESBORO, TENNESSEE, IN THE ESTIMATED AMOUNT OF \$39,700.00.

WHEREAS, the City issued an invitation to bid for the purchase of nine replacement pumps for the Waste Water Treatment Plant; and

WHEREAS, bids were received and publicly opened on December 10, 2015, with Abba Pump Parts and Service, Burlington, Ontario, Canada, submitting the lowest and best bid for five pumps and Nedrow & Associates, Inc., Murfreesboro, Tennessee, submitting the lowest and best bid for four pumps, which bids the City Manager recommends be accepted.

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

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

- To Abba Pump Parts and Service, 5370 Munro Court, Burlington, Ontario, Canada.L7L 5N8, for the purchase of five replacement pumps for the Wastewater Treatment Plant; said award in strict accordance with Requisition No. 146282, the required specifications, and the bid as publicly opened on December 10, 2015, and in the estimated amount of \$40,679.00; and
- To Nedrow & Associates, Inc., 2233 Southpark Drive, Murfreesboro, Tennessee 37128, for the purchase of four replacement pumps for the Wastewater Treatment Plant; said award in strict accordance with Requisition No. 146282, the required specifications, and the bid as publicly opened on December 10, 2015, and in the estimated amount of \$39,700.00.

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

This the 11th day of January 2016

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., City Clerk

## PUBLIC WORKS DEPARTMENT MEMORANDUM

15-36

**DATE:** December 21, 2015  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Interim Public Works Director  
**SUBJECT:** PROFESSIONAL SERVICES AGREEMENT – POST EPA REMEDIATION PLAN

### Introduction

An item for City Council's consideration is a resolution authorizing the award of two (2) professional services agreements to LDA Engineering (LDA), as described below in the estimated amount of \$427,500.

### Funding

Funding for these services are available from the State Revolving Fund (SRF), loans 2014-337 and 2013-324.

### Background

Both of the recommended engineering agreements are to assist the City with moving forward from the U.S. Environmental Protection Agency (EPA) Administrative Order (Order) that was fulfilled on August 27, 2015.

As you are aware, the City has maintained a long term relationship with LDA Engineering. Staff is aware that Council wishes to revisit this relationship, seeking proposals from qualified engineering firms to ensure that the best qualified firm is being used in this design work. To that end, we anticipate that in the next few months a Request for Qualifications document will be prepared and evaluated. In the meantime we will continue evaluating the capabilities of various firms for work that appears.

I consider that the two attached projects represent special cases that warrant extension of the current relationship with LDA. The first project is actually the updating and completion of the work plan for the sewer system rehabilitation. Termed a "Post Remediation Document", it will define the activities of the Department for the next several years. It is heavily based on the inventories and work that have already been performed by LDA and although other firms will be able to use the document for work plans, LDA is especially qualified to prepare it.

The agreement to prepare this document is in the estimated amount of \$65,000 and is funded by the SRF loan 2014-337.

It will provide staff specific information for what future projects are needed in the sewer system and a priority for those projects. This document will also contain information of the far west end sewer assets, including the Rarity Ridge sewer shed, so that the City will be considered as an area for future sewer projects. Once completed, this document can be utilized as the basis of the planning document required for any new SRF loans, a tool to provide engineering firms in a Request for Proposal process to select engineering firms for the needed projects and to incorporate in the City Capital Improvements Program (CIP).

I am requesting that this project be awarded to LDA because of timeliness issues. The source of the funding for the engineering and much of the work will be from the SRF 2013-324 loan. This loan is a principal forgiveness loan, meaning our ratepayers will not have to shoulder responsibility for repayment

of the principal. Currently there is a balance of \$1,040,860.00 available in this loan, but we have been advised by the State that the loan needs be completely drawn down and closed with all haste. No specific timelines have been provided, but a delay of several months for preparation of an RFQ, evaluation and then Council action will endanger these funds. As importantly, LDA is fully qualified to perform the work and has successfully completed similar work in the past. I therefore recommend that we contract with them for this project.

The second agreement, in the estimated amount of \$362,500.00, with funding from the SRF loan 2013-324, is for the engineering services listed below for a sewer rehabilitation project in the Turtle Park sewer shed.

The amounts below are consistent with the amounts spent during the EPA Remediation Plan Projects.

- Design Services \$85,000
- Bidding Services \$7,000
- Services During Construction \$60,500
- Project Inspection \$175,000
- Post Engineering, including GIS \$35,000

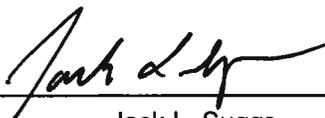
Once the scope of the repairs is determined and prior to bidding the project, if additional work is required, the City will consider providing the inspection services for the project instead of LDA, allowing those funds to be added to the rehabilitation work.

The Turtle Park sewer shed was chosen as the desired location for this project as there are several needed repairs that are known from the analysis (cleaning and CCTV) of the EPA Order. These repairs were placed on hold due to budget constraints. In addition, they are not contributing to sewer overflows.

It is imperative that the City keep moving forward with sewer rehabilitation. The SRF loans cannot remain open indefinitely. This recommendation will allow the City to continue with needed analysis and sewer rehabilitation work. LDA is the most familiar engineering firm with the City sewer system. By allowing them to continue to assist staff, needed progress will be made in the most time efficient manner.

Recommendation

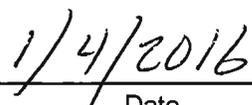
Based on the knowledge and qualifications of LDA Engineering, of the City sewer system, staff recommends approval of the attached resolution.

  
\_\_\_\_\_  
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

**RESOLUTION**

A RESOLUTION APPROVING AN AGREEMENT WITH LDA ENGINEERING TO DEVELOP A POST REMEDIATION DOCUMENT IN THE ESTIMATED AMOUNT OF \$65,000.00, AND AN AGREEMENT WITH LDA ENGINEERING FOR ENGINEERING SERVICES RELATED TO A SEWER REHABILITATION PROJECT IN THE TURTLE PARK SEWER SHED IN THE ESTIMATED AMOUNT OF \$362,500.00.

WHEREAS, the City desires to engage the services of LDA Engineering to analyze and develop a Post Remediation Document to prioritize future sewer system projects as well as provide information on west end sewer assets; and

WHEREAS, the City further desires to engage the services of LDA Engineering for design, bidding, construction administration, inspection, and post engineering services related to a sewer rehabilitation project in the Turtle Park sewer shed; and

WHEREAS, both agreements will be funded by State Revolving Fund loans (SRF loan 2014-337 and SRF loan 2013-324, respectively); and

WHEREAS, the City Manager recommends approval the agreements.

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 as follows:

- To enter into a professional services agreement with LDA Engineering, 110 Tyson Boulevard, Suite 200, Alcoa, Tennessee 37701, for development of a Post Remediation Document in the estimated amount of \$65,000.00; and
- To enter into a professional services agreement with LDA Engineering, 110 Tyson Boulevard, Suite 200, Alcoa, Tennessee 37701, for design, bidding, construction administration, inspection, and post engineering services related to a sewer rehabilitation project in the Turtle Park sewer shed in the estimated amount of \$362,500.00.

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

This the 11th day of January 2016

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krusherski, City Attorney

Warren L. Gooch, Mayor

\_\_\_\_\_  
Bruce M. Applegate, Jr., City Clerk

**CITY COUNCIL MEMORANDUM**  
**16-01**

**DATE:** January 4, 2016  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Mark S. Watson, City Manager  
**SUBJECT:** WASTE CONNECTIONS OF TENNESSEE, INC., CONTRACT EXTENSION

Introduction

An item for City Council's consideration is a resolution waiving the competitive bid process and amending the contract between the City and Waste Connections of Tennessee, Inc., to extend the contract term by five years for a new termination date of June 30, 2026.

Funding

Approval of the contract extension has no cost to the City of Oak Ridge except for the CPI adjustments, which will be a provision with any provider.

Background

In August 2015, the City Manager's office was approached by Waste Connections of Tennessee regarding the existing contract, which is set to expire on June 30, 2021. Recognizing that this matter is some distance away, the contractor has expressed a desire to add five years to the term of the existing contract at the same level of service. Waste Connections has been a good contractor and very few complaints on their services are ever received.

The City of Oak Ridge, by cost comparison, finds that we have one of the lowest costs for household services in the Eastern Tennessee region. Our service level includes backdoor pick up in many areas of the City, which a higher cost service is found in other contracts.

Since late summer, City staff has been discussing this issue internally, while a number of other issues have been addressed by the City Council. At the same time, we are in a transitional period between Public Works Directorships, leaving this matter to the City Manager's office to handle. Internally, we have conducted further comparisons of rates in the surrounding areas and found the Oak Ridge rate to be the lowest.

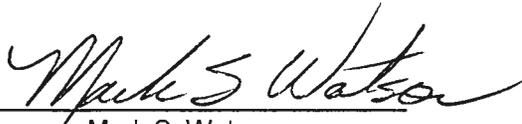
It is believed that the contract extension allows the City to retain reasonable rates for refuse services through June 30, 2026. However, a bidding process that is anticipated in the year ahead of the contract expiration would be needed to allow transfer to a new service should a competitor obtain the contract. City staff does anticipate that the level of service required and expected in Oak Ridge at present will yield a higher cost in 2021. The hidden cost of disruption also must be considered. Capitalization of new equipment and staffing will be required of a new service provider also. City Staff does believe that the City will see a substantial increase in cost of service in a new competitive bidding situation.

Council must unanimously approve the resolution in order to waive the competitive bid process for the five-year contract extension. The City Council can guess the anticipated costs of this service in 2021 or can have a certainty for our citizens over the next ten years. As we have seen, prices of gasoline have gone up and down in a short period.

The City Manager recommends consideration of this option for an extension given our low rate of cost and high level of service demanded of refuse collection.

Recommendation

Approval of the attached resolution is recommended.

  
Mark S. Watson

Attachment(s)

Waste Connection letter proposing contract extension  
Waste Connection letter comparing nearby community garbage rates  
Oak Ridge Refuse and Recycling Program presentation  
Resolution



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

August 11, 2015

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

Dear Mr. Watson,

This letter is to offer the City of Oak Ridge an additional five (5) year extension to our current contract for Trash and Recycling Collection.

Our current contract is set to expire June 30, 2021. As you well know trash contracts are usually long term commitments, and with only six (6) years left on our contract, an additional five (5) year term is an option the City should for sure consider as no one in our market area but Waste Connections wants to offer backdoor collection for trash services.

Many trash contracts are now being put in place for anywhere from 10 to 20 years with options to extend. Our offer will take our commitment out to 11 years.

We have an excellent working relationship with the City of Oak Ridge, and we believe this offer is a win-win for the City of Oak Ridge and Waste Connections of Tennessee, Inc.

We offer this extension at the same terms and conditions as our current contract.

Please let me know if you have any questions on this matter, I will be glad to meet with you and/or attend a City Council meeting on this matter.

I also want to point out my regrets for not being able to work with Gary Cinder due to his retirement. He is one of the very best Public Works Directors I have ever had the honor to work with in my 43 years in the solid waste industry. I am sure you will miss him. Also, with that stated, I look forward to meeting his replacement and getting to start a good working relationship with that individual.

Please feel free to contact me via email at [doug@wasteconnections.com](mailto:doug@wasteconnections.com) or by cell phone at (865) 679-2656. I look forward to hearing from you on this matter.

Sincerely,

Waste Connections of Tennessee, Inc.

A handwritten signature in blue ink that reads "Douglas McGill". The signature is written in a cursive style with a large, stylized initial "D".

Douglas McGill  
Divisional Municipal Marketing Manager  
*(865) 679 - 2656*

Cc

Gary Cinder-PWD



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

September 28, 2015

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

Dear Mr. Watson,

Thank you for taking the time to call me about Waste Connection's offer to extend our contract for an additional five (5) year period. As you requested, I am supplying trash collection rates from other cities in our market area.

These all have curbside trash collection:

<u>City</u>	<u>Per Home Rate</u>
City of Sweetwater	\$9.08 per month
City of Kingston	\$9.10 per month
City of Harriman	\$9.89 per month
City of Baneberry	\$10.03 per month
Knox County Subscription customer	\$21.89 per month

Oak Ridge's current rate for backdoor trash collection is \$9.67 per month per home. The additional amount for curbside recycling with carts makes the total monthly bill \$13.75. As you can see, we feel your backdoor collection rate is very low compared to other city's curbside rate.

So you know, I have spoken to Mayor Pro-Tem Ellen Smith and councilmember Charles Hensley about the extension and they both said they were in favor of the extension.

We look forward to hearing from you on this offer and to our continued great service relationship with the City of Oak Ridge.

Please feel free to contact me via email at [doug@wasteconnections.com](mailto:doug@wasteconnections.com) or by cell at (865) 679-2656. I look forward to hearing from you on this matter.

Sincerely,

Waste Connections of Tennessee, Inc.

A handwritten signature in blue ink, appearing to read 'Douglas McGill', written in a cursive style.

Douglas McGill  
Divisional Municipal Marketing Director

Cc  
Mr. Jack Suggs-Public Works Director

# Residential Refuse & Recycling

Comparative Analysis of Fees for Contracted Services



## History of City's Refuse & Recycling Contract

- Original 5-year contract with Browning-Ferris Industries (BFI) of Tennessee, Inc., contract (COR 96-01) for household refuse and recyclable collection and transportation services approved by Resolution 4-52-96
- Contract extended for a 10-year term ending on June 30, 2011 and approved by Resolution 11-161-98
- Contract assigned to Waste Connections (Waste Connections purchased BFI) and approved by Resolution 10-136-02
- Contract amended, to add a fuel surcharge, and extended for an additional 5-year term ending on June 30, 2016; approved by Resolution 8-107-06
- Contract extended until June 30, 2021 and approved by Resolution 10-100-08

# City of Oak Ridge

## Total Monthly Cost by Household

SOLID WASTE FUND - HOUSEHOLD PROGRAM COST			
	FY2016 BUDGETED	FY2016 HOUSEHOLD	FY2016 HOUSEHOLD
	AMOUNT	ANNUAL COST	MONTHLY COST
<b>REVENUE:</b>			
REFUSE FEE @ \$7.00 (July through October)		\$ 28.00	\$ 7.00
REFUSE FEE @ \$10.50 (November through June)		\$ 84.00	\$ 10.50
TOTAL REVENUE		\$ 112.00	\$ 9.33
<b>EXPENSES:</b>			
RESIDENTIAL REFUSE & RECYCLE	\$ 2,028,840	\$ 165.00	\$ 13.75
CONVENIENCE CENTER	\$ 349,300	\$ 28.41	\$ 2.37
ANNUAL BRUSH COLLECTION	\$ 31,724	\$ 2.58	\$ 0.22
ANNUAL HOUSEHOLD TRASH COLLECTION	\$ 14,020	\$ 1.14	\$ 0.10
ANNUAL LEAF PICKUP	\$ 124,190	\$ 10.10	\$ 0.84
FUEL SURCHARGE - REFUSE & RECYCLE	\$ 150,000	\$ 12.20	\$ 1.02
WOODWASTE CONTRACT	\$ 61,200	\$ 4.98	\$ 0.41
SUPPORT SERVICES - STREET SWEEPING	\$ 40,281	\$ 3.28	\$ 0.27
NOT IN OUR CITY	\$ 13,010	\$ 1.06	\$ 0.09
TOTAL EXPENSES	\$ 2,812,565	\$ 228.74	\$ 19.06
<b>ADDITIONAL COST:</b>			
ALLOWANCE FOR NON-PAYING CUSTOMERS	\$ 37,184	\$ 3.11	\$ 0.26
TOTAL EXPENSES AND ADDITIONAL COST		\$ 231.85	\$ 19.32
LESS: REFUSE FEE REVENUE		\$ (112.00)	\$ (9.33)
PROPERTY TAX CONTRIBUTION		\$ 119.85	\$ 9.99

Based on 12,296 households and the FY16 contractual (fixed) amount with Waste Connections  
 Budgeted amount, cost is variable  
 Expenses for 12,296 households are expected to be paid by 11,964 households; 332 households as non-paying

City of  
Oak Ridge

Total  
Program  
Cost

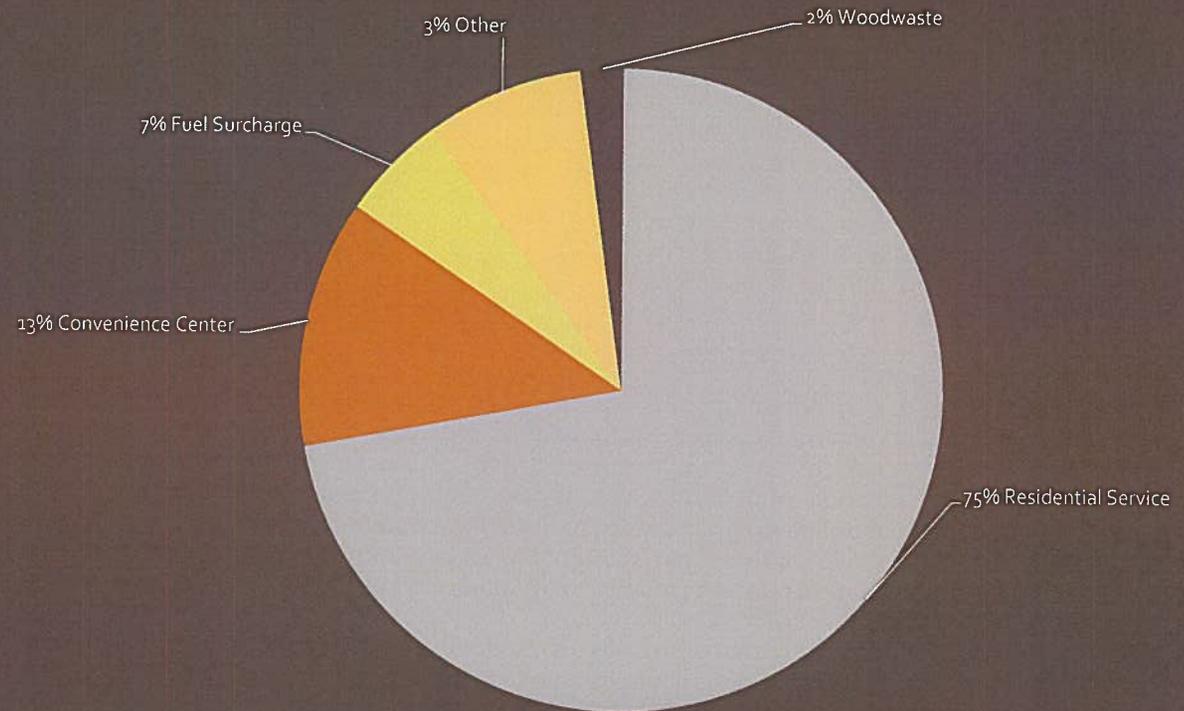
\$19.32 Monthly Household Program Cost



City of Oak  
Ridge

Detailed  
Program  
Cost

### Solid Waste - Household



# Comparison of Residential Refuse & Recycling Among Municipalities

City	Service	Pickup Location	Frequency	Resident Mo. Fee	Contractor
Oak Ridge Population 29,330	Refuse, recycling, brush, leaves, convenience center	Backdoor (refuse)  Curbside (recycling)	Once/week	\$10.50	Waste Connections
Jackson Population 65,211	Garbage; trash yard waste, bulky items, leaves	Backdoor (garbage)  Curbside (yard waste, bulky items, leaves)	Twice/week garbage  ongoing yard waste, bulky items, leaves (visit)	\$17.84	Waste Connections
Hendersonville Population 51,372	Refuse, yard waste, bulky items, leaves	Backdoor (garbage)  curbside (yard waste, bulky items, leaves)	Twice/week refuse  Once/week (yard waste, bulky items, leaves)	\$21.91 (\$263 collected annually on property tax bill)	Republic Services
Germantown Population 38,844	Refuse, recycling, yard waste, leaves	Curbside or backdoor	Once/week	\$20 curbside; \$24.50 backdoor + annual fee of \$14.16 for curbside container	Inland Waste
Spring Hill Population 29,036	Refuse, recycling	Curbside	Once/week refuse and every other week recycling	\$13.90 or \$10.03 (refuse only)	Waste Management

## Notes and Assumptions About the Comparison

- ❖ Factors used to select cities:
  - ❖ The selected cities provide similar levels of service
  - ❖ The selected cities with backdoor service, provide this service to all of their residents
  - ❖ The selected cities have similar populations

## Reference Page for Sources Used in Comparison

### Sources Used:

- ❖ Municipal websites
- ❖ Municipal staff\*
- ❖ Municipal Technical Advisory Service (MTAS)

\*Each city was contacted to verify that the information on their website is accurate and relevant.

## Options

Bid

- Issue Bid to see if City receives a competitive quote

Bid  
Waiver

- Receive unanimous approval from City Council to renew contract

## Legal Opinion on whether to Renew or Issue Bid

### Legal Opinion from MTAS Legal Consultant

- There is no state law on the topic. The general rule that a city cannot be anti-competitive in these contracts would apply, meaning that the terms should be "reasonable." What is reasonable will vary depending on the nature of the contract and common practice. For instance, those situations you point out are common and would not be questioned by a court, but a 25 year solid waste contract or a 20 year auditing contract would be suspect. A city's charter may come into play, as some limit the years for contract terms, but those are rather rare.

## Legal Opinion on whether to Renew or Issue Bid

Case: Browning-Ferris Industries of Tennessee, Inc. (BFI) v. City of Oak Ridge and Tennessee Industrial Disposal, Inc. (TiDi) (644 S.W.2d 400 (1982))

- Background: City had a garbage pickup contract in place with TiDi that was set to expire. City went out for bids. BFI was low bidder. City rejected all bids and instead negotiated an extension of the current contract with TiDi. BFI sued stating the City violated our competitive bidding ordinance. BFI won.
- Quotes from Opinion: "Courts have, however, drawn a distinction between a provision in a public contract giving the governmental entity a right to extend the duration of a contract under identical terms and a provision which merely authorizes further negotiations...."

*As a note, the City has been challenged*

END

**RESOLUTION**

A RESOLUTION WAIVING THE COMPETITIVE BID PROCESS AND AMENDING THE CONTRACT (COR 96-01) BETWEEN THE CITY AND WASTE CONNECTIONS OF TENNESSEE, INC., TO EXTEND THE CONTRACT TERM BY FIVE YEARS FOR A NEW TERMINATION DATE OF JUNE 30, 2026.

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

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

WHEREAS, by Resolutions 11-161-98, 8-107-06, 10-100-08, 2-7-2013, and 4-24-2013, City Council amended the contract which included providing for term extensions, with said contract terminating on June 30, 2021; and

WHEREAS, the City and Waste Connections desire to amend the contract to extend the contract term by five years for a new termination date of June 30, 2026; and

WHEREAS, the City Manager recommends said contract amendment which will require a waiver of the competitive bidding process through unanimous approval of City Council.

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

That the recommendation of the City Manager to waive the competitive bidding process is approved and the City is hereby authorized to amend the contract (COR 96-01) between the City and Waste Connections of Tennessee, Inc., to extend the contract term by five years for a new termination date of June 30, 2026.

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

This the 11th day of January 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., City Clerk

**CITY COUNCIL MEMORANDUM**  
**16-02**

**DATE:** January 4, 2016  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Mark S. Watson, City Manager  
**SUBJECT:** ACCEPTANCE OF THE OCTOBER 20, 2015 PRESCHOOL COMMITTEE REPORT

Introduction

An item for City Council's consideration is a resolution accepting the Joint City/Schools Preschool Planning Committee report dated October 20, 2015.

Background/Analysis/Review/Consideration

The Oak Ridge City Council and the Oak Ridge City Schools Board of Education appointed nine members and three non-voting members to form the Joint City/Schools Preschool Planning Committee. The Committee was charged "to determine whether or not to remodel the existing buildings at 304 New York Avenue; lease and renovate a building; or build new," and on October 20, 2015 in a City Council/Board of Education joint work session, Preschool Committee Chair Shirley Raines presented the attached report.

The Committee determined that the existing New York Avenue Oak Ridge Preschool building will continue to need significant repairs to keep it up to code and safe for the children it serves. After consideration of the costs of remediation and renovation of approximately \$7.5M, and the pros and cons of leased properties, the Joint City/Schools Preschool Planning Committee recommends a new building be constructed for approximately \$6.3M, with additional costs for infrastructure, architects and other fees, and an in depth analysis by design and construction firms expected to be approximately \$7.5M.

The size and location of the facility were deliberated with information from a community needs assessment for services now and those anticipated for the future. The Committee recommends the size of the facility at approximately 40,000 square feet with future operations over 3-5 years of 20 classrooms and with the related spaces for program operation services.

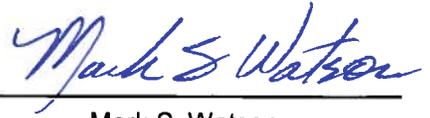
The Committee considered numerous sites for the facility based on community concerns expressed to committee members, private properties available and known to the City, parcels owned by the City, existing park sites and former school sites. Five sites were reviewed in depth with the following criteria in mind: cost of land, accessibility to residential areas, transportation infrastructure, proximity to extra parking, proximity to churches/social organizations, displaced persons/activities, offsite evacuations, distance from sale of alcoholic beverages, and visibility.

The Joint City/Schools Preschool Planning Committee recommends to the Oak Ridge City Council and the Board of Education that a new Oak Ridge Schools Preschool building be constructed at the Elm Grove Park site on existing City owned property.

The Oak Ridge Schools Board of Education took action in November 2015 to accept the report and pursue further implementation of the recommendations as recommended by the committee.

Recommendation

Approval of the attached resolution is recommended.



---

Mark S. Watson

Attachment(s)

Joint City/Schools Preschool Planning Committee Final Report  
Resolution

# Oak Ridge Schools' Preschool



Joint City/Schools Preschool Planning Committee

October 20, 2015

Submitted by Shirley Raines, Chairman

# **JOINT CITY/SCHOOLS PRESCHOOL PLANNING COMMITTEE**

## **EXECUTIVE SUMMARY**

**October 20, 2015**

The Oak Ridge City Council and the Oak Ridge City Schools Board of Education appointed nine members and three non-voting members to form the Joint City/Schools Preschool Planning Committee. The Committee was charged “to determine whether or not to remodel the existing buildings at 304 New York Avenue; lease and renovate a building; or build new.”

To meet the charge, the Committee met in a series of six formal meetings and numerous smaller work sessions from April 9 to September 28, 2015. The committee’s charge led to a series of questions outlined in the report addressing: remediation of existing building problems and renovation to meet needs; the community needs for preschool facility; whether or not a new facility would be leased or new construction; costs of options; size of facility; factors for a building site; review of sites in prime service area; and recommendations from this committee to the City Council and the School Board.

The Committee sought to find a fiscally responsible and community-oriented solution to the preschool building need. In addition to the meetings to address the charge, data were gathered from community assessments, requirements of funding agencies, designation of prime service area, criteria for site selections, variety of recommended sites, individuals’ site visits, directors of maintenance reports, public work reports, city maps, and infrastructure reviews. The Committee also spent significant time discussing potential preschool options beyond the existing operations, including working with adjacent services, such as Girls, Inc. at their site, and cooperating with existing preschools to offer tuition based programs, and converting existing properties within the city limits.

The Committee determined that the existing New York Avenue Oak Ridge Preschool building has numerous needs and will continue to need significant repairs to keep it up to code and safe for the children it serves. After a consideration of the costs of remediation and renovation of approximately \$7.5M, and the pros and cons of leased properties, the Joint City/Schools Preschool Planning Committee recommends a new building be constructed for approximately \$6.3M, with additional costs for infrastructure, architects and other fees, and an in-depth analysis by design and construction firms expected to be approximately 1.2 M for a total of \$7.5M.

The size and location of the facility were deliberated with information from a community needs assessment for services now and those anticipated for the future. The Committee recommends the size of the facility at approximately 40,000 square feet with future operations over 3-5 years of 20 classrooms and with the related spaces for program operation services.

The Committee considered numerous sites for the facility based on community concerns expressed to committee members, private properties available and known to the city, parcels owned by the city, exiting park sites and former school sites. Five sites were reviewed in depth

with the following criteria in mind: cost of land; accessibility to residential areas; transportation infrastructure; proximity to extra parking; proximity to churches/social organizations; displaced persons/activities; offsite evacuations; distance from sale of alcoholic beverages; and visibility.

The Joint City/Schools Preschool Planning Committee recommends to the Oak Ridge City Council and Board of Education that a new Oak Ridge Schools Preschool building be constructed at the Elm Grove Park site on existing city owned property. The cost of the total project is estimated at approximately \$7.5 million, which includes the cost of the new building, site preparation, infrastructure changes for the area, architects and other fees associate with the building and the site.

The following report and Power Point presentation will detail the Committee's considerations and explain the final recommendations.

Respectfully submitted,

/s/ Shirley C. Raines

Shirley C. Raines, Citizen Representative and Chair

Joint City/Schools Preschool Planning Committee Members:

Keys Fillauer, Board of Education Chair

Ellen Smith, Mayor Pro Tem, City Council Representative

Jessica Hill, Parent Representative

Bruce Borchers, Superintendent

Mark Watson, City Manager

Charlsey Cofer, Preschool Director

Lee Ann Shelton, Preschool Teacher Representative

Janis McGinnis, Finance Director

Pat Fallen, Public Works Operations/Maintenance Division Manager, Non-voting member

Allen Thacker, Board of Education, Director of Maintenance, Non-voting Member

Jon Hetrick, Recreation and Parks Director, Non-voting Member

# Joint City/Schools Preschool Building Committee

## Meeting Dates

- April 9, 2015
- June 3, 2015
- July 9, 2015
- July 29, 2015
- August 12, 2015
- September 28, 2015



# History of Oak Ridge Schools' Preschool

- In 1965, with Title 1 funds, Oak Ridge Schools (ORS) began a preschool program that served 30 four-year-old children part-time in the Scarborough community.
- In 1970, Head Start funds were added to provide for a full school year program.
- ORS Preschool (ORSP) had been relocated four different times.
- At one time, the ORSP had a maximum number of 14 classrooms to serve the children of Oak Ridge. At present, we have 11 classrooms on site with 1 additional classroom located at Woodland Elementary.
- The current program is funded by Title 1, Head Start, Voluntary Preschool, and the Individuals with Disabilities Education Act (IDEA).

# Why Preschool?

ORSP is where Oak Ridge Schools' excellence begins

Mission statement: To provide all children with opportunities that prepare them for success in school and in life

Purpose: To provide early intervention for children who are considered at risk for learning

ORSP is unique because they are a full inclusion school housed together with special services (OT, PT, Speech/Language, FS Coordinators) and ORSP has been recognized nationally as a top program (listed in top 100 schools in 1996)

Early intervention is critical for success in school, especially for at-risk children

Studies show that children from low income families entering Kindergarten are typically 12-14 months below national norms in language and pre-reading skills

Quality preschool yields a foundation for language, literacy, and cognitive development for at-risk children, which aligns with ORS Key 1

# Why Preschool?

- In August 2015 TN Commissioner McQueen announced the new Early Literacy Initiative (“Ready to Read”) ---this program is geared toward ensuring that children who enter Kindergarten are primed to learn to read with the goal of increasing the percentage of 3rd grade students who are reading at or above grade level in Tennessee
- Demographics in city of Oak Ridge have changed dramatically
  - According to the Small Area Income and Poverty Estimates (SAIPE), The total number of families of 5-17 year olds in ORSD in poverty has grown from **580** in 2000 to **1235** in 2013
- **625** birth to 4-year-olds are currently living in poverty in Oak Ridge (Community Assessment created by Nolo Consulting)
- ORS Free/Reduced rate is currently at 55%
- ORHS graduation rate decreased by 3.6% from the 2010 graduating class to the 2014 graduating class
- Currently serving 192 students with no available space to add more and there are 55 children on waiting list from Child Find
- To benefit Oak Ridge school system’s literacy initiative, 3-4 Preschool classrooms must be added with hopes of adding more in the future

# Community Assessment Informational Link

<http://www.noloconsulting.com/#!anderson-county--city-of-oak-ridge-tn/ce0i>

- A hard copy of the actual assessment is available upon request.



# Students Currently Being Served by the ORS Preschool:

<b>3 Years</b>	<b>60</b>
<b>4 Years</b>	<b>132</b>
<b>Total Children Enrolled as of 9/21/15</b>	<b>192</b>

<b>Children of poverty</b>	<b>168</b>
<b>Children with disabilities</b>	<b>34</b>
<b>ELL children</b>	<b>16</b>
<b>Out Service Children</b>	<b>10</b>

# Students Currently on the ORS Preschool Waitlist:

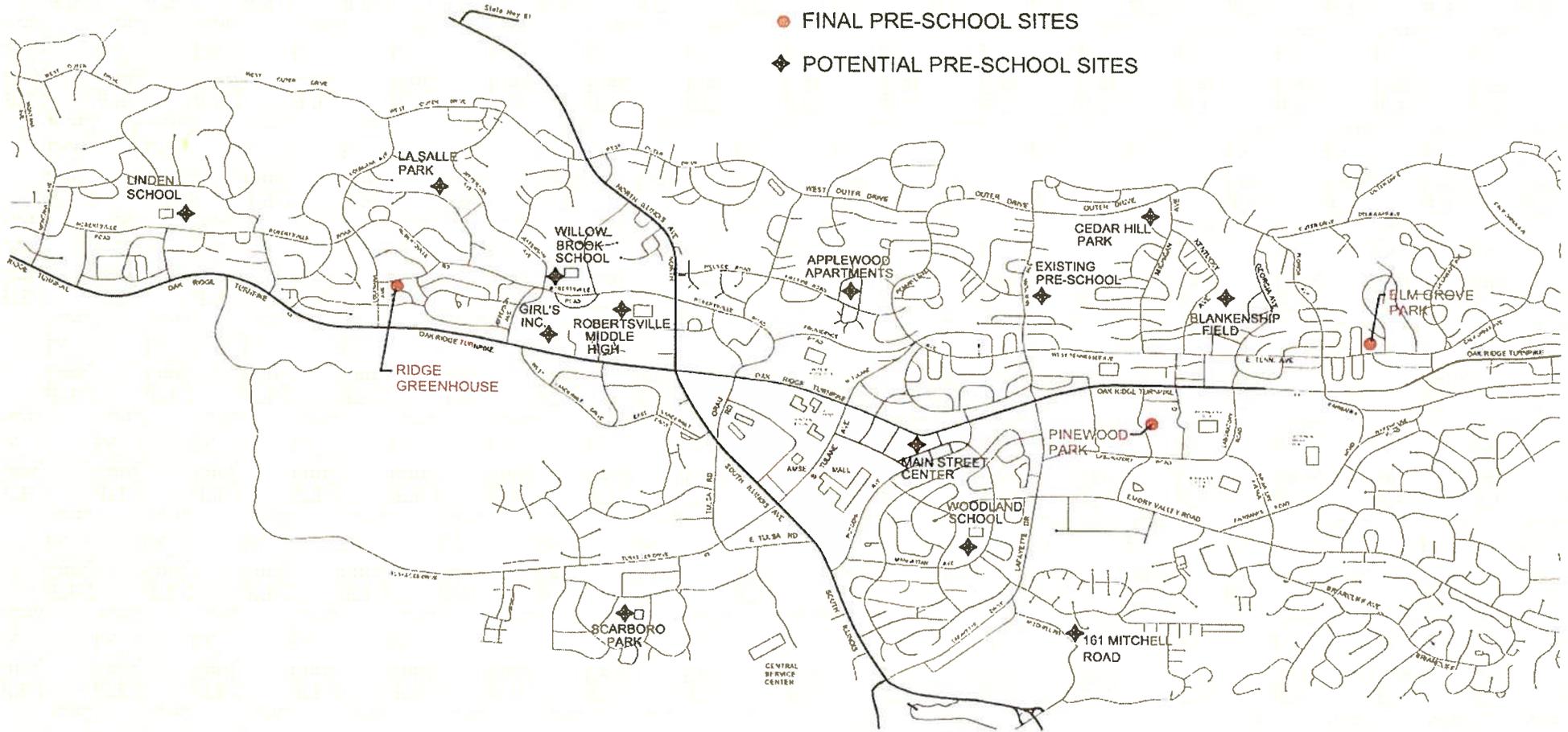
<b>3 Year Olds</b>	<b>6 - Head Start Eligible Children</b> <b>8 - Title 1 Eligible Children</b> <b>20 – Children who did not meet funding requirements to attend the preschool</b>
<b>4 Year Olds</b>	<b>1 Head Start</b> <b>0 – Preschool/Title 1</b> <b>20 – Children who did not meet funding requirements to attend the preschool</b>

# PROPOSED PRESCHOOL SITES



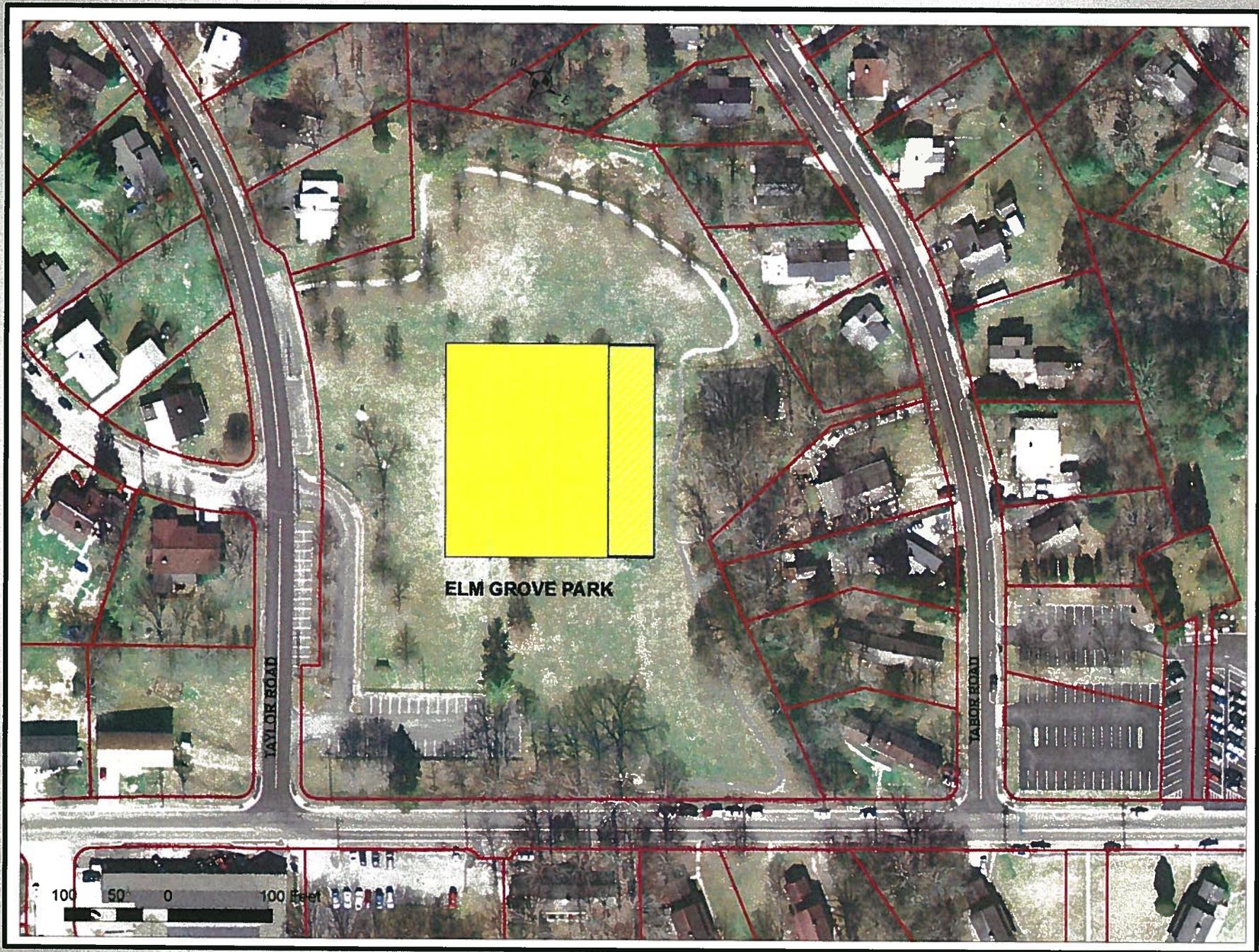
# LOCATION MAP

- FINAL PRE-SCHOOL SITES
- ◆ POTENTIAL PRE-SCHOOL SITES

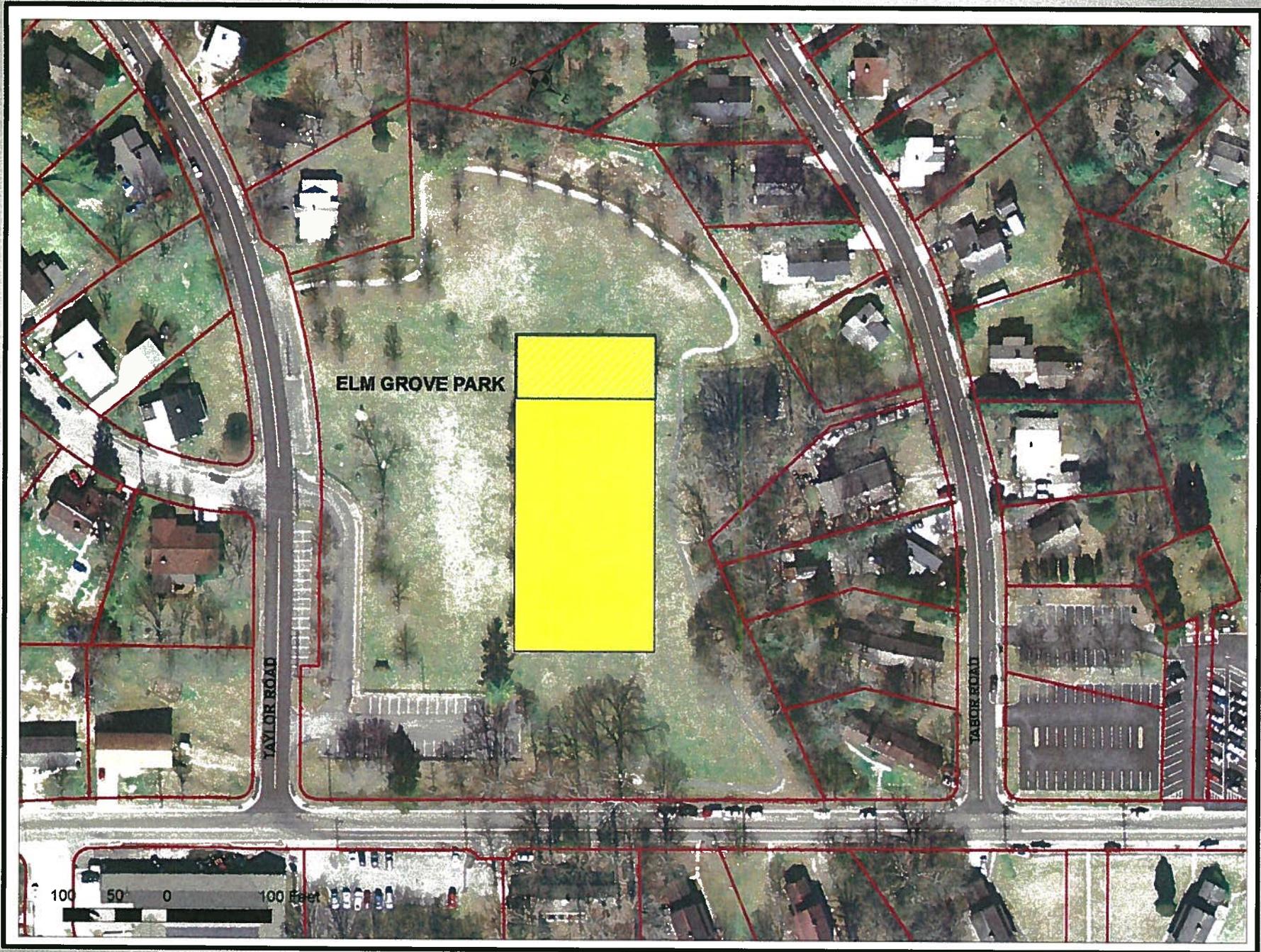




**ELM GROVE PARK**



**ELM GROVE PARK**



**ELM GROVE PARK**



VIEW FROM EAST TENNESSEE AVENUE



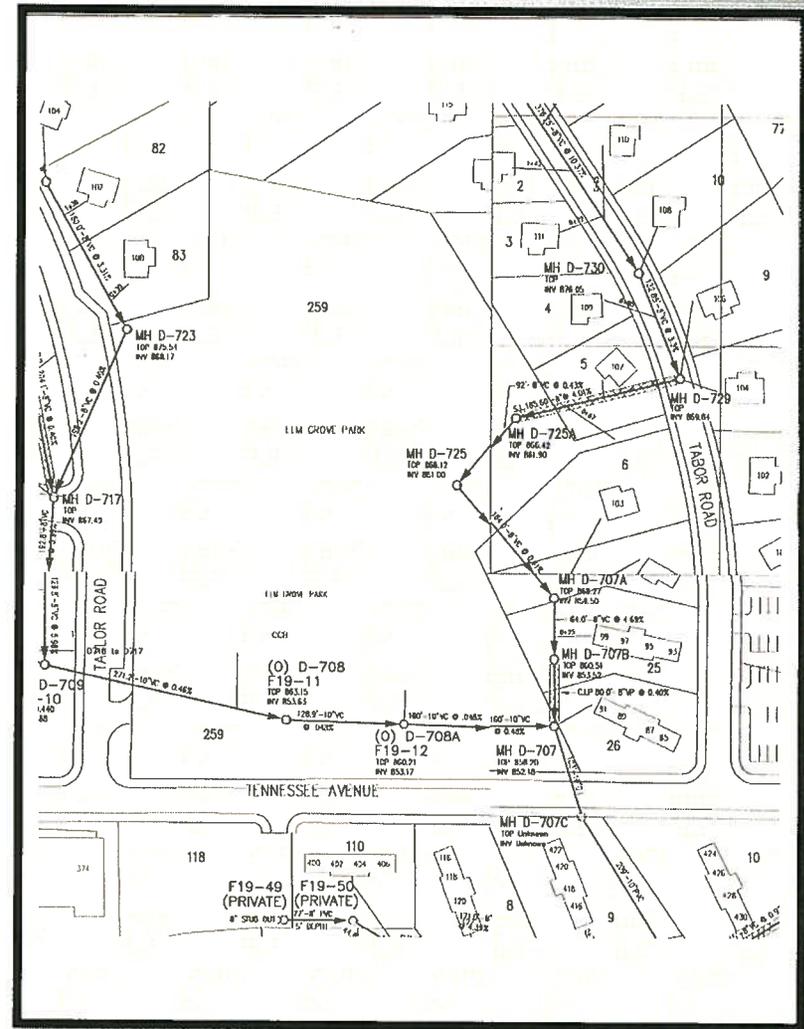
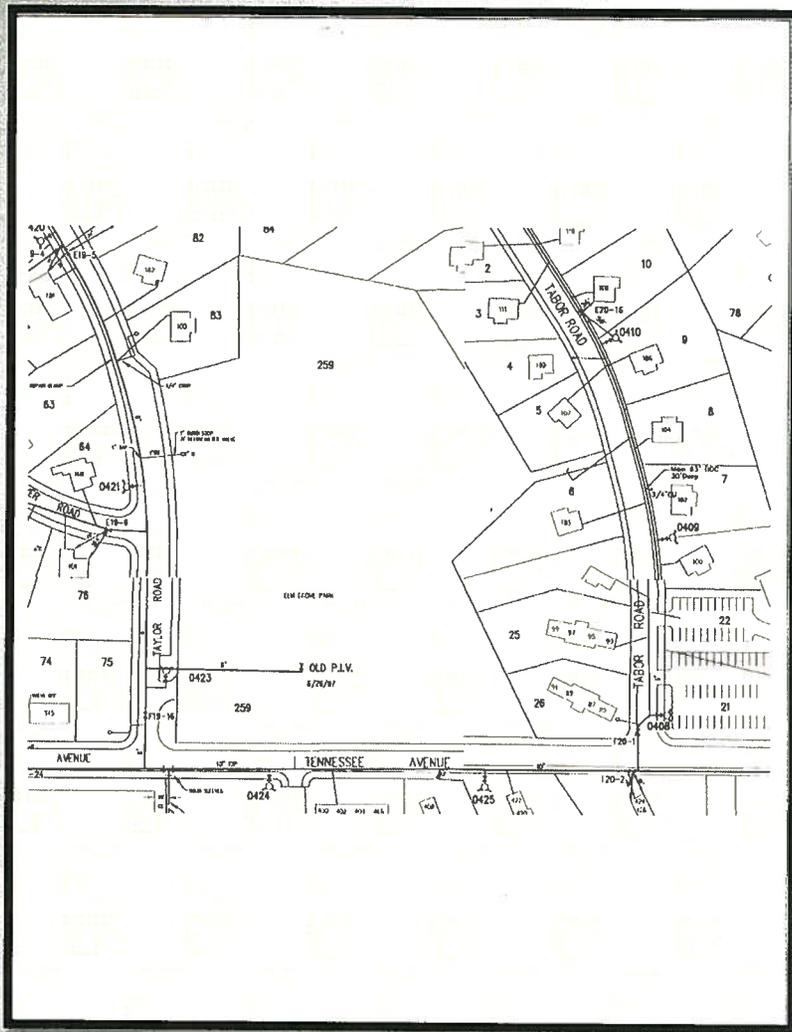
PARKING LOT ON EAST TENNESSEE AVENUE



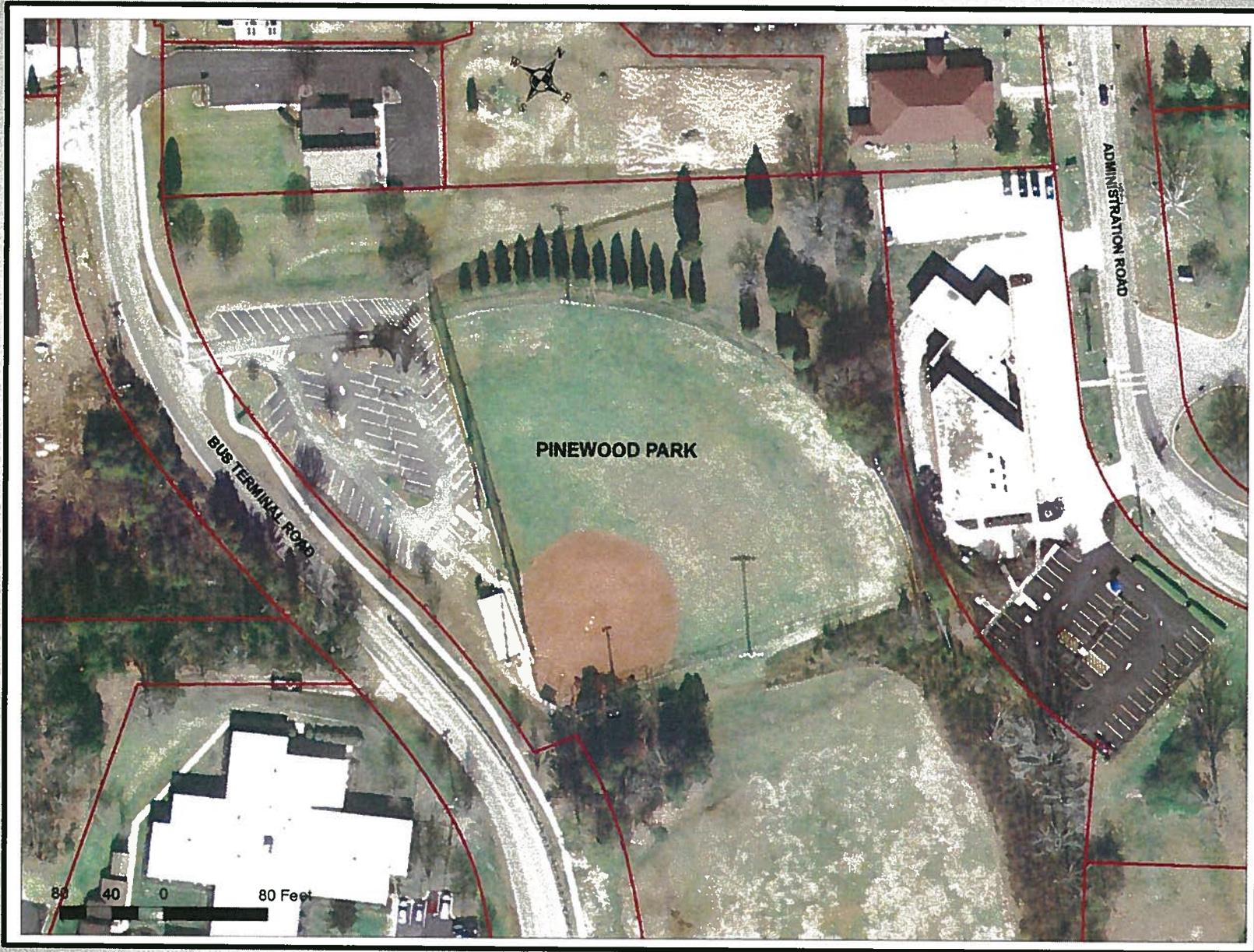
VIEW FROM TAYLOR ROAD



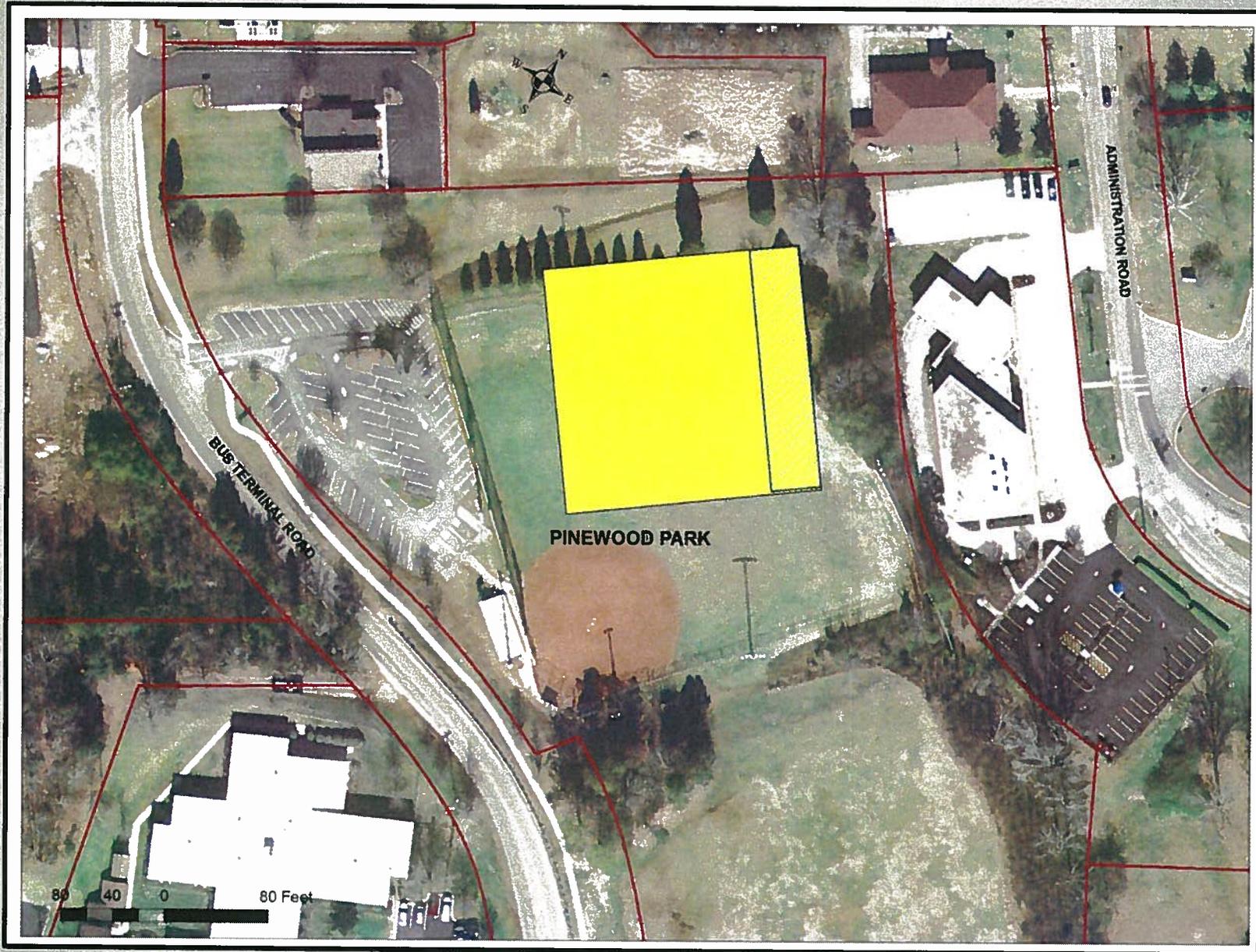
PLAYGROUND AREA



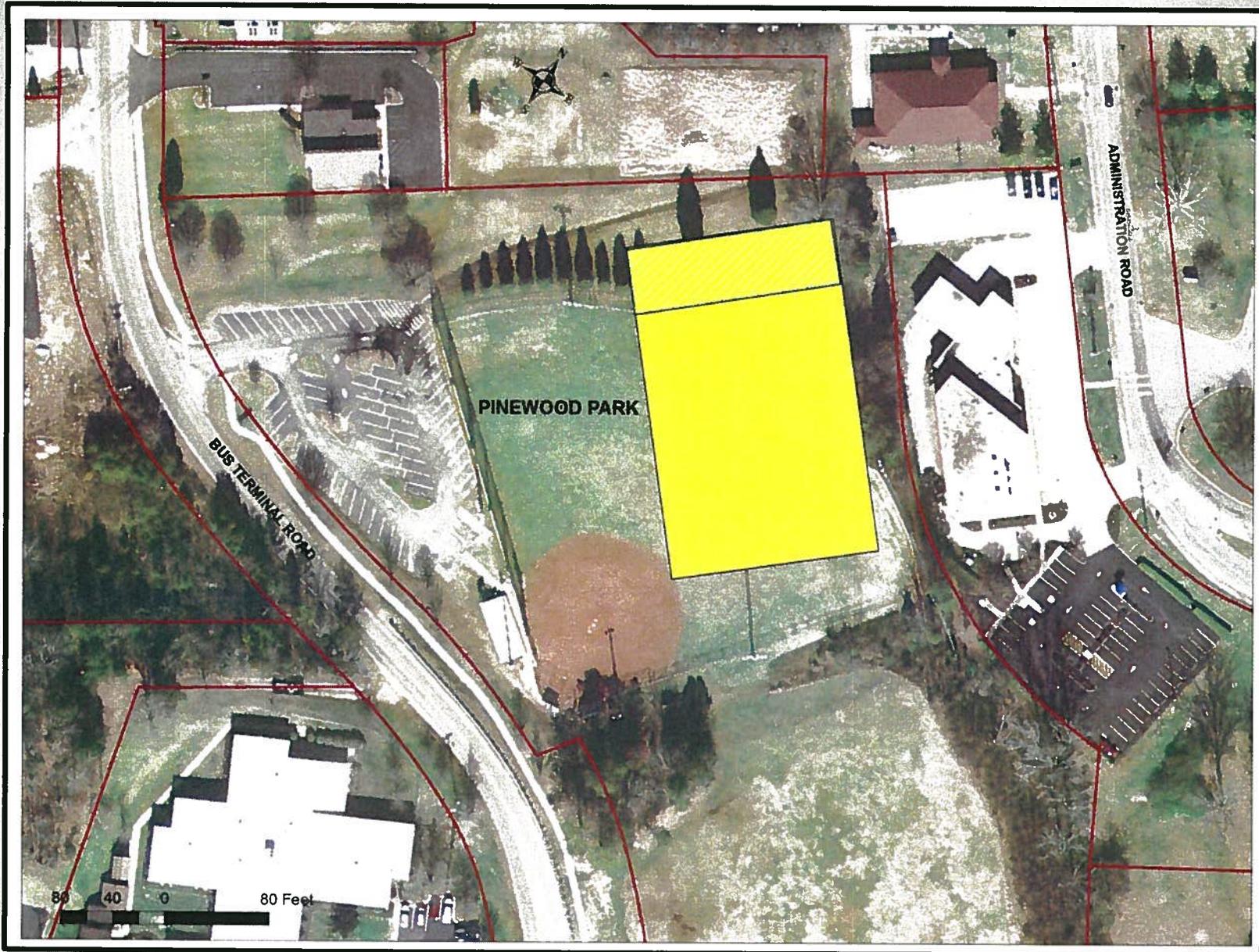
# EXISTING WATER AND SEWER



**PINWOOD PARK**



**PINWOOD PARK**



**PINWOOD PARK**

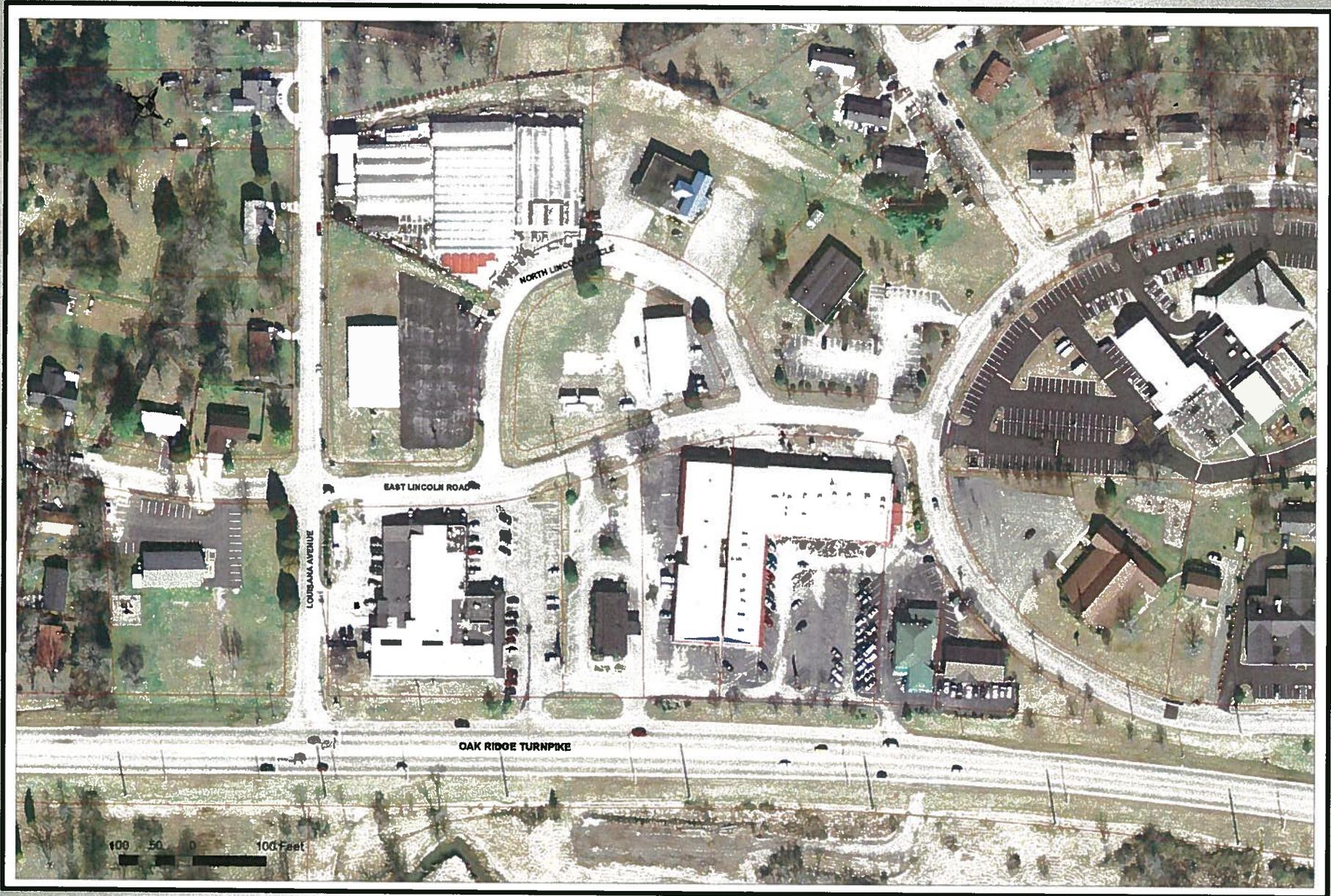


SOUTHERN VIEW OF PINEWOOD PARK

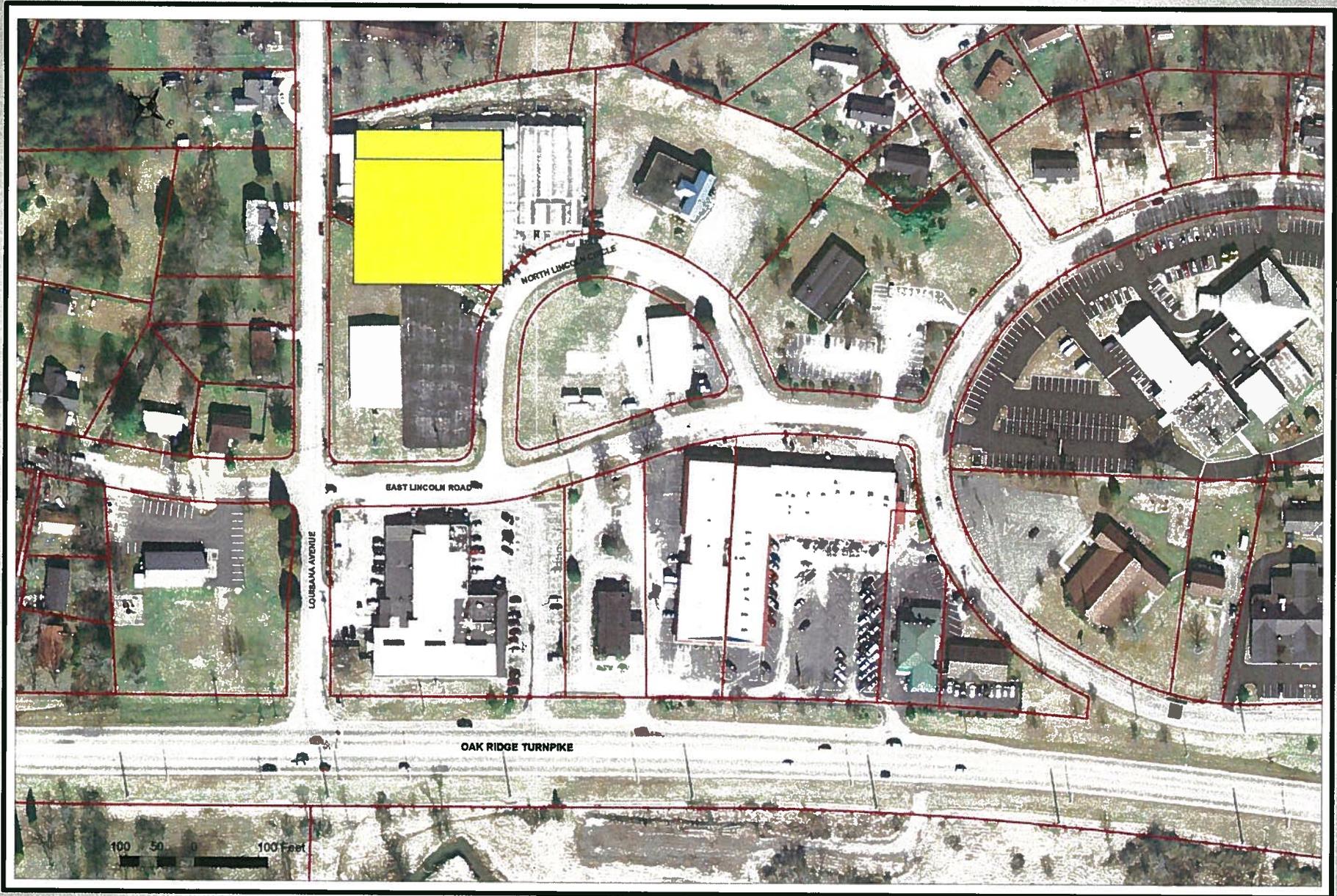


EASTERN VIEW OF PINEWOOD PARK

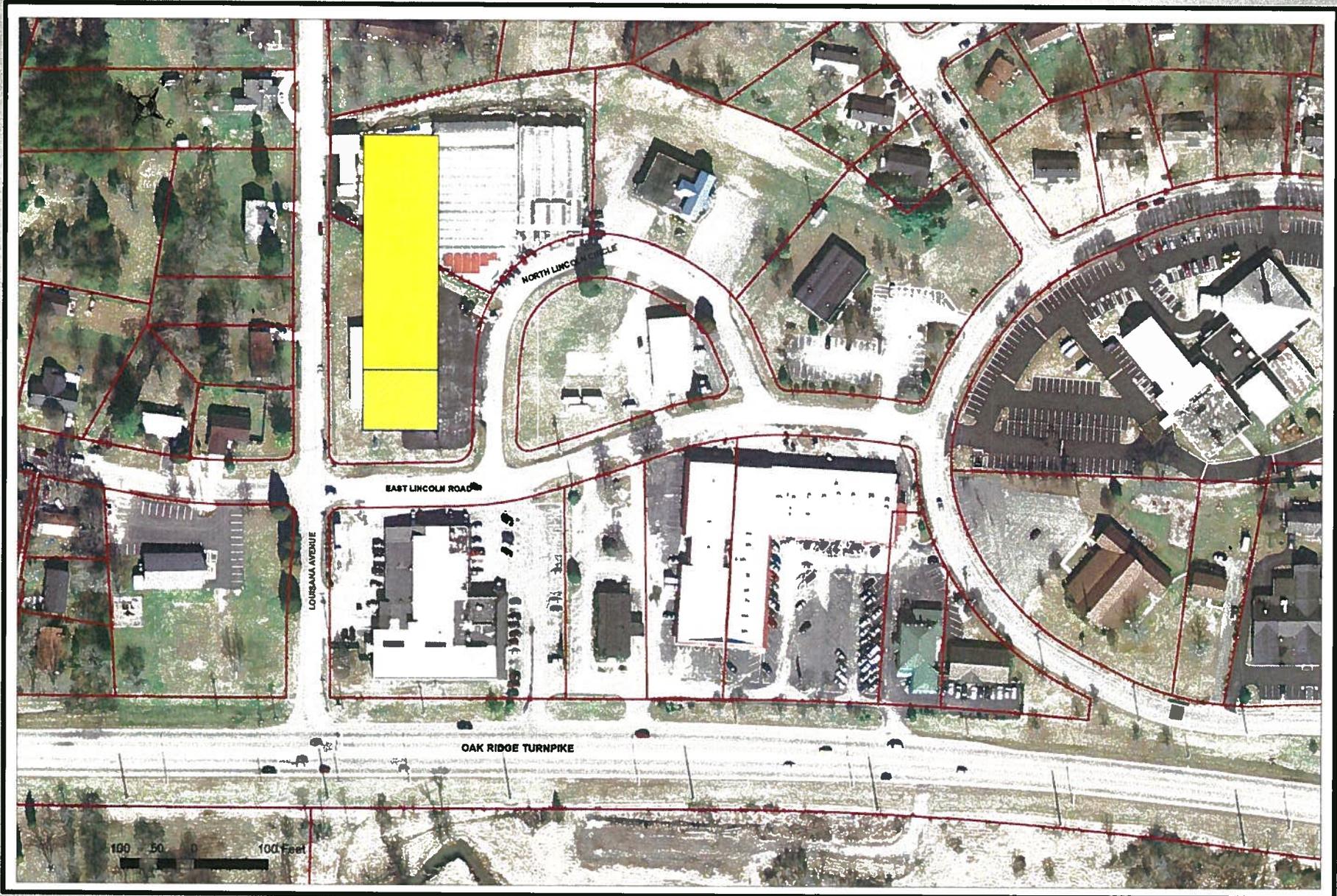




**RIDGE GREENHOUSE**



# RIDGE GREENHOUSE



# RIDGE GREENHOUSE



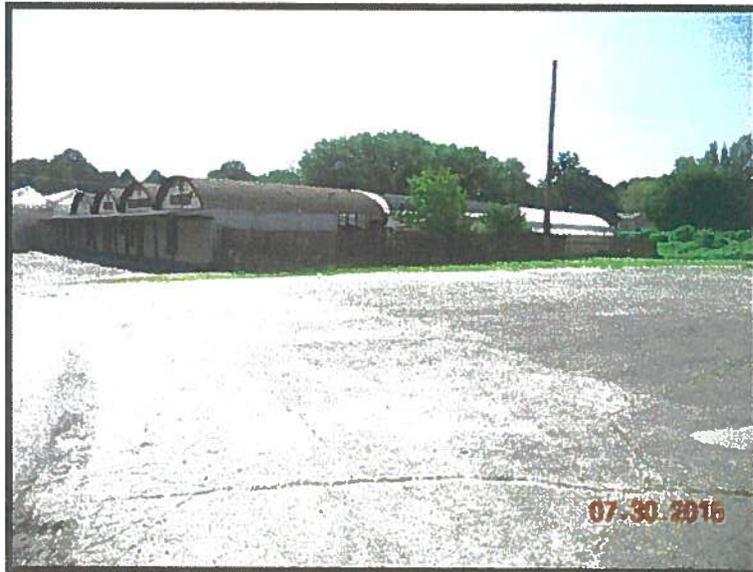
**STREET VIEW OF UNION HALL**



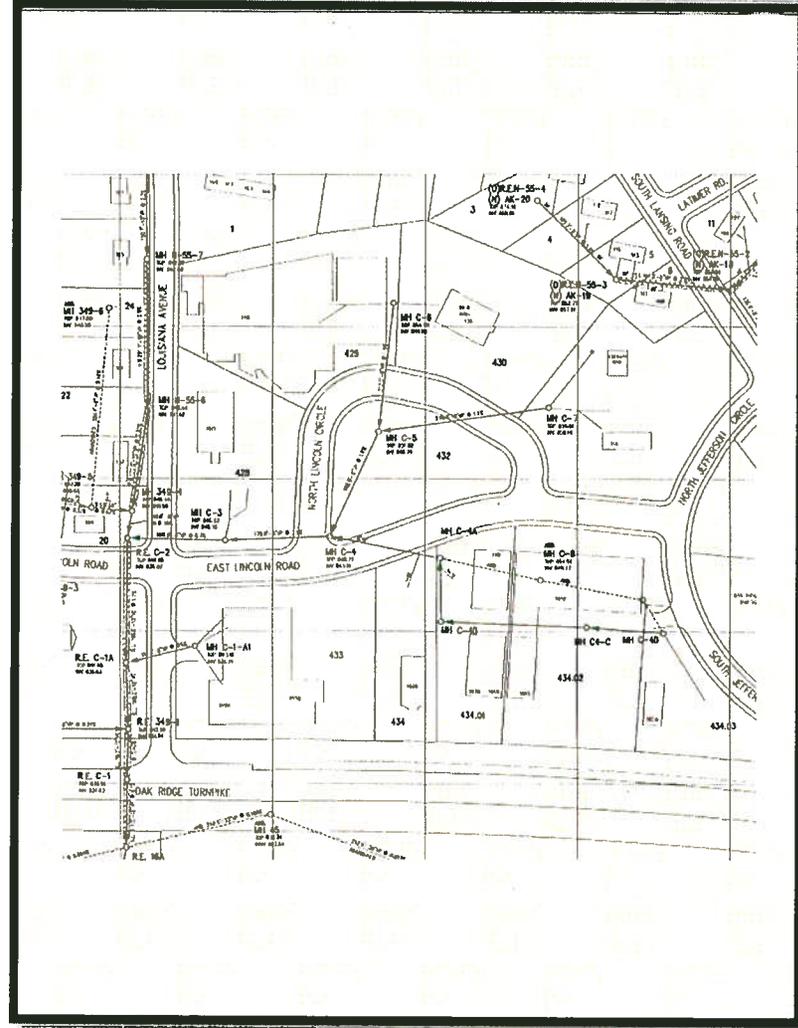
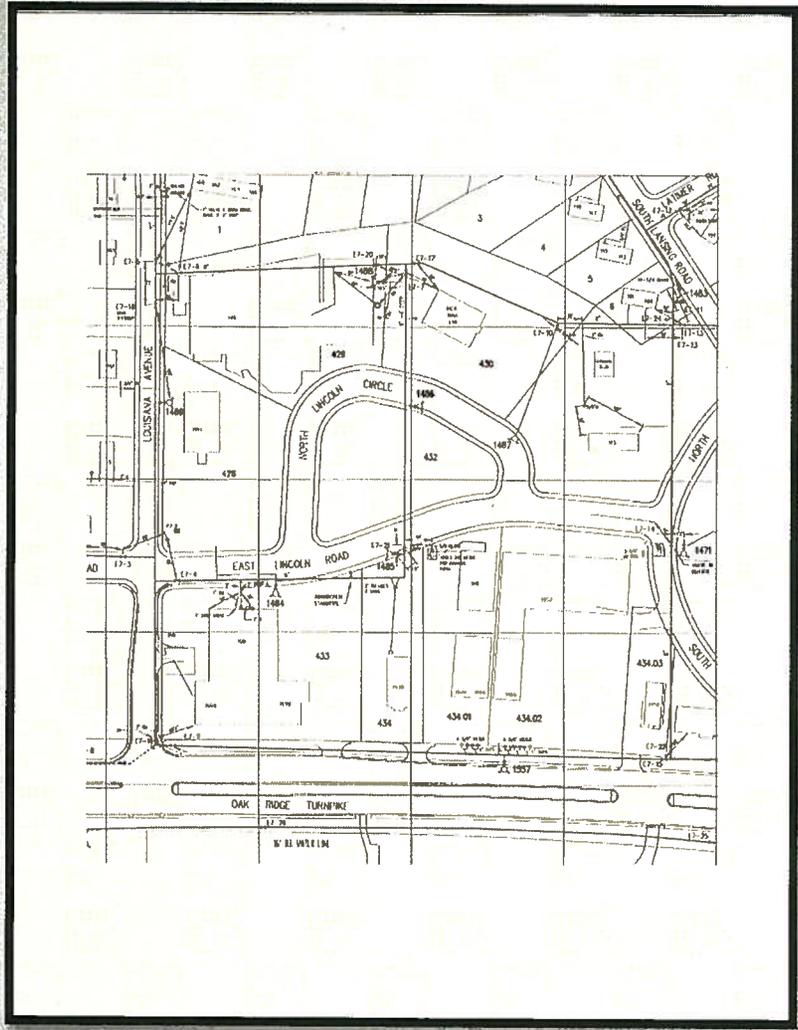
**STREET VIEW OF RIDGE GREENHOUSE PROPERTY**



**VIEW EAST TOWARD INCIRCLED PARCEL 423**



**PARKING LOT WEST VIEW TOWARD GREENHOUSES**



# EXISTING WATER AND SEWER



Playground Equipment Example



## Preschool Playground Fact Sheet

- Preschool playgrounds are designed for use by 2 – 5 year old children. Playground design for this age group differs from playground design for 5 – 12 year olds to account for differences in the physical and cognitive abilities of children as they develop.
- The public playground at Elm Grove Park has separate play structures designed for each age group, but the design of the playground does not allow them to be physically separated, as required for preschool playgrounds. A physical barricade would intrude on the safety use zones of the equipment, creating a hazard and violating CPSC and ASTM guidelines for playgrounds.
- A separate preschool playground located in close proximity to the preschool building will allow the playground to be functionally linked to the classrooms, extending the learning environment to the outdoors.
- It also increases safety by allowing the students to travel from the building to the play area while remaining in the envelope of the safety fencing.
- This design will also allow the existing playground, along with the walking trail, to remain open to the general public. This will maintain some of the functionality of Elm Grove as a public park.

**CITY OF OAK RIDGE, TENNESSEE**  
Pre-School

Preliminary  
Funding  
Analysis



October 16, 2015

Prepared By:



**CUMBERLAND SECURITIES**

SINCE 1931

Independent Financial Advisors  
813 S. Northshore Drive, Suite 201A  
Knoxville, Tennessee 37919  
Telephone: (865) 988-2663  
Facsimile: (865) 988-1863

**City of Oak Ridge, Tennessee**

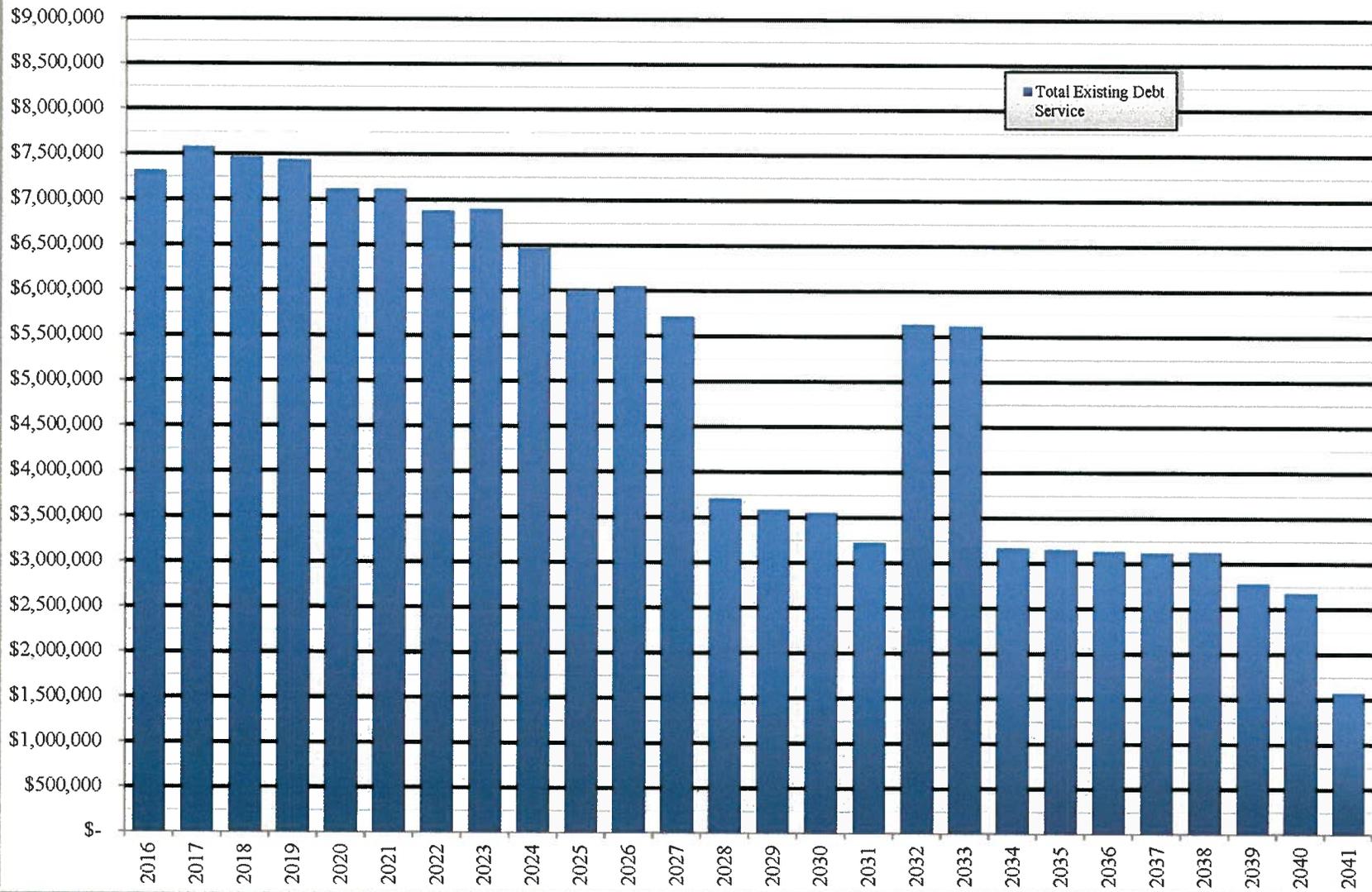
**Preliminary Funding Analysis**

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# City of Oak Ridge, Tennessee

## Total Combined Outstanding General Fund Debt Service





ESTIMATED DEBT SERVICE

City of Oak Ridge, Tennessee  
\$7,500,000 General Obligation Bonds, Series 2016 (Pre-School)

Date	Principal	Estimated Coupon	Interest	Total P+I
06/01/2017	65,000.00	3.500%	262,500.00	327,500.00
06/01/2018	125,000.00	3.500%	260,225.00	385,225.00
06/01/2019	200,000.00	3.500%	255,850.00	455,850.00
06/01/2020	315,000.00	3.500%	248,850.00	563,850.00
06/01/2021	325,000.00	3.500%	237,825.00	562,825.00
06/01/2022	335,000.00	3.500%	226,450.00	561,450.00
06/01/2023	345,000.00	3.500%	214,725.00	559,725.00
06/01/2024	360,000.00	3.500%	202,650.00	562,650.00
06/01/2025	370,000.00	3.500%	190,050.00	560,050.00
06/01/2026	385,000.00	3.500%	177,100.00	562,100.00
06/01/2027	400,000.00	3.500%	163,625.00	563,625.00
06/01/2028	415,000.00	3.500%	149,625.00	564,625.00
06/01/2029	425,000.00	3.500%	135,100.00	560,100.00
06/01/2030	440,000.00	3.500%	120,225.00	560,225.00
06/01/2031	455,000.00	3.500%	104,825.00	559,825.00
06/01/2032	475,000.00	3.500%	88,900.00	563,900.00
06/01/2033	490,000.00	3.500%	72,275.00	562,275.00
06/01/2034	505,000.00	3.500%	55,125.00	560,125.00
06/01/2035	525,000.00	3.500%	37,450.00	562,450.00
06/01/2036	545,000.00	3.500%	19,075.00	564,075.00
	7,500,000.00		3,222,450.00	10,722,450.00

Date Structure

Date 06/01/2016  
First Coupon Date 12/01/2016

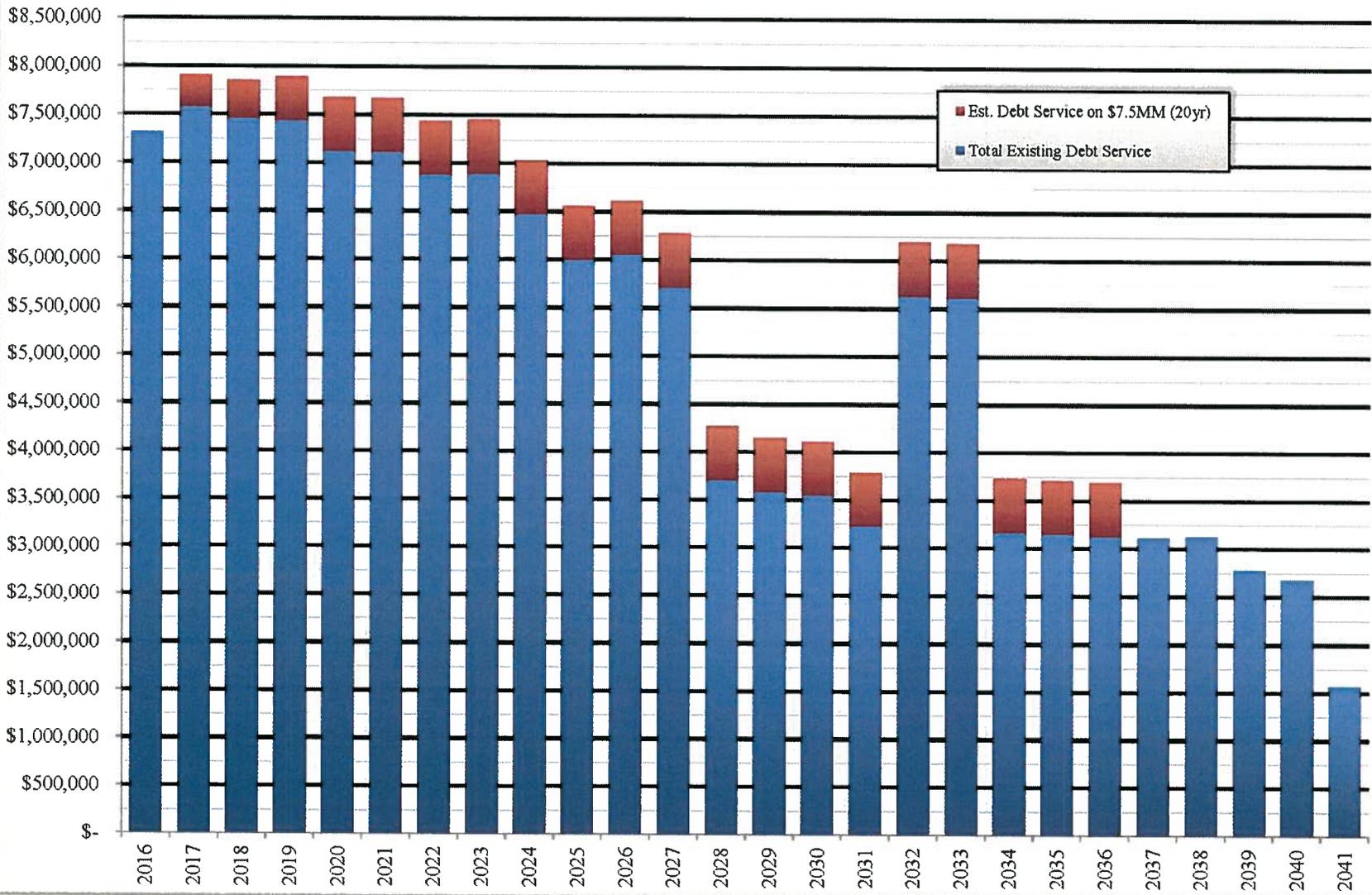
Yield Statistics

Average Coupon 3.5000000%  
Weighted Average Maturity 12.276  
True Interest Cost (TIC) 3.5000000%

## City of Oak Ridge, Tennessee

### Total Combined Outstanding General Fund Debt Service

#### Estimated Total Debt Service with \$7,500,000 Pre-School (20 Year Amortization)





ESTIMATED DEBT SERVICE

City of Oak Ridge, Tennessee  
\$7,500,000 General Obligation Bonds, Series 2016 (Pre-School)

Date	Principal	Estimated Coupon	Interest	Total P+I
06/01/2017	65,000.00	3.750%	281,250.00	346,250.00
06/01/2018	125,000.00	3.750%	278,812.50	403,812.50
06/01/2019	200,000.00	3.750%	274,125.00	474,125.00
06/01/2020	215,000.00	3.750%	266,625.00	481,625.00
06/01/2021	220,000.00	3.750%	258,562.50	478,562.50
06/01/2022	230,000.00	3.750%	250,312.50	480,312.50
06/01/2023	240,000.00	3.750%	241,687.50	481,687.50
06/01/2024	250,000.00	3.750%	232,687.50	482,687.50
06/01/2025	255,000.00	3.750%	223,312.50	478,312.50
06/01/2026	265,000.00	3.750%	213,750.00	478,750.00
06/01/2027	275,000.00	3.750%	203,812.50	478,812.50
06/01/2028	285,000.00	3.750%	193,500.00	478,500.00
06/01/2029	300,000.00	3.750%	182,812.50	482,812.50
06/01/2030	310,000.00	3.750%	171,562.50	481,562.50
06/01/2031	320,000.00	3.750%	159,937.50	479,937.50
06/01/2032	330,000.00	3.750%	147,937.50	477,937.50
06/01/2033	345,000.00	3.750%	135,562.50	480,562.50
06/01/2034	360,000.00	3.750%	122,625.00	482,625.00
06/01/2035	370,000.00	3.750%	109,125.00	479,125.00
06/01/2036	385,000.00	3.750%	95,250.00	480,250.00
06/01/2037	400,000.00	3.750%	80,812.50	480,812.50
06/01/2038	415,000.00	3.750%	65,812.50	480,812.50
06/01/2039	430,000.00	3.750%	50,250.00	480,250.00
06/01/2040	445,000.00	3.750%	34,125.00	479,125.00
06/01/2041	465,000.00	3.750%	17,437.50	482,437.50
	7,500,000.00		4,291,687.50	11,791,687.50

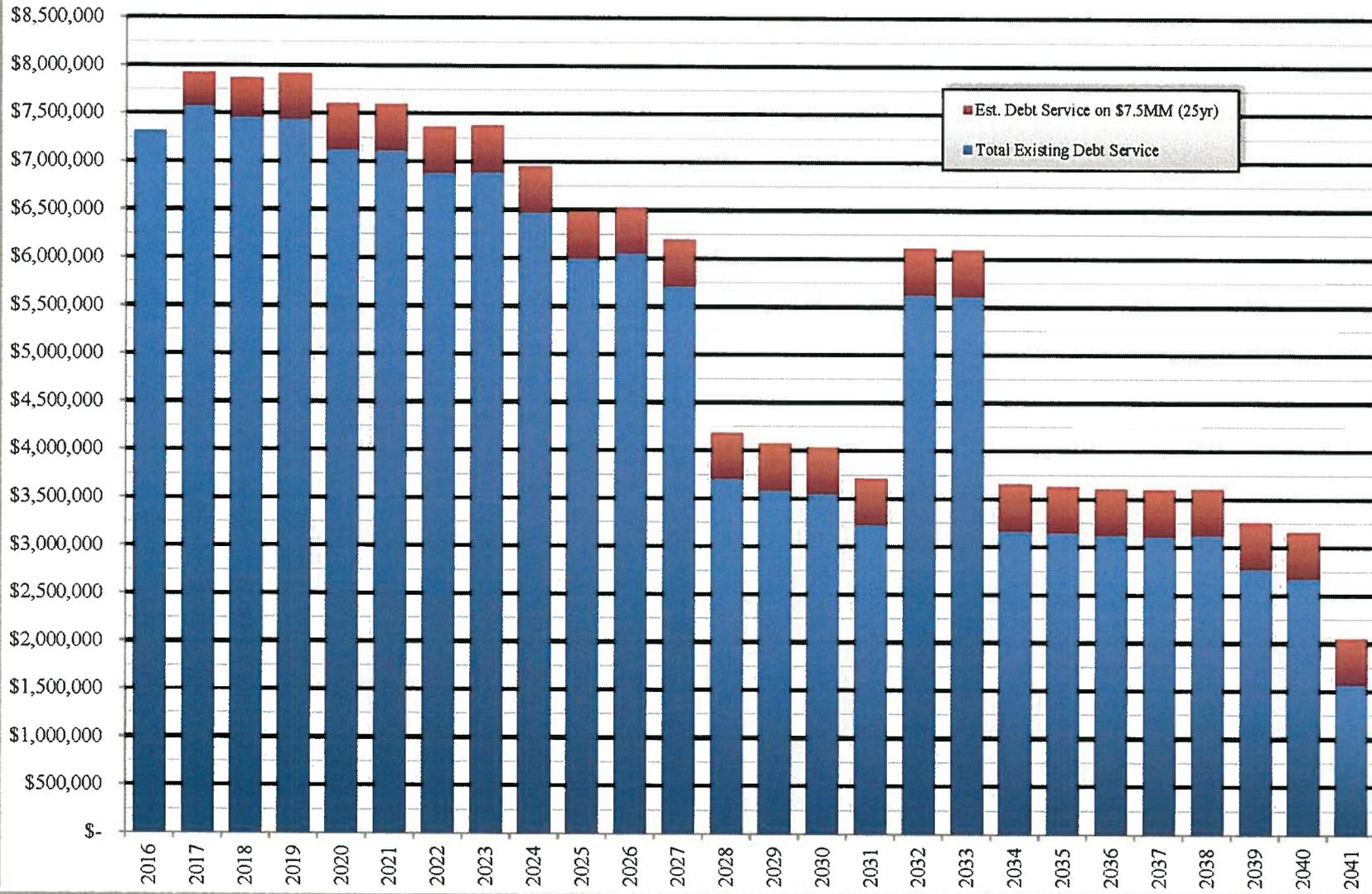
Date Structure

Date 06/01/2016  
First Coupon Date 12/01/2016

Yield Statistics

Average Coupon 3.7500000%  
Weighted Average Maturity 15.259  
True Interest Cost (TIC) 3.7500000%

**City of Oak Ridge, Tennessee**  
**Total Combined Outstanding General Fund Debt Service**  
**Estimated Total Debt Service with \$7,500,000 Pre-School (25 Year Amortization)**



# CITY OF OAK RIDGE



OFFICE OF THE CITY MANAGER

POST OFFICE BOX 1 - OAK RIDGE, TENNESSEE 37831.-001

DATE: October 20, 2015

TO: Mayor and City Council  
Oak Ridge Board of Education  
Preschool Committee Chair Shirley Raines  
Superintendent Bruce Borchers

FROM: Mark S. Watson, City Manager

RE: NEXT STEPS FOR PRESCHOOL PROJECT

As requested by the Committee, I have been asked to outline the projected next steps associated with initiating the recommendations of the Committee for the implementation of new preschool facilities. Given timetables for public information, design and construction, there are several tasks ahead of the City Council and Board of Education for the projected timetable, some simultaneous with the design process and finance processes as it moves ahead.

The recommendation of the Preschool Study Committee is to build a new school unit consisting of 20 classrooms allowing for future expansion as demand and financing allows, surrounded by an appropriate underground and exterior infrastructure and well-designed traffic accessibility. The estimate presented to the community is \$7.5M, with an estimated \$6.3M being actual "bricks and mortar" for the school facility itself.

The following schedule is suggested for model implementation timetable:

November, 2015 -	Community review of Task Force findings and further questions refined for City Council and Board of Education
December, 2015 -	Action taken via resolution by City Council and Board of Education to support implementation of new school project
December/January	Conduct development of financial plan for bond issuance and adopt a resolution of intent to reimburse for eligible costs associated with project
December/January	After support resolution by City Council and Board of Education, conduct selection of architect for project and geotech testing for the site
January-June 2016	Design period for project and site including detailed estimates of building costs
June-July, 2016	Issuance of bonds for project according to building cost estimates when issued
April - July, 2016	Incorporation of project into City budget
June - 2016	Conduct and award bids for project
July - Sept, 2017	Construction during an estimated 14 month construction period
September, 2017	City turns "keys" over to school for occupancy and move.

# Questions?



NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION TO ACCEPT THE REPORT OF THE JOINT CITY/SCHOOLS PRESCHOOL PLANNING COMMITTEE DATED OCTOBER 20, 2015.

WHEREAS, by Resolution 2-14-2015, City Council, in conjunction with the Oak Ridge Board of Education, created a joint committee known as the Joint City/Schools Preschool Planning Committee; and

WHEREAS, on October 20, 2015 at a joint work session of City Council and the Oak Ridge Board of Education, the Chair of the Joint City/Schools Preschool Planning Committee presented a report to examine options and recommendations to the governing bodies; and

WHEREAS, the report examined current options available for the Preschool's needs and provided several recommendations, with the Committee ultimately recommending construction of a new preschool building at city-owned Elm Grove Park at an estimated construction cost of \$7.5 million; and

WHEREAS, the City Manager recommends City Council formally accept the report of the Committee.

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 City Council hereby accepts the report of the Joint City/Schools Preschool Planning Committee dated October 20, 2015.

This the 11th day of January 2016.

APPROVED AS TO FORM AND LEGALITY:



\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Bruce M. Applegate, Jr., City Clerk

**PUBLIC WORKS DEPARTMENT MEMORANDUM  
16-01**

**DATE:** January 4, 2016  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Interim Public Works Director  
**SUBJECT: ANNUAL ORDER AMENDMENT – RENTAL OF HEAVY EQUIPMENT**

Introduction

An item for City Council consideration is a recommendation for the authority to expend funds for the rental of heavy equipment by the Public Works Department by amending Oak Ridge City Council Resolution 06-057-2016, increasing the awarded amount by \$60,000 to the total estimated amount of \$110,000.

Funding

Heavy equipment is rented for a variety of projects throughout the fiscal year. When equipment is rented, the appropriate fund will be charged with the expense, such as the waterworks, general maintenance or state street aid.

Background

The City owns standard heavy equipment such as backhoes and front loaders. Some work tasks occasionally require different equipment such as a dozer, excavator or mini-excavator. In recent years, the City has chosen to rent this specialized equipment instead of purchasing the equipment.

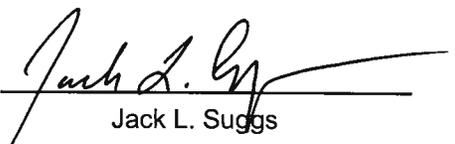
When special heavy equipment is required for a work task, rental prices are negotiated with vendors such as Stowers, Bobcat, Contractors Machinery, United Rentals and Nortrax, all located in Knoxville. The rental period for this equipment can range from a few hours to a few weeks, depending on the project(s). The vendors offer hourly, daily, weekly and monthly rental terms, with the award of the rental agreement based on type of equipment required, price and availability on a case by case basis.

City Council Resolution 06-057-2015 approved June 8, 2015 allowed for the expenditure of \$50,000 during FY2016 for rental equipment. Staff is recommending a \$60,000 increase for a total of \$110,000 for rental equipment during FY2016, based on the two situations described below.

- In September 2015, a pump failed at the Turtle Park Pump Station and a rental pump was used until the replacement pump arrived. The total cost of the rental pump was \$27,614.
- During April 2016, it is planned for the sewer vacuum truck (equipment #312) to be refurbished. While the vacuum truck is being refurbished (approximately six weeks), a rental truck and driver may be needed for emergency sewer calls, with an estimated cost of \$250 per hour and a three (3) hour minimum. The estimated amount for the rental of a sewer vacuum truck and driver is \$32,386.

Recommendation

Staff recommends approval of the attached resolution as submitted. As the recommendation is a waiver of soliciting sealed bids due to the unknown heavy equipment and duration required, Council is reminded that a unanimous vote is required for approval.

  
\_\_\_\_\_  
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

1/4/16  
\_\_\_\_\_  
Date

**RESOLUTION**

A RESOLUTION TO AMEND RESOLUTION 6-57-2015 REGARDING HEAVY EQUIPMENT RENTALS FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2016 TO ADD ADDITIONAL FUNDING FOR A NEW ESTIMATED AMOUNT OF \$110,000.00.

WHEREAS, by Resolution 6-57-2015, City Council waived the competitive bid process and made awards to Stowers, Bobcat, Contractors Machinery, United Rentals, Nortrax, and other suitable companies as needed for the rental of heavy equipment for the Public Works Department for Fiscal Year 2016 in the estimated amount of \$50,000.00; and

WHEREAS, in September 2015, funds authorized by Resolution 6-57-2015 were utilized to rent a pump until the replacement pump arrived for the Turtle Park Pump Station when a pump failed, at a cost of \$27,614.00; and

WHEREAS, in April 2016, it is planned for the sewer vacuum truck to be refurbished which may require a rental truck and driver for emergency sewer calls at an estimated cost of \$250.00 per hour with a three (3) hour minimum charge (estimated at \$32,386.00); and

WHEREAS, due to these two situations, the City Manager recommends an additional \$60,000.00 be added to expenditure level set forth by Resolution 6-57-2015.

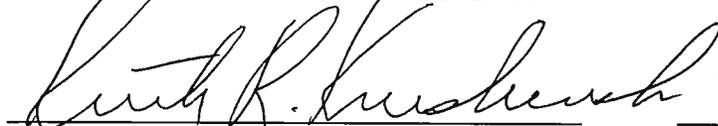
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and Resolution 6-57-2015 is hereby amended to add \$60,000.00 to the expenditure level for a new estimated amount of \$110,000.00.

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

This the 11th day of January 2016

APPROVED AS TO FORM AND LEGALITY:



\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Bruce M. Applegate, Jr., City Clerk