

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

May 4, 2009 – 7:00 p.m.

AGENDA

1. **INVOCATION**
The Reverend Jim Bailes, Kern Memorial United Methodist Church
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPEARANCE OF CITIZENS**
5. **APPROVAL OF AGENDA**
6. **RECOGNITION OF VISITORS**
7. **PROCLAMATIONS AND COURTESY RESOLUTIONS**
A proclamation designating May 3–9, 2009 as “Building Safety Week.”
A proclamation designating May 7, 2009 as “National Day of Prayer.”
A proclamation designating May 3 – 9 as “Vasculitis Awareness Week.”
8. **PUBLIC HEARING**
 - a. Rezoning of Anderson County Tax Map 100A, Group C, Parcel 4.00, located at 106 Administration Road between Milan Way and the Oak Ridge Turnpike, from O-2, Office District, to B-2, General Business District; and amendment of the Comprehensive Plan’s Land Use Plan by changing the designation of the parcel from O, Office/Institutional, to B, General Business
 - b. FY 2010 City of Oak Ridge Proposed Budget
9. **CONSENT AGENDA** - None
10. **SPECIAL REPORTS**
 - a. Mayor and City Council
 - b. Special Committees
 - c. Boards and Commissions
 - d. Other
11. **APPROVAL OF MINUTES** – April 13, 2009

12. **ORDINANCES**

a. First Reading of New Ordinances

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 4.00, MAP 100A, GROUP C, FROM 0-2, OFFICE TO B-2, GENERAL BUSINESS; AND AMENDING THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF SAID PARCEL FROM O, OFFICE/INSTITUTIONAL TO B, BUSINESS.

AN ORDINANCE TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

b. Adoption of Ordinances (Second Reading)

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF A 1.25-ACRE PORTION OF PARCEL 1.00, MAP 105C, GROUP B, FROM R-4-B, MULTIPLE-FAMILY RESIDENTIAL DISTRICT, TO 0-2, OFFICE DISTRICT; AND AMENDING THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF THE 1.25-ACRE PORTION OF SAID PARCEL FROM R, RESIDENTIAL, TO O, OFFICE.

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF AN APPROXIMATE 29.3 ACRE PORTION OF PARCEL 1.01, MAP 101G, GROUP A, FROM R-1-B, ONE-FAMILY RESIDENTIAL DISTRICT, TO R-4, HIGH DENSITY RESIDENTIAL DISTRICT; AN APPROXIMATE 44.3 ACRE PORTION OF PARCEL 1.01, MAP 101G, GROUP A, FROM R-1-B, ONE-FAMILY RESIDENTIAL DISTRICT, TO B-2, GENERAL BUSINESS DISTRICT; AN APPROXIMATE 10.7 ACRE PORTION OF PARCEL 1.01, MAP 101G, GROUP A, FROM R-3, MULTIPLE-FAMILY RESIDENTIAL AND HOTEL DISTRICT, TO R-4, HIGH DENSITY RESIDENTIAL DISTRICT; AND AN APPROXIMATE 8.9 ACRE PORTION OF PARCEL 1.01, MAP 101G, GROUP A, FROM R-3, MULTIPLE-FAMILY RESIDENTIAL AND HOTEL DISTRICT, TO B-2, GENERAL BUSINESS DISTRICT; AND TO APPROVE THE REVISED PRELIMINARY MASTER PLAN FOR CENTENNIAL VILLAGE AT MELTON LAKE AS SUBMITTED BY CENTENNIAL VILLAGE DEVELOPMENT, LLC, WHICH CONTAINS A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, OVERLAY ON SAID PARCEL; AND AMENDING THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF AN APPROXIMATE 76.8 ACRE PORTION OF SAID PARCEL FROM R, RESIDENTIAL AND P, PUBLIC TO B, GENERAL BUSINESS.

13. RESOLUTIONS

a. General Resolutions

A resolution approving the Community Development Block Grant (CDBG) Annual Action Plan for FY 2010 and the reallocation of funding, and approving proposed allocations of Community Development Block Grant Entitlement funds for FY 2010, totaling an estimated \$261,000.00.

b. Bids and Contracts – None

14. ELECTIONS

Election of one (1) Oak Ridge High School student to serve on the Environmental Quality Advisory Board for two years commencing on June 1, 2009 or until graduation from high school, whichever occurs first.

Election of one (1) member to serve on the Oak Ridge Industrial Development Board for the balance of an unexpired term of office ending on May 1, 2012.

Election of one (1) Oak Ridge High School student to serve on the Traffic Safety Advisory Board for a one-year term of office commencing on June 1, 2009.

Notice of Elections

Two (2) elections are scheduled for the May 18, 2009 City Council meeting to appoint:

- Five (5) members to the Health and Educational Facilities Board
- One (1) member to the Board of Zoning Appeals

The deadline for filing is 5:00 p.m. on Tuesday, May 5, 2009.

15. COMMUNICATIONS

16. CITY MANAGER'S REPORT

17. CITY ATTORNEY'S REPORT

18. UNFINISHED BUSINESS

19. NEW BUSINESS

20. MISCELLANEOUS

21. UPCOMING MEETINGS/MAJOR ISSUES

22. ADJOURNMENT

CITY CLERK MEMORANDUM
09-24

DATE: April 23, 2009

TO: Honorable Mayor and Members of City Council

FROM: Jacquelyn J. Bernard, City Clerk

SUBJECT: PROCLAMATIONS

Building Safety Week

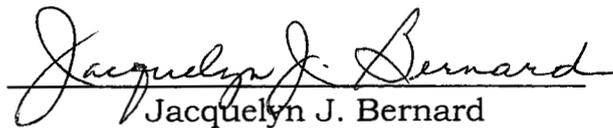
The accompanying proclamation is presented for the Council's consideration at the request of Mr. Tim Ward, the City's Code Enforcement Division Manager. In addition to Mr. Ward, the following Code Enforcement staffers will be present at the Council meeting: Mr. Denny Boss, Mr. Arnold Blackwell, Mr. Jake Martin, Ms. Kay Littlejohn and Mr. Tim Cochran.

National Day of Prayer

The accompanying proclamation is presented for the Council's consideration at the request of The Reverend Robert May, Pastor of the Oak Ridge Family Bible Church. Pastor May will be present at the Council meeting.

Vasculitis Awareness Week

The accompanying proclamation is presented for the Council's consideration at the request of Ms. Delores Kuhaida, representing the Vasculitis Foundation. Ms. Kuhaida will be present at the Council meeting.


Jacquelyn J. Bernard

Attachments

PROCLAMATION

WHEREAS, due to our continuing efforts to address critical safety issues in the built environment that affect our citizens, regardless of age or occupation, both in everyday life and in times of natural disaster, we are confident that our structures are safe and sound; and

WHEREAS, vigilant guardians – building safety and fire prevention officials, architects, engineers, builders and other in the construction industry – work year-round to ensure the safe construction of buildings; and

WHEREAS, *Building Safety Week*, sponsored by the International Code Council and International Code Council Foundation, reminds the public about the critical role of our communities' largely unknown guardians of public safety – our local code officials – who help prevent countless deaths and injuries from fires and accidents; and

WHEREAS, the theme, "*Building Safety: Where You Live, Work and Play*," encourages all Americans to raise awareness of the importance of building safety, of disaster-resistant, energy efficient, green and sustainable building, of pool, spa and hot tub safety, and of new technologies that are available in the construction industry; and

WHEREAS, this year, as we observe *Building Safety Week*, we ask all citizens to consider projects to improve building safety at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments and federal agencies in protecting lives and property.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that May 3 - 9, 2009, be proclaimed

BUILDING SAFETY WEEK

in the City of Oak Ridge, Tennessee, and that all citizens be encouraged to join in this worthy observance.

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 4th day of May in the year 2009.

Mayor

PROCLAMATION

WHEREAS, because of the faith of many of our founding fathers, public prayer and national days of prayer have a long-standing and significant history in American tradition; and

WHEREAS, in 1952, a joint resolution of Congress declared an annual national day of prayer and in 1988 the law was amended to permanently set the day as the first Thursday of every May; and

WHEREAS, each year the President of the United States signs a proclamation encouraging all Americans to pray on this day and last year all 50 state governors signed similar proclamations; and

WHEREAS, the *National Day of Prayer* belongs to all Americans. It is a day that transcends differences, bringing together citizens from all backgrounds to join in weaving a divine strength into the fabric of America; and

WHEREAS, the Oak Ridge City Council finds it appropriate to honor declarations by the President of the United States and the Governor of the State of Tennessee and to designate the first Thursday of May in the year 2009 as a day of prayer in our community.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that May 7, 2009, be proclaimed

NATIONAL DAY OF PRAYER

in the City of Oak Ridge, Tennessee, and that all citizens be urged to raise their voices to God on behalf of our country and those in leadership on all levels of local, national, church, and educational areas of influence.

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 4th day of May, in the year 2009.

Mayor

PROCLAMATION

WHEREAS, Vasculitis is an uncommon, chronic, autoimmune illness;
and

WHEREAS, the early, correct diagnosis of Vasculitis is very important for
successful disease treatment; and

WHEREAS, Vasculitis drastically affects the lives of its victims each year;
and

WHEREAS, raising awareness in the general public and medical
community will highlight the need for better treatments and research into the
cause and cure of all of the 15 known Vasculitis Diseases; and

WHEREAS, the Vasculitis Foundation, a worldwide, health support
organization, has headquarters in Kansas City, Missouri.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE
CITY OF OAK RIDGE, TENNESSEE**, that May 3-9, 2009, be proclaimed

VASCULITIS AWARENESS WEEK

in the City of Oak Ridge, Tennessee, and that all citizens be encouraged to
honor this worthy observance.

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 4th day of May, in the
year 2009.

Mayor

CITY CLERK MEMORANDUM
09-25

DATE: April 23, 2009

TO: Honorable Mayor and Members of City Council

FROM: Jacquelyn J. Bernard, City Clerk

SUBJECT: PUBLIC HEARING

A public hearing has been scheduled for the May 4, 2009 City Council meeting on the following:

- a. Rezoning of Anderson County Tax Map 100A, Group C, Parcel 4.00, located at 106 Administration Road between Milan Way and the Oak Ridge Turnpike, from O-2, Office District, to B-2, General Business District; and amendment of the Comprehensive Plan's Land Use Plan by changing the designation of the parcel from O, Office/Institutional, to B, General Business.
- b. FY 2010 City of Oak Ridge Proposed Budget

Supporting documentation will be found under First Reading of New Ordinances.



City Clerk

MINUTES OF THE OAK RIDGE CITY COUNCIL MEETING

April 13, 2009

The regular meeting of the City Council of the City of Oak Ridge, Tennessee, convened at 7:00 p.m. on April 13, 2009 in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

INVOCATION

Elder Darris Waters of True Light Baptist Church gave the Invocation.

PLEDGE OF ALLEGIANCE

Students from the Pre-School Class at Woodland Elementary School led the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL

The following members of Council were present: Willie Golden, Jr., Thomas W. Hayes, L. Charles Hensley, D. Jane Miller, David W. Mosby, Ellen D. Smith, and Mayor Thomas L. Beehan.

Also present were James R. O'Connor, City Manager; Kenneth R. Krushenski, City Attorney; Steven W. Jenkins, Deputy City Manager; and Jacquelyn J. Bernard, City Clerk.

APPEARANCE OF CITIZENS - None

APPROVAL OF AGENDA

Councilwoman Miller moved that the agenda be approved as published, seconded by Councilman Hensley.

Councilman Golden moved that the agenda be amended by the addition of the following as recommended by the staff:

As part of the Consent Agenda, under Proclamations:

A proclamation designating April 15, 2009 as "Municipal Technical Advisory Service Day."

A proclamation designating May 1, 2009 as "Silver Star Banner Day."

Under General Resolutions:

A resolution authorizing the submission of a grant application for \$68,686.00 in funding from the U.S. Department of Justice to hire one police officer and to purchase one police vehicle.

The motion was seconded by Councilwoman Smith and carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Councilwoman Smith moved that the agenda be amended by the addition of the following under Communications:

A communication from Mr. James Groton, Chairman of the Environmental Quality Advisory Board, advising that the members of EQAB believe it would be to the benefit of the City, its residents, and future growth to explore the possibility of altering the proposed design for Phase 2 of the State Route 95 Highway Improvement Project to the proven, existing urban design that is more compatible with current conditions in the city.

The motion was seconded by Councilman Hayes and carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

The agenda was approved as amended by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

RECOGNITION OF VISITORS

Mayor Beehan recognized Mr. Bill Wilcox of 412 New York Avenue, a member of the 60th Anniversary Opening Gates Celebration Committee which planned and carried out the March 21, 2009 celebration of the opening of the gates to the enclosed Oak Ridge community. Mr. Wilcox presented the Council with a copy of Senate Joint Resolution No. 95 by State Senators McNally, Yager, Burchett, and Woodson, and Representatives Hackworth, Winningham, and Ferguson, titled *A resolution to honor and congratulate the citizens of Oak Ridge upon the celebration of the sixtieth anniversary of "Operation Open Sesame"*. Other members of the Celebration Committee were present and Mr. Wilcox introduced them as follows: D. Ray Smith, Bill Tewes, Ken Mayes, Tom Row, Margaret Allard, Bobbie Martin, Nikki Reynolds, and Keith McDaniel.

The Mayor commended the committee for a job well done.

PROCLAMATIONS AND COURTESY RESOLUTIONS

Administrative Professionals Week and Administrative Professionals Day

A proclamation designating the week of April 20–24, 2009 as "Administrative Professionals Week" and April 21, 2009 as "Administrative Professionals Day."

Councilman Hensley moved that the proclamation be adopted. The motion was seconded by Councilwoman Miller and carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye." The proclamation was presented to Ms. Daisy Mullins, representing the Oak Ridge Chapter of the International Association of Administrative Professionals.

Earth Day

A proclamation designating April 25, 2009 as "Earth Day."

Councilwoman Smith moved that the proclamation be adopted. The motion was seconded by Councilman Hensley and carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye." The proclamation was presented to Ms. Linda Johnston, Co-chair of *Earth Day* for the East Tennessee Earth Alliance.

The Week of the Young Child

A proclamation designating April 19–25, 2009 as "The Week of the Young Child."

Councilwoman Miller moved that the proclamation be adopted. The motion was seconded by Councilman Hayes and carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye." The proclamation was presented to Dr. Marian Phillips, Principal of Oak Ridge Schools' Preschool.

PUBLIC HEARING

A public hearing was conducted on the following:

1. The Community Development Block Grant (CDBG) Annual Action Plan

The City Manager commented briefly on the Plan and on planned staff adjustments in connection with the CDBG Program.

There were no citizen comments.

2. The rezoning of a portion of Parcel 1.00, Anderson County Tax Map 105C, Group B, located on the southwest corner of Tulsa Road and Tusculum Drive, from R-4-B, Multiple Family Residential District, to O-2, Office District; and amendment of the Comprehensive Plan's Land Use Plan to change the designation of the property from R, Residential, to O, Office.

The City Manager summarized this rezoning proposal and advised that at its meeting on March 26, 2009, the Oak Ridge Municipal Planning Commission voted 10-0 to recommend its approval.

There were no citizen comments.

CONSENT AGENDA

Councilman Hayes moved that the Consent Agenda be approved as amended. The motion was seconded by Councilwoman Miller and was adopted, thereby:

- Approving the Minutes of the March 9, 2009 City Council meeting;
- Adopting a proclamation designating May 2, 2009 as "Red Hat Day";
- Adopting a proclamation designating April 15, 2009 as "Municipal Technical Advisory Service Day";
- Adopting a proclamation designating May 1, 2009 as "Silver Star Banner Day"; and
- Adopting **Resolution No. 4-24-09** awarding a contract in the estimated amount of \$37,535.00 to Portland Utilities Construction Company, LLC, Portland, Tennessee, for the furnishing of all labor, materials, tools, equipment and supplies necessary to perform all work and services for the cleaning and television inspection of portions of the City's sanitary sewer collection system.

The vote was unanimous with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

SPECIAL REPORTS

Nashville Meeting/Edgemoor Road Improvement Project

Mayor Beehan and Councilwoman Miller reported on a meeting held in Nashville on March 25, 2009 to encourage the Tennessee Department of Transportation to assign a priority ranking to the Edgemoor Road Improvement Project. Present at the meeting were Senator Randy McNally, Representative Jim Hackworth, Mayor Beehan, Councilwoman Miller, the City Manager, the City's Government and Public Affairs Coordinator, Anderson County Mayor Rex Lynch, Anderson County Roads Superintendent Gary Long, and Mr. Paul Degges, Chief Engineer for the Tennessee Department of Transportation,

City Attorney Evaluation Committee

Councilwoman Smith, Chair of the Council's FY 2009 City Attorney Evaluation Committee, presented the Committee's report and recommendations regarding the procedure for evaluation of the City Attorney's performance over the past year. In summary, those recommendations were:

1. That the evaluation questionnaire used by City Council in its evaluation of the City Attorney's FY 2008 performance be used again this year as is;
2. That the City Attorney be requested to submit a progress report and evaluation of his goals and objectives for this evaluation period;
3. That the City Manager be requested to provide comments on the City Attorney's performance for this same period; and
4. That the following schedule be adopted for completion of the evaluation process:

March 30	Committee meeting to approve the procedure to be recommended to City Council and to adopt a schedule for completing the evaluation process
April 13	Presentation of the Committee's recommendations to City Council
April 17	Assuming City Council approval of the Committee's recommendations, distribution of the evaluation packet, including the City Attorney's progress report on FY 2008/2009 goals and objectives and the City Manager's comments on his performance, to Council members
April 24	Deadline for return of the completed evaluation questionnaires to the City Clerk
May 1	Committee meeting to review the summary of the evaluation questionnaires prepared by the City Clerk and to develop recommendations regarding the City Attorney's salary and/or other amendments to his Employment Agreement
May 18	Presentation of the Committee's final report and recommendations to City Council.

Councilwoman Smith moved that the Committee's recommendations be approved. The motion was seconded by Councilwoman Miller and carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

APPROVAL OF MINUTES

See Consent Agenda.

ORDINANCES

First Reading of New Ordinances

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF A 1.25-ACRE PORTION OF PARCEL 1.00, MAP 105C, GROUP B, FROM R-4-B, MULTIPLE-FAMILY RESIDENTIAL DISTRICT, TO O-2, OFFICE DISTRICT; AND AMENDING THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF THE 1.25-ACRE PORTION OF SAID PARCEL FROM R, RESIDENTIAL, TO O, OFFICE.

Councilman Golden moved that the ordinance be approved on first reading, seconded by Councilman Mosby.

Deliberation was brief with the City Manager and Mr. Jeff Baker, representing the rezoning applicant, responding to the Council's questions and comments. Mr. Baker, who lives at 190 White Loop Road in Clinton, was present as one of the owners of the SMB Group, the rezoning applicant.

The ordinance was approved on first reading by unanimous electronic vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Adoption of Ordinances (Second Reading)

Ordinance No. 6-09

AN ORDINANCE TO AMEND TITLE 12, TITLED "BUILDING, UTILITY, ETC. CODES," CHAPTER 3, TITLED "ELECTRICAL CODE," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SECTION 12-305, TITLED "NATIONAL ELECTRICAL CODE ADOPTED," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SECTION 12-305, TITLED "NATIONAL ELECTRICAL CODE ADOPTED," IN ORDER TO ADOPT THE 2008 EDITION OF THE NATIONAL ELECTRICAL CODE.

Councilman Golden moved that the ordinance be adopted. The motion was seconded by Councilman Hensley and after brief deliberation, it carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

RESOLUTIONS

General Resolutions

Resolution No. 4-25-09

A resolution authorizing the City Manager to enter into negotiations with the Oak Ridge Chamber of Commerce to determine whether a one-year renewal of the current economic development services contract or the development of a new contract is in the best interests of the City.

Councilman Golden moved that the resolution be adopted, seconded by Councilwoman Miller.

Councilman Hensley moved that the resolution be amended to provide that the Mayor or his City Council designee shall be authorized to participate in this negotiation process. The motion was seconded by Councilman Hayes and carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

The resolution was then discussed at length with the City Manager and Mr. Parker Hardy, President of the Oak Ridge Chamber of Commerce, responding to the Council's questions and comments. The City Manager invited Council members to forward their suggestions regarding the content of the economic development services contract to him for consideration as the negotiations go forward.

Ms. Ann Garcia Garland, 120 Outer Drive, inquired about the availability of the Chamber contract, including the metrics contained therein, for public review. She was assured that it is a public record that is available in the office of the City Clerk.

The resolution was adopted, as amended, by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 4-26-09

A resolution authorizing the submission of a grant application for \$68,686.00 in funding from the U.S. Department of Justice to hire one police officer and to purchase one police vehicle.

Councilman Hensley moved that the resolution be adopted. The motion was seconded by Councilwoman Smith and the resolution was deliberated at some length with the City Manager and Police Chief David Beams responding to the Council's questions and comments.

The resolution was adopted by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Bids and Contracts

Resolution No. 4-27-09

A resolution awarding a contract in the estimated amount of \$210,900.00 to Miles Tank Works, Inc., Scotts Hill, Tennessee, for the furnishing of all labor, materials, tools, equipment and supplies necessary to perform all work and services to rehabilitate and repaint two (2) water tanks at the East Tennessee Technology Park.

Councilman Golden moved that the resolution be adopted. The motion was seconded by Councilman Hayes and after brief deliberation, it carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 4-28-09

A resolution awarding a contract in an amount not to exceed \$208,007.00 to Jordan Transformer, LLC, Jordan, Minnesota, for the repair of a power transformer operating Substation 200.

Councilwoman Smith moved that the resolution be adopted. The motion was seconded by Councilman Hensley and after brief deliberation, it carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 4-29-09

A resolution awarding bids in the estimated total amount of \$100,492.00 to ERMCO Distribution Transformers, c/o Utility Sales Agency, LLC, Lenoir City, Tennessee, for the furnishing of four (4)

15 kVA and sixty (60) 25 kVA single-phase pad mounted transformers; and to WESCO Distribution, Inc., Chattanooga, Tennessee, for the furnishing of four (4) 250 kVA single-phase pad mounted transformers.

Councilwoman Miller moved that the resolution be adopted. The motion was seconded by Councilman Hensley and after brief deliberation, it carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 4-30-09

A resolution awarding bids in the estimated total amount of \$164,917.00 to WESCO Distribution, Inc., Chattanooga, Tennessee, for the furnishing of six (6) 5 kVA, four (4) 10 kVA, twelve (12) 15 kVA, and thirty (30) 25 kVA single-phase pole mounted transformers; and to ERMCO Distribution Transformers, c/o Utility Sales Agency, LLC, Lenoir City, Tennessee, for the furnishing of twenty-four (24) 37.5 kVA, thirty (30) 50 kVA, nine (9) of a particular type of 75 kVA, three (3) of a particular type of 75 kVA, and nine (9) 100 kVA single-phase pole mounted transformers.

Councilman Hayes moved that the resolution be adopted. The motion was seconded by Councilman Golden and after brief deliberation, it carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 4-31-09

A resolution awarding contracts in the grand total estimated amount of \$172,097.88 to GCA Services Group, Inc., Knoxville, Tennessee, for the furnishing of all labor and supervision necessary to perform all work and services for janitorial services for the Animal Shelter, Central Services Complex, Municipal Building, Public Library and Senior Center; and to Knox Blount Maintenance, Inc., Knoxville, Tennessee, for the furnishing of all labor and supervision necessary to perform all work and services for janitorial services for the Recreation Center and Scarboro Community Center.

Councilman Golden moved that the resolution be adopted. The motion was seconded by Councilman Hensley and after brief deliberation, it carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 4-32-09

A resolution awarding a contract in the estimated amount of \$227,500.00 to Interstate Mechanical, Knoxville, Tennessee, for the furnishing of all labor, materials, tools, equipment and supplies necessary to perform all work and services for the installation of a replacement dehumidification system at the Oak Ridge Civic Center indoor pool.

Councilman Golden moved that the resolution be adopted. The motion was seconded by Councilwoman Miller and after brief deliberation, it carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 4-33-09

A resolution awarding bids in the total estimated amount of \$186,466.00 to Alexander Automotive, Murfreesboro, Tennessee, for the furnishing of six (6) Ford Crown Victoria police package sedans under the State of Tennessee police vehicle contract; and to Alexander Automotive, Murfreesboro, Tennessee, for the furnishing of two (2) Chevrolet Tahoe police vehicles; and authorizing the purchase of one (1) additional Chevrolet Tahoe in the estimated amount of \$24,683.00 from Alexander Automotive, Murfreesboro, Tennessee, in the event that the City receives funding from the Byrne Memorial Justice Assistance Grant.

Councilman Golden moved that the resolution be adopted, seconded by Councilwoman Smith.

Deliberations were lengthy with the City Manager and the Police Chief responding to the Council's questions and comments. In addition to questions related to replacement policies, Council members inquired about the merits of officer assigned "take-home" vehicles versus pool vehicles and suggested that consideration should be given to moving toward the use of more efficient, fuel conservative police vehicles. The Chief agreed that he would provide a report on the issue of "take-home" versus pool vehicles to the Council in the near future.

The resolution was adopted by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

ELECTIONS

Environmental Quality Advisory Board

Councilwoman Smith moved that Mr. Bruce Nigh be elected by acclamation to serve on the Environmental Quality Advisory Board for the balance of an unexpired term of office ending on September 29, 2011. The motion was seconded by Councilman Hensley and carried by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye." There were no other candidates.

Notice of Elections

Mayor Beehan announced that four (4) elections are scheduled for the May 4, 2009 City Council meeting to appoint:

- One (1) member to the Environmental Quality Advisory Board who shall be an Oak Ridge High School student
- Three (3) members to the Health and Educational Facilities Board
- One (1) member to the Industrial Development Board
- One (1) member to the Traffic Safety Advisory Board who shall be an Oak Ridge High School student

The deadline for filing is 5:00 p.m. on Tuesday, April 21, 2009.

COMMUNICATIONS

A communication from Mr. James Groton, Chairman of the Environmental Quality Advisory Board, advising that the members of EQAB believe it would be to the benefit of the City, its residents, and future growth to explore the possibility of altering the proposed design for Phase 2 of the State Route 95 Highway Improvement Project to the proven, existing urban design that is more compatible with current conditions in the city.

Councilman Hensley moved that the communication be received for the record, seconded by Councilman Mosby.

Mr. Groton elaborated upon the communication, clarifying that EQAB did not wish to "derail" this project but to simply determine if it could be "scaled back" while retaining its priority status for funding under the

American Recovery and Reinvestment Act. This point assumed prominence in the discussion which followed, with the result that both the Mayor and City Manager agreed to contact officials in the Tennessee Department of Transportation (TDOT) to discuss the matter without making any official commitment to modification of the design of the project.

Councilwoman Smith commented on her personal communications with both TDOT Commissioner Gerald Nicely and the Regional Manager, Mr. Fred Corum, regarding the alteration of the project as suggested by EQAB. She proposed that the Council endorse the recommendations of EQAB and that the City work with TDOT to see what can be done to modify the project design “to better meet community needs.” However, no motion was presented in this regard.

Former Mayor David Bradshaw, 116 Pratt Lane, Chairman of the Oak Ridge Chamber of Commerce Political Action Committee, advised that this Committee has steadfastly supported the SR 95 Improvement Project as a priority for the City of Oak Ridge.

The motion to receive the communication for the record was adopted by unanimous voice vote with Council members Golden, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting “Aye.”

CITY MANAGER’S REPORT

Budget Presentation

The Deputy City Manager, Mr. Steven W. Jenkins, presented an outline of the City’s proposed FY 2010 budget, the details of which will be presented in the budget work session scheduled for Monday, April 27, 2009, in the Multipurpose Room at the Central Services Complex.

Following the presentation, Mr. Jenkins and the City Manager responded to the Council’s questions and comments, some of which were related to an article that appeared in *The New York Times* regarding questionable financial advice that was provided to municipalities by Morgan Keegan & Company (the City’s financial advisor, Cumberland Securities, is an affiliate of Morgan Keegan). The City Manager assured that the City of Oak Ridge does not engage in “speculative investment” and Mr. Jenkins advised that a memorandum regarding debt refinance was scheduled for distribution to the Council tomorrow.

CITY ATTORNEY’S REPORT

The City Attorney reported that he has received notice of the filing of the Anderson County delinquent property taxpayers lawsuit and will be transmitting a memorandum to the Council in this regard in the near future.

ADJOURNMENT

The meeting adjourned at 9:35 p.m.


City Clerk

COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM
09-27

DATE: April 24, 2009

TO: James O'Connor, City Manager

THROUGH: Kathryn Baldwin, Community Development Director 

FROM: Kahla Gentry, Senior Planner

SUBJECT: **Request to Rezone 106 Administration Road, Parcel 100A C 4.00, from O-2 to B-2 and Land Use Plan Amendment from O to B**

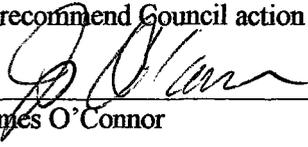
An item for the City Council agenda is a request to rezone 106 Administration Road, from O-2, Office to B-2, General Business. The applicant has stated that the rezoning is requested in order to broaden the use of the property to include a pharmacy. At their regular meeting on April 23, 2009, the Oak Ridge Municipal Planning Commission passed a motion recommending rezoning from O-2 to B-2. If the rezoning is approved, a minor amendment of the Land Use Plan is necessary changing the designation from O, Office/Institutional to B, General Business.

The subject property has an approximate area of 0.77 acres and is located at the intersection of Administration Road and Milan Way. There is an office building located on the property with an off-street parking lot as well as on-street parking. It is not expected that re-use of the building will result in a significant change in the number of cars using the on-street parking. If there are changes to the site, a site plan must be submitted, and the safety and adequacy of the parking would be evaluated at that time. Although the adjacent properties are zoned O-2, Office, staff recommends approval of the requested zoning to B-2, General Business. The adjacent and nearby properties zoned O-2, Office, have uses that are normally within B-2 or UB-2 zoning districts. These uses include the McDonald's restaurant, Jim's Off-Road Center and Apex Office Supply. Other nearby uses, which are allowed in either the O-2, Office or B-2, General Business districts, include the post office, Tennessee Members First Credit Union, PAI Corporation offices and the Tunnell Office Building. The property is within a commercial area with close proximity to the Oak Ridge Turnpike. There is no nearby residential development. The office zoning districts and the business zoning districts all allow closely related commercial uses. Although the adjacent properties are not zoned B-2, General Business, property located nearby on the north side of the Oak Ridge Turnpike is zoned B-2, General Business.



City Manager's Comments:

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


James O'Connor


Date

Staff Review of Rezoning Request

Location & Approximate Area: Anderson County Tax Map 100A, Group C, Parcel 4.00, located at 106 Administration Road between Milan Way and the Oak Ridge Turnpike. Approximately 0.77 acres in area.

Date: April 14, 2009

Owner: Judy C. Carpenter
1112 Bob Kirby Road
Knoxville, TN 37923

Applicant: James Munsey
981 Oak Ridge Turnpike
Oak Ridge, TN 37830.

Request Rezoning

From: O-2, Office
To: B-2, General Business

Purpose: To broaden the use of the property to include a pharmacy.

Site Characteristics: About same elevation as adjacent lands. Site is generally level.

Existing Land Use: Office building with access from Milan Way.

Adjacent Land Uses & Zoning:

North: O-2, Office, office building and parts shop for off-road vehicles, across Oak Ridge Turnpike the zoning is O-2 and B-2 with a mix of office and retail uses.

East: O-2, Office, fast food restaurant

South: O-2, Office, post office

West: O-2, Office, office buildings

Previous Rezoning Requests: None

2. **Conformity with 1988 Comprehensive Plan:** The Land Use Plan designates this area as O, Office/Institutional. If rezoned a minor amendment to the Land Use Plan map is required to change the designation from O, Office/Institutional to B, General Business.

Applicable Policies:

Policy E-6: The City will support the growth and diversification of retail and service establishments to better serve resident consumers and broaden the city's regional shopping center function

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

3. **Applicable Regulations:**

Setbacks: B-2, General Business setbacks are as follows: Front – 20 feet; Side – 0 feet;
Rear – 0 feet

Maximum Usable Floor Area to Lot Area Ratio: 100%

Analysis:

The following criteria were used to evaluate the rezoning request.

1) Is the proposed zoning district consistent with the City's Comprehensive Plan?

The B-2, General Business district will require an amendment to the Land Use Plan from O, Office/Institutional to B, General Business.

2) Are there substantial changes in the character of development in or near the area under consideration that support the proposed rezoning.

Although nearby properties are zoned O-2, Office, they have uses that are normally within commercial retail zoning districts. These uses include the McDonald's restaurant, Jim's Off-Road Center and Apex Office Supply.

3) Is the character of the area suitable for the uses permitted in the proposed zoning district and is the proposed zoning district compatible with surrounding zoning and uses? Yes, the property is within a commercial area with close proximity to the Oak Ridge Turnpike. There is no nearby residential development.

4) Will the proposed rezoning create an isolated district unrelated to adjacent and nearby districts?

The rezoning will result in one parcel having different zoning than the adjacent parcels, however the following factors should be considered in deciding upon the appropriateness of the requested zoning. The office zoning districts and the business zoning districts all allow closely related commercial uses. The property is within a commercial area without nearby residential uses. Although the adjacent properties are not zoned B-2, General Business, property located nearby on the north side of the Oak Ridge Turnpike is zoned B-2, General Business. Also, as previously noted, there are uses normally within the B-2 district located within the adjacent and nearby properties zoned O-2, Office.

5) Are public facilities and services adequate to accommodate the proposed zoning district?

Public utilities and road capacity are adequate.

6) Would the requested rezoning have environmental impacts?

The property is already developed. Changing the zoning from O-2 to B-2 will not change the environmental impacts.

Neighborhood Position: No comments have been received.

Landscaping/Buffering requirements: If there is an addition totaling 50% of the ground floor area or any modification where the estimated cost of improvement exceeds 75% of the total assessed value of the structure, the landscaping and design standards within Article XIII of the Zoning Ordinance will apply.

Notification of Property Owners Within 200': April 9, 2009

Rezoning signs posted: April 13, 2009

Conclusion and Planning Staff Recommendation: Staff recommends approval of the rezoning to B-2, General Business and amendment of the Land Use Plan from O, Office/Institutional to B, General Business finding the proposed zoning consistent with existing uses and the character of development within the area.

Planning Commission Recommendation: April 23, 2009, recommended approval

385
 MENTAL HEALTH CENTER
O-2
 385.01
R-3
 385.02

UB-2
 387
P
 EAST TYRONE

WEST TYRONE RD
 TYNDALE ROAD (PRIVATE ROAD)
 M.S.L. OFFICES BLDG. #1
O-2
 370 (3.79 Ac)
 371
 372
 RED CROSS
 373.01
 TYLER ROAD
 373

378.02
 378.03
 378.01
B-2
 378
 377.03
 377
 378
 378.01
 378.02
 377.01
 377.02
 377.03
 377
 378
 378.01
 378.02
 TALMEDA ROAD
 375.01
 375
 818
 808
 809
 810
 811
 812
 813
 814

TIKE
 500.03
O-2
 114
 110

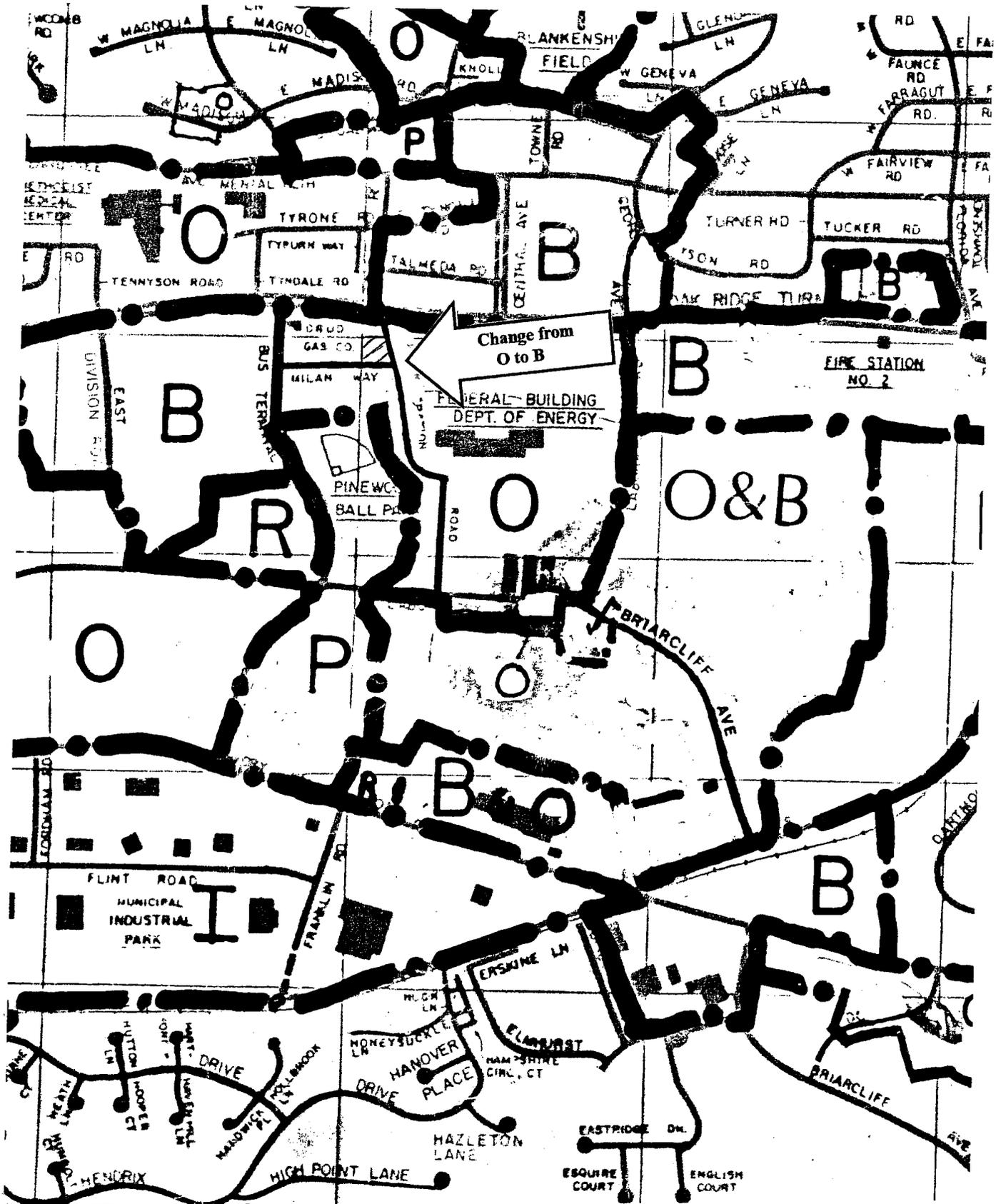
BUS TERMINAL LN
 101 (GAS UTILITY)
 901 TURNPIKE OFFICE
O-2
 495
 107
 109
 118
 496
 106
 MILAN WAY
 528.00
 119 TELEPHONE BUILDING
 529
 529.01
 201
 529.02
 108

Rezone from
O-2 to B-2

500.01
RG-1
 BUS TERMINAL ROAD
O-2
 DAYKING HEALTH CARE CENTER
RG-1
 529

297.07
 PARCEL 279.06
 COMMON ACCESS EASEMENT FOR PARCEL 279.06 AND PARCEL 279.07 TO ADMINISTRATION ROAD
 ADMINISTRATION ROAD
 629.01
 629.02
 ADMINISTRATION ROAD

**LAND USE PLAN AMENDMENT FROM O, OFFICE/
INSTITUTIONAL TO B, GENERAL BUSINESS FOR
106 ADMINISTRATION ROAD**



TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 4.00, MAP 100A, GROUP C, FROM O-2, OFFICE TO B-2, GENERAL BUSINESS; AND AMENDING THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF SAID PARCEL FROM O, OFFICE/INSTITUTIONAL TO B, BUSINESS.

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

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

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

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

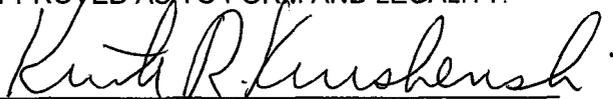
<u>Property Description</u>	<u>Location</u>	<u>Present Zoning District</u>	<u>New Zoning District</u>
Parcel 4.00, Map 100A, Group C (± 0.77 Acres)	106 Administration Road between Milan Way and Oak Ridge Turnpike	0-2, Office District	B-2, General Business

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

Section 3. The rezoning requires a minor amendment to the Comprehensive Plan's Land Use Plan, and said Plan is hereby amended by changing the designation of Parcel 4.00, Map 100A, Group C, from O, Office/Institutional to B, Business.

Section 4. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



 City Attorney

 Mayor

 City Clerk

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

FINANCE DEPARTMENT MEMORANDUM
07-06

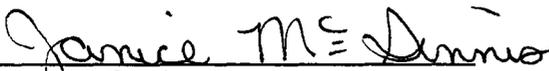
DATE: April 23, 2009
TO: James R. O'Connor, City Manager
THROUGH: Steven W. Jenkins, Deputy City Manager
FROM: Janice E. McGinnis, Finance Director
SUBJECT: FY 2010 Appropriation Ordinance



Attached is the fiscal 2010 Appropriation Ordinance reflecting appropriations for the various City Funds as presented in the proposed budget document. The calendar 2009 proposed property tax rate remains at the 2008 rate of \$2.77 per \$100 of assessed valuation as outlined in Section 2 of the ordinance. Each cent on the property tax rate generates approximately \$70,000 in revenue.

The City's General Fund municipal expenditures are budgeted at \$18,696,765, a 3.5% increase over fiscal 2009 expenditure levels. The City's operating transfer to the Oak Ridge Schools is presented at the School Board's requested fiscal 2010 funding level of \$13,980,802, a 3.5% increase over fiscal 2009 funding levels.

Agencies budgeted for funding for economic development and/or tourism services in the Economic Diversification Fund are the Convention & Visitors Bureau (CVB), Oak Ridge Chamber of Commerce, Anderson County Economic Development Association and Roane Alliance. Agencies budgeted for social service/cultural programs funding include Aid to Distressed Families of Appalachian Counties (ADFAC), Anderson County Health Council (ACHC) for the Healthy Start program, Arts Council of Oak Ridge, and Youth Advisory Board. There is a \$120,000 grant to the CVB budgeted in the Economic Diversification Fund to provide matching funds toward the construction of a new CVB facility.


Janice McGinnis

Attachments

City Manager's Comments:

I have reviewed the above issue and recommend approval of the attached ordinance.


James R. O'Connor

4/23/09
Date

TITLE

AN ORDINANCE TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

WHEREAS, the City Manager, in accordance with the requirements of Article V, Section 10, of the Charter of the City of Oak Ridge, has submitted to City Council a proposed budget prior to the beginning of the fiscal year upon which a public hearing was held on May 4, 2009 as required by law; and

WHEREAS, in accordance with the requirements of the same Charter section, the Council held meetings on March 9, 2009 and April 27, 2009 which served to provide guidance to the City Manager on the preparation of the proposed budget.

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

Section 1. The budget for the fiscal year beginning July 1, 2009, submitted to City Council by the City Manager, is hereby adopted.

Section 2. In order to provide revenue for municipal purposes, there is hereby imposed on the value of all property within the City of Oak Ridge as such value has been ascertained by the taxing authority of the City, a levy at the rate of \$2.77 upon each One Hundred Dollars' (\$100.00) worth of assessed value of all taxable property, this levy to be the tax rate for the year 2009. This levy shall also be imposed upon such assessments as may be certified for tax purposes to the City of Oak Ridge by the Public Service Commission of the State of Tennessee.

Section 3. In accordance with Article V, Section 13, of the Charter of the City of Oak Ridge, the following amounts shall be and hereby are adopted as appropriations by funds for the operation of the City of Oak Ridge, Tennessee, for Fiscal Year 2010:

General Fund, Municipal Operations	\$18,696,765
Debt Service (Bond and Interest Redemption Fund)	9,500,000
State Street Aid Fund	1,353,470
Streets and Public Transportation Fund	260,000
Drug Enforcement Program Fund	438,000
Grant Fund	4,500,000
General Purpose School Fund	51,371,198
Golf Course Fund	1,395,000
Capital Projects Fund	7,000,000
Solid Waste Fund	2,435,000
Economic Diversification Fund	2,860,000
West End Fund	2,750,000

Section 4. The following amounts in the proprietary-type funds are projected expenses for Fiscal Year 2010 and are provided for informational purposes:

Electric Fund	\$55,380,342
Waterworks Fund	20,521,284
Emergency Communications District Fund	650,000

Section 5. In order to provide funds to meet the expenditure requirements, the following transfers are projected for Fiscal Year 2010 and are provided for informational purposes:

<u>To General Purpose School Fund for Operations</u>	
From General Fund	\$13,980,802

<u>To Debt Service Fund</u>		
From General Fund		\$ 3,500,000
From Capital Projects Fund		1,134,000
 <u>To Economic Diversification Fund</u>		
From Electric Fund		\$ 164,000
From Waterworks Fund		132,000
 <u>To State Street Aid Fund</u>		
From General Fund		\$ 630,000
 <u>To Streets and Public Transportation Fund</u>		
From General Fund		\$ 30,000
 <u>To Solid Waste Fund</u>		
From General Fund		\$ 1,435,000
 <u>To Grant Fund</u>		
From General Fund		\$ 168,350

Section 6. All proceeds received through fines, forfeitures and the disposal of seized goods resulting from the City's drug enforcement program shall be used exclusively for that program. A Special Revenue Fund has been established and any funds expended will be limited to the funds collected for that program.

Section 7. The taxes levied under this Ordinance shall become due and payable, shall become delinquent and shall be subject to penalties, the execution of distress warrants and sale of property levied upon as provided by law.

Section 8. The levy provided for herein shall be imposed on all taxable property as the same has been reported to the Council as a final total assessment of each class of property by the legally constituted Boards of Equalization for property situated in either Anderson County or Roane County within the City of Oak Ridge. The written report of the Equalization Boards shall be the assessment roll of the City of Oak Ridge.

Section 9. This Ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



 City Attorney

 Mayor

 City Clerk

Public Hearing: 5/4/09
 First Reading: 5/4/09
 Publication Date: _____
 Second Reading: _____
 Publication Date: _____
 Effective Date: _____

COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM
09-20

DATE: March 27, 2009

TO: James O'Connor, City Manager

THROUGH: Kathryn Baldwin, Community Development Director



FROM: Kahla Gentry, Senior Planner

SUBJECT: LAND USE PLAN AMENDMENT AND REZONING OF A PORTION OF PARCEL 1.00, ANDERSON COUNTY TAX MAP 105C, GROUP B ON TULSA ROAD AND TUSCULUM DRIVE

An item for the City Council agenda is a request to rezone a 1.25 acre portion of Parcel 1.00, Anderson County Tax Map 105C, Group B, from R-4-B, Multiple Family to O-2, Office. The application is submitted by Jeffrey Baker and Darren Steiner in order to build an office for their building contracting business, SMB Group. They are purchasing the property from C. & S. Land Company, Inc. The subject property is an undeveloped site within the Gamble Valley Creek Flood Fringe located at the southwest corner of Tulsa Road and Tusculum Drive. At their regular meeting on March 26, 2009, the Oak Ridge Municipal Planning Commission voted 10-0 to recommend approval of O-2, Office zoning. The Planning Commission also voted 10-0 to recommend amending the Land Use Plan for the same property from R, Residential to O, Office. The applicants had originally requested rezoning to R-4, High Density Residential, which would also allow office use of the property. The Planning Commission saw the O-2, Office District as more appropriate for the intended use and consistent with the O-2 zoning along Tulsa Road on the other side of Tusculum Drive.

The zoning and land uses of the adjacent properties are as follows. North of the property across Tusculum Drive is a combination of apartments, undeveloped East Fork Poplar Creek Floodway and Flood Fringe area and offices. The apartments are zoned R-4-B and the office parcels are zoned O-2. The abutting property on the west is the remainder of the undeveloped parcel from which the subject property is being divided. The Floodway and Flood Fringe associated with Gamble Valley Creek runs across the property and it is zoned R-4-B. Apartment buildings zoned R-4-B are located on the other side of the creek. The McKenzie Acres apartments on Utica Circle are located to the south and the zoning is R-3, Medium Residential. The land to the east across Tulsa Road is zoned B-2, General Business and it is within the Floodway and Flood Fringe of East Fork Poplar Creek. There is a vacant commercial building located across Tulsa Road from the subject property.

The Land Use Plan designation for the area proposed for rezoning is R, Residential. Rezoning to O-2, Office requires an amendment to the Land Use Plan map from R, Residential to O, Office. The Land Use Plan designates the area west and south of the subject property as R, Residential.

The area east and north of the subject property is designated as B, General Business. Office uses are often located between retail commercial uses and residential uses as a transitional use.

Buildings built within the O-2 zoning district must have the site plan reviewed by the Planning Commission. The uses of certain materials as the primary exterior building material are prohibited in all commercial and office zones. These materials include vinyl siding, metal siding, and standard concrete block. At least 20% of the site must remain as green space. Street frontages must be landscaped and a landscaped buffer is required between office uses and residential uses. Commercial buildings built within a flood fringe area are required to have a minimum floor elevation one foot above the 100-year flood elevation.

Staff recommends approval of rezoning the subject property from R-4-B to O-2 and approval of the related Land Use Plan amendment from R, Residential to O, Office. The subject property is located within an area of mixed uses and zoning. Staff sees the O-2, Office district as an appropriate transitional zone between business and multiple-family zoning.

Kahla Ginty

City Manager's Comments:

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

James O'Connor
James O'Connor

4/2/09
Date

Staff Review of Rezoning Request

Location & Approximate Area: Anderson County Tax Map 105C, Group B, portion of Parcel 1.00, located on the southwest corner of Tulsa and Tusculum. Approximately 1.25 acres in area.

Date: March 6, 2009

Updated: March 27, 2009

Owner: C& S Land Company
110 S. Illinois Avenue
Oak Ridge, TN 37830

Applicants: Jeffrey Baker, 190 White Loop Rd.
Clinton, TN 37716
Darren Steiner, 144 Maple Ln.
Harriman, TN 37748

Request Rezoning

From: R-4-B, Multiple Family Residential

To: O-2, Office

Site Characteristics:

About same elevation as adjacent lands. Site is generally level or gently sloping towards Gamble Valley Creek, which is located west of the property. Most of the site is in the Flood Fringe. Former hay field has remained primarily in grass with a few trees and shrubs.

Existing Land Use: Undeveloped . Lot fronts on Tulsa and Tusculum Drive. Tulsa is an arterial road. Water main lines are located on the north side of Tusculum Drive and on the west side of Tulsa Road. A sanitary sewer line goes across the north edge of the property from Tulsa Road to Tusculum Drive.

Adjacent Land Uses & Zoning:

North: O-2, Office, Floodway, Flood Fringe, undeveloped parcel and office buildings.

East: B-2, General Business, Floodway, Flood Fringe, vacant commercial building

South: R-3, Medium Residential, apartments.

West: R-4-B, Multiple-Family, Floodway, Flood Fringe, apartments

Previous Rezoning Requests: February 1973 Rezoned from Greenbelt (now called RG-1) to R-6 (now called R-4-B)

Background:

Purpose: To allow construction of an office building. The applicants are the owners of SMB Group, a building contracting business. The original request was for R-4, High Density Residential. An office building is an allowable use in the R-4, High Density Residential district. The O-2, Office district could also be considered as an appropriate zone with O-2 zoning being in place across the street. The Planning Commission recommended O-2, Office zoning by a vote of 10-0 as the most appropriate for the proposed office use and consistent with the zoning along Tulsa Road north of Tusculum Drive. The property owner and applicants are in agreement with the O-2, Office zoning designation. The Planning Commission reviews site plans in the O-2, Office district.

Conformity with 1988 Comprehensive Plan:

a. Land Use Plan: The Land Use Plan designates the area proposed for rezoning as R, Residential. If the zoning is changed to O-2, Office a major amendment of the Land Use Plan is required from R, Residential to O, Office. The Land Use Plan map designates the properties directly across from the subject property on Tulsa Road and Tusculum Drive as B, General Business. The Land Plan map designates the property located south and west of the subject property as R, Residential. Office land uses are commonly located as a transition between commercial retail and residential.

b. Applicable Policies:

Policy P-15: The City will eliminate or reduce land use conflicts through strict enforcement of the Zoning Ordinance and by following the Oak Ridge Land Use Plan.

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

Applicable Regulations:

Setbacks: O-2 District: Front – 30ft., Side – 15 ft., Rear – 30 ft.

Maximum Usable Floor Area (footprint of building): 80%.

Minimum Floor Elevation: One foot above 100-year flood elevation for non-residential buildings.

Maximum Height: None

Analysis:

The following criteria were used to evaluate the rezoning request.

- 1) **Is the proposed zoning district consistent with the City's Comprehensive Plan?**
The O-2, Office district will require an amendment to the Land Use Plan from R, Residential to O, Office.
- 2) **Are there substantial changes in the character of development in or near the area under consideration that support the proposed rezoning.**
There have been no significant changes in the character of development in or near the area. Apartment buildings have been the most recent developments in the vicinity of the subject property. There are five parcels with apartments located north, west and south of the subject property.
- 3) **Is the character of the area suitable for the uses permitted in the proposed zoning district and is the proposed zoning district compatible with surrounding zoning and uses?** Yes, as a transitional area between commercial development on S. Illinois Avenue

and single-family residential development in Burnham Woods, the area has a mix of office, commercial and multi-family uses.

4) Will the proposed rezoning create an isolated district unrelated to adjacent and nearby districts?

No, the proposed rezoning will not create an isolated district unrelated to adjacent and nearby districts. The area is one of mixed zoning. The property across the street to the north is zoned O-2, Office. The property directly across the street on the east is zoned B-2, General Business. Properties on the west are zoned R-4-B, Multiple Family and property to the south is zoned R-3, Medium Residential.

5) Are public facilities and services adequate to accommodate the proposed zoning district?

Public utilities and road capacity are adequate.

6) Would the requested rezoning have environmental impacts?

Changing the zoning does not change the environmental impact of development. Development as multiple-family residential or office use will have similar environmental impacts.

Neighborhood Position: Comments have been against additional apartments, but only one person stated opposition to an office building.

Landscaping/Buffering requirements: When new construction takes place, at least 20% of the site must remain in green space. A landscaped area between the parking lot and the front lot lines is required and a "Type B" landscaped buffer is required between office uses and multiple-family residential uses.

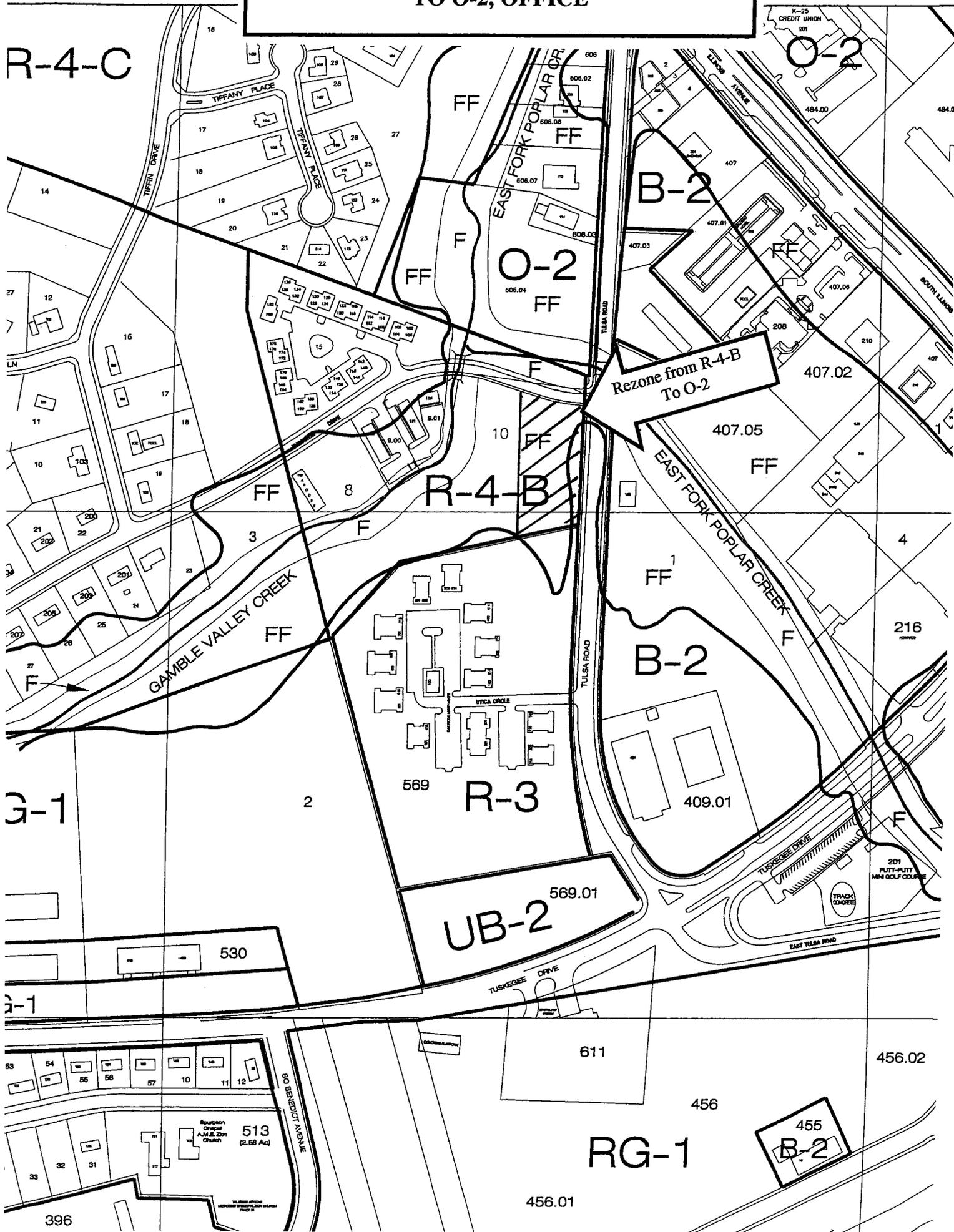
Notification of Property Owners Within 200': March 16, 2009

Rezoning signs posted: March 17, 2009

Conclusion and Planning Staff Recommendation: Staff recommends approval of the rezoning to O-2, Office and the Land Use Plan amendment to O, Office. Based upon the mix of uses and zoning in the area, the O-2 district is seen as an appropriate transitional district between the commercial and multi-family uses.

Planning Commission Recommendation: March 26, 2009: Recommended rezoning to O-2, Office by a vote of 10-0. Also recommended approval of amending the Land Use Plan from R, Residential to O, Office by a vote of 10-0.

**REZONE FROM R-4-B, MULTIPLE FAMILY
TO O-2, OFFICE**



TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF A 1.25-ACRE PORTION OF PARCEL 1.00, MAP 105C, GROUP B, FROM R-4-B, MULTIPLE-FAMILY RESIDENTIAL DISTRICT, TO O-2, OFFICE DISTRICT; AND AMENDING THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF THE 1.25-ACRE PORTION OF SAID PARCEL FROM R, RESIDENTIAL TO O, OFFICE.

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

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

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

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

<u>Property Description and Location</u>	<u>Portion to be Rezoned</u>	<u>Present Zoning District</u>	<u>New Zoning District</u>
Parcel 1.00 Map 105C, Group B located on the southwest corner of Tulsa Road and Tusculum Drive	Approximately 1.25 acres	R-4-B, Multiple-Family Residential	O-2, Office

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

Section 3. The rezoning requires a major amendment to the Comprehensive Plan's Land Use Plan, and said Plan is hereby amended by changing the designation of a portion of Parcel 1.00, Map 105C, Group B, consisting of approximately 1.25 acres, to be changed from R, Residential to O, Office.

Section 4. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



City Attorney

Mayor

City Clerk

Public Hearing: 4/13/09
First Reading: 4/13/09
Publication Date: 4/20/09
Second Reading: _____
Publication Date: _____
Effective Date: _____

CITY CLERK MEMORANDUM
09-23

DATE: April 22, 2009

TO: Honorable Mayor and Members of City Council

FROM: Jacquelyn J. Bernard, City Clerk

SUBJECT: ORDINANCE TO ACCOMPLISH THE CENTENNIAL VILLAGE REZONING, APPROVAL OF THE REVISED PRELIMINARY MASTER PLAN, AND AMENDMENT OF THE LAND USE PLAN

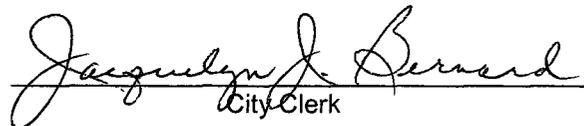
Attached is the ordinance to accomplish the Centennial Village rezoning, approval of the revised preliminary master plan, and amendment of the Land Use Plan to designate The Commons area of Centennial Village as B, General Business. This is the same ordinance that was approved conditionally on first reading. Also attached is Planning Division Memorandum 09-28 containing the staff recommendations regarding the revised Centennial Village PUD Preliminary Master Plan. The memoranda that accompanied the ordinance during its previous considerations have been excluded as being extraneous at this time. However, they are certainly available for your review upon request.

Distributed separately are materials delivered to this office on April 15, 2009, including:

- A letter from Ray N. Evans, Development Consultant representing John R. Chilton of Centennial Village Development LLC,
- A booklet titled "Centennial Village at Melton Hill Lake, A Golf & Lakeside Community," containing architectural character samples, data related to amenity areas, minimum finished floor areas, etc.,
- A revised Preliminary Master Plan, ACHW Job #08509.1, Drawing No. C-1, dated April 15, 2009, and
- A drawing of color titled "Density Exhibit – A, Planned Density for the North Section of Centennial Village Development, Oak Ridge, Tennessee."

If it is the Council's desire to amend the ordinance to reflect approval of the revised Preliminary Master Plan submitted by Mr. Evans in Mr. Chilton's behalf, and to incorporate the conditions recommended by the staff, the attached motion may be presented after the ordinance has been placed on the floor for adoption.

Both Mr. Evans and Mr. Chilton will be present at the May 4th Council meeting as well as the agenda review session scheduled for Monday, April 27th.


City Clerk

Attachments

**MOTION TO AMEND THE ORDINANCE TO ACCOMPLISH THE
CENTENNIAL VILLAGE REZONING, APPROVAL OF THE REVISED
PRELIMINARY MASTER PLAN, AND AMENDMENT OF THE LAND USE PLAN**

I move that Section 4 of the ordinance be amended to read as follows:

The Planned Unit Development Revised Preliminary Master Plan for *Centennial Village at Melton Hill Lake, A Golf & Lakeview Community*, as shown on Drawing No. C-1, ACHW Job #08509.1, dated April 15, 2009, is hereby approved, conditional upon the following:

1. There will be no grading, grubbing or tree removal prior to preliminary plat or site plan approval.
2. A "Type B" vegetative buffer will be established at the rear of lots adjacent to Lots 81, 76 and Lots 1-3 in Rivers Run. It is recommended that this be extended along Lots 77 through 80 if needed (Prior designation Lot 9.01) in Rock Bridge Greens.
3. Grading and associated tree removal performed by the Developer of Record in The Highlands will be limited to roadway and utility construction. Limitation of tree removal subsequent to house construction shall be reflected in Deed Restrictions for The Highlands.
4. Existing trees shall be maintained in Coldwater Creek where feasible, especially along the eastern perimeter. In those areas where tree removal is extensive, a "Type B" buffer shall be established composed of a mixture of existing vegetation and/or newly established plantings and may include Tulip Poplars at the rear of lots within Centennial Village and may extend onto Golf Course property, subject to approval of the City of Oak Ridge and Casper Management or its successor.
5. Along the eastern edge of Fairway's Edge canopy trees, which may include Tulip Poplars, shall be generally planted on staggered 40-foot centers.
6. Tree protection fencing shall be installed prior to grading or grubbing or tree removal on site.
7. A landscape plan identifying location, size and species shall be presented and approved at the Preliminary Plat review stage for each individual phase.
8. A performance bond for establishment of the vegetative buffer areas and tree plantings, as approved during Preliminary Plat review, shall be posted prior to issuance of a grading permit and will be included in the land disturbance bond.
9. Lots adjacent to Rivers Run and Rock Bridge Greens will have a rear setback of 35 feet and the lot areas will be 20,000 square feet or more.

COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM
PLANNING DIVISION
09-28

DATE: April 20, 2009

TO: James O'Connor, City Manager

FROM: Kahla Gentry, Senior Planner

THROUGH: Kathryn Baldwin, Community Development Director 

SUBJECT: Centennial Village Rezoning, Land Use Plan Amendment and Revised Preliminary Master Plan

At the December 15, 2008 City Council meeting, Councilwoman Smith moved to postpone the attached ordinance "until such time as the developer can provide an alternative plan addressing the concerns expressed by City Council." The motion was seconded by Councilman Hensley and adopted by unanimous voice vote of Council. There were concerns expressed about possible clear cutting and about the lot areas within the northern section. On April 15, 2009 the developer submitted (1) a "Revised Preliminary Master Plan", (2) a list of attachments, A – I, and (3) "Density Exhibit – A, Planned Density for the North Section of Centennial Village Development".

The revised Centennial Village PUD Preliminary Master Plan shows the lots abutting Rivers Run as having areas of 20,000 square feet (0.469 acres) and above. The minimum lot size within the north section is 10,018 square feet, located within the interior of The Highlands. Article IX of the Zoning Ordinance permits a minimum lot size of 8,000 square feet within a R-1-B PUD district. Within a PUD with R-1-A zoning the minimum lot size permitted is 10,000 square feet. The newly submitted "Density Exhibit –A" uses color coding to illustrate the various lot areas and provides a table listing the lot area for each lot within the north section.

The revised Preliminary Master Plan has also added Notes 24 - 31 concerning the protection of trees and the planting of new trees to provide buffer areas. In addition, the locations of the tree buffer areas are depicted on the Preliminary Master Plan drawing. The trees are shown planted on the golf course along the rear lot lines in Fairway's Edge and Cold Water Creek and The Highlands.

Other changes from the Preliminary Master Plan submitted in November include:

- The number of proposed apartments has decreased from 350 to 330
- Amenity Area II has been relocated from Fairway's Edge to The Highlands adjacent to the water tower and the Rogers Group property.
- The number of dwellings within Cold Water Creek has decreased by 3 units from 51 to 48
- The number of units within The Highlands has increased by 3 units from 91 to 94.

Staff recommends approval of the requested rezoning and revised Centennial Village PUD Preliminary Master Plan. Staff also recommends approval of the related Land Use Plan, designating The Commons area of Centennial Village as B, General Business. This recommendation is based upon the following conditions to be reflected in the motion for approval:

1. There will be no grading, grubbing or tree removal prior to preliminary plat or site plan approval.
2. A "Type B" vegetative buffer will be established at the rear of lots adjacent Lots 81, 76 and Lots 1-3 in Rivers Run. It is recommended that this be extended along Lots 77 through 80 if needed (Prior designation Lot 9.01) in Rock Bridge Greens.
3. Grading and associated tree removal performed by the Developer of Record in The Highlands will be limited to roadway and utility construction. Limitation of tree removal subsequent to house construction shall be reflected in Deed Restrictions for The Highlands

4. Existing trees shall be maintained in Coldwater Creek where feasible, especially along the eastern perimeter. In those areas where tree removal is extensive, a "Type B" buffer shall be established composed of a mixture of existing vegetation and/or newly established plantings and may include Tulip Poplars at the rear of lots within Centennial Village and may extend onto Golf Course property, subject to approval of the City of Oak Ridge and Casper Management or its successor
5. Canopy trees shall be planted along the eastern edge of Fairways Edge. Canopy trees may include Tulip Poplars, and shall be planted on 40-foot centers
6. Tree protection fencing shall be installed prior to grading or grubbing or tree removal on site
7. A landscape plan identifying location, size and species shall be presented and approved at the Preliminary Plat review stage for each individual phase
8. A performance bond for establishment of the vegetative buffer areas and tree plantings, as approved during Preliminary Plat review, shall be posted prior to issuance of a grading permit and will be included in the land disturbance bond.
9. Lots adjacent to Rivers Run and Rock Bridge Greens will have a rear setback of 35 feet and the lot areas will be 20,000 square feet or more.

Compliance with the above conditions will be determined during review of the following documents submitted for Planning Commission review, which may be presented for the balance of the property in phases or a combination of phases:

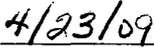
Final Master Development Plan
Sketch Plat
Preliminary Plat
Final Plat


Kahla Gentry

City Manager's Comments:

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


James O'Connor


Date

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF AN APPROXIMATE 29.3 ACRE PORTION OF PARCEL 1.01, MAP 101G, GROUP A, FROM R-1-B, ONE-FAMILY RESIDENTIAL DISTRICT, TO R-4, HIGH DENSITY RESIDENTIAL DISTRICT; AN APPROXIMATE 44.3 ACRE PORTION OF PARCEL 1.01, MAP 101G, GROUP A, FROM R-1-B, ONE-FAMILY RESIDENTIAL DISTRICT, TO B-2, GENERAL BUSINESS DISTRICT; AN APPROXIMATE 10.7 ACRE PORTION OF PARCEL 1.01, MAP 101G, GROUP A, FROM R-3, MULTIPLE-FAMILY RESIDENTIAL AND HOTEL DISTRICT, TO R-4, HIGH DENSITY RESIDENTIAL DISTRICT; AND AN APPROXIMATE 8.9 ACRE PORTION OF PARCEL 1.01, MAP 101G, GROUP A, FROM R-3, MULTIPLE-FAMILY RESIDENTIAL AND HOTEL DISTRICT, TO B-2, GENERAL BUSINESS DISTRICT; AND TO APPROVE THE REVISED PRELIMINARY MASTER PLAN FOR CENTENNIAL VILLAGE AT MELTON LAKE AS SUBMITTED BY CENTENNIAL VILLAGE DEVELOPMENT, LLC, WHICH CONTAINS A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, OVERLAY ON SAID PARCEL; AND AMENDING THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF AN APPROXIMATE 76.8 ACRE PORTION OF SAID PARCEL FROM R, RESIDENTIAL AND P, PUBLIC TO B, GENERAL BUSINESS.

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

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

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

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

<u>Property Description and Location</u>	<u>Portion to be Rezoned</u>	<u>Present Zoning District</u>	<u>New Zoning District</u>
Parcel 1.01 Map 101G, Group A located on north side of Edgemoor Road	Approximately 29.3 acres	R-1-B, One-Family Residential	R-4, High Density Residential
	Approximately 44.3 acres	R-1-B, One-Family	B-2, General Business
	Approximately 10.7 acres	R-3, Multiple-Family Residential and Hotel	R-4, High Density Residential
	Approximately 8.9 acres	R-3, Multiple-Family Residential and Hotel	B-2, General Business

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

Section 3. The rezoning requires a major amendment to the Comprehensive Plan's Land Use Plan, and said Plan is hereby amended by changing the designation of a portion of Parcel 1.01, Map 101G, Group A, consisting of approximately 76.8 acres, to be changed from R, Residential and P, Public to B, Business.

Section 4. The Planned Unit Development Revised Preliminary Master Plan for *Centennial Village at Melton Lake*, as submitted by Centennial Village Development, LLC, and as shown on ACHW Drawing Number C-1 and C-2, dated November 3, 2008, and their appendices attached hereto, is hereby approved.

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

APPROVED AS TO FORM AND LEGALITY:



City Attorney

Mayor

City Clerk

Public Hearing: 11-17-08
First Reading: 11-17-08
Publication Date: 11-27-08
Second Reading: _____
Publication Date: _____
Effective Date: _____

PUBLIC WORKS DEPARTMENT MEMORANDUM
09-14

DATE: April 16, 2009

TO: James R. O'Connor, City Manager

FROM: Susie Stooksbury, Library Operations Manager 
Tim Ward, Community Development Department Division Manager 
Randy Myers, Police Officer
Kahla Gentry, Community Development Department Senior Planner 
Susan Fallon, Contracts/Grants Coordinator 

SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANT

The City of Oak Ridge receives Community Development Block Grant (CDBG) entitlement funds annually from the U.S. Department of Housing and Urban Development (HUD). Available funding for CDBG projects during FY2010 is estimated to total \$261,000 with the City's FY2010 estimated entitlement funds of \$252,411 added to previous year's carryover and unprogrammed funds of \$8,589. The accompanying resolution approves the City of Oak Ridge CDBG Annual Action Plan for Program Year (PY) 2009/Fiscal Year (FY) 2010, authorizes subrecipient agreements and allocates funds in the total estimated amount of \$261,000.

A requirement of the CDBG entitlement program is the development and submission of a Consolidated Plan to HUD at least every five years, but may be developed and submitted for a three-year period, if deemed appropriate by the grant recipient. The development of the fourth City of Oak Ridge Consolidated Plan took place during the seven-month period of September 2007 through March 2008 and is to be utilized for the three-year period of July 1, 2008 through June 30, 2011 (CDBG Program Year 2008 through Program Year 2010).

A draft copy of the CDBG Annual Action Plan for PY09/FY10 was recently provided to you for transmittal to City Council. The distribution of the draft Annual Action Plan initiated a 30-day public comment period that will conclude on April 30, 2009. A public hearing for the Annual Action Plan including the funding recommendations was held during the April 13, 2009 City Council meeting with no public comments received.

The development of the City of Oak Ridge CDBG Annual Action Plan and the recommended funding allocations included the following significant milestones:

October 15, 2008	Public Hearing #1 – Needs Assessment and Potential Projects
November 17, 2008	Public Hearing #2 – CDBG Program Model
December 15, 2008	City Council Approval of CDBG Program Model
January 29, 2009	Subrecipient Application Deadline
April 1, 2009	30-Day Public Comment Period Begins for the City of Oak Ridge PY09/FY10 Annual Action Plan
April 13, 2009	Public Hearing #3 – Proposed Annual Action Plan
April 30, 2009	30-Day Public Comment Period Ends for the City of Oak Ridge PY09/FY10 Annual Action Plan
May 4, 2009	City Council Approval of the PY09/FY10 Annual Action Plan
May 8, 2009	PY09/FY10 Annual Action Plan Submitted to HUD for 45-Day Review Period
May and June 2009	Subrecipient Agreements Signed and Returned to the City
July 1, 2009	PY09/FY10 Begins

**CDBG Annual Action Plan
Executive Summary
PY2009/FY2010**

The Consolidated Plan for Housing and Community Development is a requirement of the 1990 National Affordable Housing Act and the Community Development Plan, for the U.S. Department of Housing and Urban Development (HUD). Such a plan is required of entitlement communities, which receive Community Development Block Grant (CDBG) funds under HUD's housing and service programs related to the needs of low and moderate-income persons. The development of the fourth City of Oak Ridge Consolidated Plan took place during the seven-month period of September 2007 through March 2008 and will be utilized for the three-year period of July 1, 2008 through June 30, 2011 (CDBG Program Year 2008 through Program Year 2010).

Even though the federal government has passed a budget for federal fiscal year 2009, as of March 26, 2009, HUD has not released the final allocations for the CDBG Entitlement funds. The Annual Action Plan has been prepared to reflect an estimated amount of funding for PY2009/FY2010, which is the same funding as in PY2008/FY2009. The recently signed stimulus bill, American Recovery and Reinvestment Act (ARRA) of 2009, includes \$68,498 CDBG funds to be allocated to the City of Oak Ridge. HUD has not released the final instructions for receiving and expending the ARRA CDBG funds, other than the regulations will require approval of a Substantial Amendment to the PY2008/FY2009 Annual Action Plan.

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

The 30-day comment period for the PY 2009/FY 2010 Annual Action Plan will begin on Wednesday April 1, 2009 and end on Thursday April 30, 2009. A public hearing is scheduled for Monday April 13, 2009 at 7:00 p.m. during the Oak Ridge City Council meeting at the Oak Ridge Municipal Building.

The objectives and outcomes utilizing the HUD Outcome Framework identified in the PY2009/FY2010 Annual Action Plan include the following:

Objective 1: Suitable Living Environment	Outcome 3: Sustainability
Objective 2: Decent Housing	Outcome 3: Sustainability
Objective 1: Suitable Living Environment	Outcome 1: Availability/Accessibility

Copies of the City of Oak Ridge Consolidated Plan 2008 – 2010 including the Citizen Participation Plan and the PY2009/FY2010 Annual Action Plan are available upon written request to:

City of Oak Ridge
Central Services Complex
Public Works Department
100 Woodbury Lane
Oak Ridge, TN 37830
Susan Fallon, Contracts/Grants Coordinator
sfallon@cortn.org
or
Online at www.cortn.org

**CITY OF OAK RIDGE, TENNESSEE
CDBG ENTITLEMENT PROGRAM
HISTORY OF FUNDING**

Year #	CDBG Program Year	COR Fiscal Year	Grant Amount
1	1984	1985	\$ 256,000
2	1985	1986	\$ 253,000
3	1986	1987	\$ 213,000
4	1987	1988	\$ 214,000
5	1988	1989	\$ 199,000
6	1989	1990	\$ 207,000
7	1990	1991	\$ 198,000
8	1991	1992	\$ 222,000
9	1992	1993	\$ 231,000
10	1993	1994	\$ 260,000
11	1994	1995	\$ 283,000
12	1995	1996	\$ 270,000
13	1996	1997	\$ 264,000
14	1997	1998	\$ 257,000
15	1998	1999	\$ 262,000
16	1999	2000	\$ 263,000
17	2000	2001	\$ 282,000
18	2001	2002	\$ 299,000
19	2002	2003	\$ 302,000
20	2003	2004	\$ 309,000
21	2004	2005	\$ 313,000
22	2005	2006	\$ 293,923
23	2006	2007	\$ 266,461
24	2007	2008	\$ 267,165
25	2008	2009	\$ 252,411
26	2009	2010	(est.)\$ 252,411
TOTAL			\$6,689,371

TENNESSEE CDBG ENTITLEMENT ALLOCATIONS

NAME	CDBG PY09/FY10 (estimated)	% of Funds	ARRA Funds	% of Funds
Bristol	\$ 231,530	.5%	\$ 62,790	.5%
Chattanooga	\$ 1,716,636	3.5%	\$ 465,678	3.5%
Clarksville	\$ 791,796	1.6%	\$ 215,046	1.6%
Cleveland	\$ 331,285	.7%	\$ 89,967	.7%
Franklin	\$ 270,053	.5%	\$ 73,348	.5%
Jackson	\$ 580,022	1.2%	\$ 157,518	1.2%
Johnson City	\$ 484,106	1%	\$ 131,467	1%
Kingsport	\$ 402,249	.8%	\$ 109,233	.8%
Knoxville	\$ 1,858,354	3.9%	\$ 504,654	3.9%
Memphis	\$ 8,017,242	16.4%	\$ 2,177,302	16.4%
Morristown	\$ 290,247	.6%	\$ 78,824	.6%
Murfreesboro	\$ 623,444	1.3%	\$ 169,316	1.3%
Nashville-Davidson	\$ 4,846,903	10%	\$ 1,316,347	10%
Oak Ridge	\$ 252,411	.5%	\$ 68,498	.5%
Knox County	\$ 996,246	2%	\$ 270,573	2%
Shelby County	\$ 1,019,471	2%	\$ 276,897	2%
TN State Program	\$ 26,154,131	53.5%	\$ 7,095,627	53.5%
Totals	\$ 48,866,129	100%	\$ 13,236,085	100%

CDBG Annual Action Plan Recommended Funding Allocation PY2009/FY2010

Once the PY2008/FY2009 Annual Action Plan is amended to receive and allocate the ARRA funding of \$68,498, approximately \$322,498 in CDBG funding will be available during the period of July 1, 2009 through June 30, 2010. The total funding available will allow to fully fund all of the project applications received from the city's subrecipients, as well as allow for approximately \$4,757 to be available in the following year.

The Annual Action Plan recommends the total allocation of **\$261,000** for PY2009/FY2010 projects with an estimated **\$252,411** in new program year CDBG funds and **\$8,589** from previous years carryover funds. PY2009/FY2010 Annual Action Plan recommends funding for the following program areas:

- **Debt Service** – The recommendation for **\$95,000** to provide the eighth of fifteen installments for the city's debt repayment of the Scarborough Community Center Expansion Project. (Consolidated Plan Priority – Debt Repayment (SCC), Strategies – Community Development and Special Populations)
- **Code Enforcement** – The recommendation for **\$63,000** to provide funds for services relating to enforcement of municipal codes in CDBG eligible areas and programs. (Consolidated Plan Priority – Code Enforcement (CE), Strategies – Housing and Community Development)
- **Housing – Citywide** – The recommendation to ADFAC Minor Home Rehabilitation project, for **\$14,000** to provide improvements to residences occupied by very low and low-income homeowners within the city limits. Priority will be given to residents within the Highland View Redevelopment Area (HVRA) and CDBG Target Areas. The program will provide minor repairs to correct code violations within the home and property. (Consolidated Plan Priority – HV, Strategies – Housing, Special Populations and Community Development)
- **Housing – Citywide** – The recommendation to ADFAC Yard Enhancement project, for **\$8,000** to be utilized for residents living within the city limits that require assistance with code issues such as removal of debris from yards, painting and general cleanup. Priority will be given to residents within the HVRA and CDBG Target Areas. (Consolidated Plan Priority – HV, Strategies – Housing, Special Populations and Community Development)
- **Housing – Citywide** – The recommendation to ADFAC Down Payment Assistance project for **\$10,000** to provide a maximum of \$2,500 per homeowner when purchasing a house within the city limits. (Consolidated Plan Strategy – Housing)
- **Housing Counseling** – The recommendation to ADAFC Housing Counseling Services program for **\$2,000** to provide homeownership counseling services by certified counselors for ADFAC clients, that receive CDBG funds for Down Payment Assistance. (Consolidated Plan Strategy – Housing)
- **Housing – Scarborough Neighborhood** – The recommendation to Habitat for Humanity of Anderson County (HFH) A Brush with Kindness project for **\$15,000** to provide residents within the Scarborough Neighborhood assistance with exterior improvements, such as painting, porch renovations, yardwork and general clean-up. (Consolidated Plan Strategies – Housing, Special Populations and Community Development)
- **Homeless Prevention** – The recommendation to Ridgeview Psychiatric Hospital and Center, Inc. (Ridgeview) Oak Ridge Transitional Housing Program for **\$27,000** to provide two housing units and a housing coordinator for transitional housing services for the homeless, mentally ill and/or dually diagnosed Oak Ridge citizens. (Consolidated Plan Strategy – Homeless)
- **Public Service** – The recommendation for **\$2,000** to be used for Neighborhood Watch projects implemented within the CDBG Target Areas. (Consolidated Plan Priority – HV, Strategies – Community Development)
- **Program Grant Administration** – The recommendation for **\$25,000** to be used for general program administration, project implementation, management of subrecipient agreements and all reporting requirements for the CDBG entitlement program.

The City of Oak Ridge received subrecipient CDBG applications totaling \$144,000. The available subrecipient funding of \$87,000 for PY2009/FY2010 and the awarded ARRA funding will allow the staff committee to eventually recommend full funding for all of the subrecipient projects.

The recommended allocations must comply with the following three funding caps:

- CDBG Required Public Service Cap – 15% of \$252,411 = \$37,862
- CDBG Required Program Administration Cap – 20% of \$252,411 = \$50,482
- City Council Required Single Project Cap – 40% of \$252,411 = \$100,964

PY2009/FY2010 Entitlement Grant (estimated)	\$252,411.00
Previous Years Carryover Funds	\$ 13,346.00
Less: Funding to Carryover to PY2010/FY2011	<u>(4,757.00)</u>
Total Funds Recommended for Allocation	\$261,000.00

City of Oak Ridge Programs:

Scarboro Community Center Debt	\$ 95,000.00	
Code Enforcement Services	\$ 63,000.00	
Grant Administration	\$ 25,000.00	
Neighborhood Watch Activities – CDBG Target Areas	<u>\$ 2,000.00</u>	
Total – City of Oak Ridge Programs		\$185,000.00
(71% of available funding)		

Subrecipient Programs:

Housing – Citywide (Priority for HVRA and CDBG Target Areas)

ADFAC		
Minor Home Rehabilitation	\$ 14,000.00	
Yard Enhancement	<u>\$ 8,000.00</u>	
Sub-Total – Investment in HVRA and CDBG Target Areas		\$ 22,000.00
(29% of available subrecipient funding)		

Housing – Citywide

ADFAC		
Down Payment Assistance	\$ 10,000.00	
Housing Counseling Services	<u>\$ 2,000.00</u>	
Sub-Total – Citywide		\$ 12,000.00
(16% of available subrecipient funding)		

Housing – Scarborough Neighborhood

HFHAC		
A Brush With Kindness	<u>\$ 15,000.00</u>	
Sub-Total – Scarborough Neighborhood		\$ 15,000.00
(20% of available subrecipient funding)		

Homeless Services – Transitional Housing

Ridgeview	<u>\$ 27,000.00</u>	
Sub-Total – Homeless Services		\$ 27,000.00
(36% of available subrecipient funding)		

Total – Subrecipient Programs		\$ 76,000.00
(33% of available funding)		

CITY OF OAK RIDGE, TENNESSEE
 CDBG FUNDS PY09/FY10
 PROJECTED FUNDS AVAILABLE FOR PROGRAMS

ESTIMATED FUNDS AVAILABLE

PREVIOUS YEAR'S CARRYOVER FUNDS	\$	13,346.00
FY10 ENTITLEMENT (ESTIMATED)	\$	252,411.00
FY10 ARRA (Stimulus Funding)	\$	68,486.00
LESS: PY2009/FY2010 UNPROGRAMMED FUNDS	\$	(4,757.00)

\$ 329,486.00
 TOTAL ESTIMATED FUNDS

CITY OF OAK RIDGE PROGRAMS

FY10 SCARBORO CENTER DEBT	\$	CDBG	95,000.00
(Year 8 of 15 for the debt expense of the expansion project)			
FY10 CODE ENFORCEMENT SERVICES	\$	CDBG	63,000.00
(Includes 100% of employee costs)			
FY10 GRANT ADMINISTRATION	\$	CDBG	25,000.00
(Includes up to 25% of payrolls costs, CDBG travel and supplies)			
FY10 NEIGHBORHOOD WATCH ACTIVITIES	\$	CDBG	2,000.00
(Within CDBG target areas)			

\$ 185,000.00
 TOTAL CITY PROGRAM COSTS

SUBRECIPIENT PROGRAMS

	REQUESTED	CDBG	CDBG-R
ADFAC - Minor Home Repair	\$ 35,000.00	\$ 14,000.00	\$ 21,000.00
ADFAC - Yard Enhancement	\$ 25,000.00	\$ 8,000.00	\$ 17,000.00
ADFAC - Down Payment Assistance	\$ 10,000.00	\$ 10,000.00	\$ -
ADFAC - Housing Counseling Services (ADFAC Clients)	\$ 2,000.00	\$ 2,000.00	\$ -
ADFAC - Home Rehabilitation	\$ 30,000.00	\$ -	\$ 30,486.00
RIDGEVIEW - Transitional Housing	\$ 27,000.00	\$ 27,000.00	\$ -
HFHAC - A Brush with Kindness - Scarboro Neighborhood	\$ 15,000.00	\$ 15,000.00	\$ -
	\$ 144,000.00	\$ 76,000.00	\$ 68,486.00

\$ 144,000.00
 TOTAL SUBRECIPIENT PROGRAM COSTS

RESOLUTION

WHEREAS, FY2010 will be the 26th year that the City of Oak Ridge is the recipient of Community Development Block Grant (CDBG) Entitlement funds from the U. S. Department of Housing and Urban Development (HUD); and

WHEREAS, by Resolution 12-110-08, City Council approved a Program Evaluation Model for the allocation of CDBG funding for FY2010 as recommended by City staff's CDBG Committee; and

WHEREAS, the amount of funds available for distribution under the FY2010 CDBG Entitlement Program is estimated to be \$252,411.00, with an additional \$8,589.00 available as carry-over funds from previous year allocations, for an estimated total of \$261,000.00 available for disbursement during FY2010; and

WHEREAS, the Program Evaluation Model approved by Resolution 12-110-08 designated \$176,346.00 for city projects, and City staff's CDBG Committee recommends an additional allocation of funding in the amount of \$8,654.00 for city projects for grant administration; and

WHEREAS, HUD requires that a description of the City's proposed allocations of CDBG Entitlement funds be included in the FY2010 Annual Action Plan of the Consolidated Plan, which is subject to HUD approval before disbursement of CDBG allocations; and

WHEREAS, the City Manager recommends approval of the FY2010 Annual Action Plan of the Consolidated Plan, along with approval of the associated subrecipient agreements upon approval of the Annual Action Plan by HUD.

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 CDBG Annual Action Plan for FY2010 and the reallocation of funding are hereby approved.

BE IT FURTHER RESOLVED that the following proposed allocations of Community Development Block Grant Entitlement funds available for FY2010, totaling an estimated \$261,000.00, are hereby approved:

City Projects

- Scarborough Center Expansion (Year 8 of 15 Debt Expense) \$95,000.00
- Code Enforcement Services \$63,000.00
- CDBG Grant Program Administration \$25,000.00
- Neighborhood Watch Activities – CDBG Target Areas \$ 2,000.00

Non-Profit Organizations

- Aid to Distressed Families of Appalachian Counties Incorporated \$34,000.00
 - Minor Home Rehabilitation \$14,000.00
 - Yard Enhancement \$ 8,000.00
 - Down Payment Assistance \$10,000.00
 - Housing Counseling Services \$ 2,000.00

- Habitat for Humanity of Anderson County
A Brush With Kindness – Scarborough Neighborhood \$15,000.00
- Ridgeview Psychiatric Hospital & Center, Inc.
Transitional Housing Program with Housing Coordinator Services \$27,000.00

BE IT FURTHER RESOLVED that, upon approval of the proposed allocations by the U. S. Department of Housing and Urban Development, the Mayor is hereby authorized to enter into subrecipient agreements with the organizations listed above for allocation of Community Development Block Grant Entitlement funding for FY2010.

This the 4th day of May 2009.

APPROVED AS TO FORM AND LEGALITY:


City Attorney

Mayor

City Clerk

ELECTIONS

**ENVIRONMENTAL
QUALITY ADVISORY
BOARD**

(ORHS STUDENT)

RECEIVED

From: Courtney Walls [cwalls35@hotmail.com]

Sent: Saturday, April 18, 2009 5:55 PM

To: Bernard, Jacquelyn

Subject: Environmental Quality Advisory Board-student member

2009 APR 20 PM 12:42

OFFICE OF THE CITY CLERK

Courtney Walls
103 Indian Place
Oak Ridge, TN 37830
(865) 661-8039

April 15, 2009

Dear Mrs. Bernard:

I am currently in the eleventh grade at Oak Ridge High School and would like to be considered for the student-member position in the Environmental Quality Advisory Board. I learned of this position through Charlie Hensley.

I believe the environment of a city is the most important part of it because it is the only completely natural part. I would greatly enjoy trying to improve or maintain the quality of our city's environment. I feel that I have developed strong communication skills through my extracurricular activities. For example, in Philosophy Club, we decide on a topic each week and discuss the philosophy behind it; we have no props other than a question or a short article discussing our topic. I am confident that I can play an important position on the Environmental Quality Advisory Board.

Below is my resume for your review. Thank you for your time and consideration.

Sincerely,
Courtney Walls

Courtney Walls
103 Indian Place
Oak Ridge, Tennessee 37830
(865) 661-8039
cwalls35@hotmail.com

Objective:

To obtain the position of student-member of the Environmental Quality Advisory Board.

Education/Academics:

Oak Ridge High School
Oak Ridge, Tennessee
Grades 9-12
GPA: 3.4

Robertsville Middle School
Oak Ridge, Tennessee
Grades 5-8

Junior year (2008-2009) invited to attend the National Young Leaders Conference in Washington, D.C.

Junior year (2008-2009) nominated for membership in the National Society of High School Scholars.

Additional Information/Extracurricular Activities:

Philosophy Club,
Grade 10

Marching Band,
Grades 9-11
Performed at football games and competitions

Concert Band,
Grades 9-11
10th grade auditioned into the top band

Jazz Band,
Grades 10-11
Performed at high school band concerts and at events in the community

Gay Straight Alliance,
Grades 10-11
Held leader positions of historian and public relations in 10th and 11th grades

Girls Incorporated Softball,
Grades 7-11

Windows Live™: Keep your life in sync. [Check it out.](#)

**INDUSTRIAL
DEVELOPMENT
BOARD**

RECEIVED
2009 FEB 10 PM 1:24
OFFICE OF THE CITY CLERK

February 10, 2009

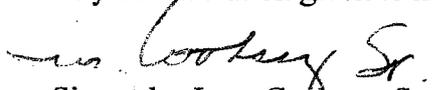
Oak Ridge City Council
Oak Ridge, Tennessee

Pursuant to the article in the Oak Ridger Feb. 10, 2009, please find attached my resume' for consideration as a member of the Industrial Development Board.

I believe that my background in banking, investments and business would prove very beneficial to this Board and as a concerned citizen of Oak Ridge, I will put the interest of all residents first in any decision-making.

I look forward to your response and ask that you call me at 228-7940.

Any consideration given to my request will be deeply appreciated.


Sincerely, Jerry Cooksey, Sr.

RECEIVED

2009 FEB 10 PM 1:24

GERALD L. COOKSEY
OFFICE OF THE CITY CLERK

PROFESSIONAL EXPERIENCE

2007-Current Business consultant and volunteer work.

1981-2007 Jericol Mining, Inc. Cumberland Gap, TN
Investment Manager

- Management of multi-million dollar investment portfolios.
- Human Resources manager for approximately 200 employees.
- Manager of workers compensation, health and dental insurance plans.
- Contract administrator for all coal contracts.
- Managed multi-million dollar coal sales program, including selling coal and collection of accounts receivable.

1979-1981 American Fidelity Bank Corbin, KY
Executive Vice President

1971-1979 Citizens Fidelity Louisville, KY
Bank Card Credit and Collection Manager

1963-1971 First National Bank Louisville, KY
Manager, Retail Banking

1996-2006 Commercial Bank Harrogate, TN
Director, Member of Audit Committee and Asset and Liability Committee

POSITIONS CURRENTLY HELD

Kentucky Coal Producers Self-Insurance Fund Lexington, KY
Trustee, Chairman of Investment Committee

EDUCATION

Indiana University Southeast Jeffersonville, IN

University of Oklahoma Norman, OK
Installment Credit School

Northwestern University Evanston, IL
Bank Card School

American Institute of Banking Washington, DC
Numerous courses

**Michael E. Magill
135 Center Park Lane
Oak Ridge, Tennessee**

RECEIVED
2009 APR 21 AM 10:18
OFFICE OF THE CITY CLERK

April 20, 2009

Honorable Tom Beehan
Mayor
City of Oak Ridge
City Hall
Oak Ridge, TN 37830

Dear Mayor Beehan:

I would like to be considered as a candidate to fill the existing vacancy on the Oak Ridge Industrial Development Board. Because of my background and experiences, I could be able to service the community I call home in a unique way.

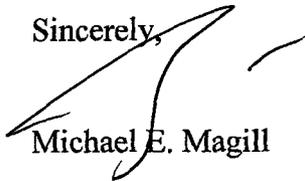
The following outlines my past experiences that could be of assistance to the IDB:

- Community Development Director, Town of Clinton, 1980 – 1983.
- Executive Director, Melton Hill Regional Industrial Development Board which is now the Anderson County Economic Development Association, 1983 – 1985.
- Vice President of Economic Development, Greater Knoxville Chamber of Commerce, 1985 – 1994. Here I served as staff to the City of Knoxville Industrial Board.
- Executive Director of Economic Development and Federal Government Relations, Tennessee Board of Regents, 1994 – 1997.
- Executive Director, Tennessee Business Roundtable, 1997 – 1998.
- Special Assistance to Governor Sundquist for Workforce Development, 1998 – 1999.
- Commissioner of the Tennessee Department of Labor, 1999 – 2000.
- Commissioner of the Department of Labor and Workforce Development, 2000 - 2002. In this position I managed a budget of over \$270 million and a staff of over 4200 employees.
- President, Heritage Log and Timber Frame Homes, 2004 – present. Heritage is involved in designing, manufacturing and constructing homes and residential developments around the world. While being at Heritage, the company has worked through the Industrial Revenue Bond process with the Industrial Board of Sevier County to finance our new manufacturing facility and corporate office.

I am also serving on the Board of the Tennessee Business Roundtable as Vice President and I on the Board of Directors of the East Tennessee Salvation Army.

I look forward to discussing this opportunity to serve my community and thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael E. Magill". The signature is stylized with a large, sweeping initial "M" and a long, horizontal flourish extending to the right.

Michael E. Magill

RECEIVED

2009 MAR 19 AM 11:19

OFFICE OF THE CITY CLERK

160 Whippoorwill Drive

Oak Ridge, TN 37830

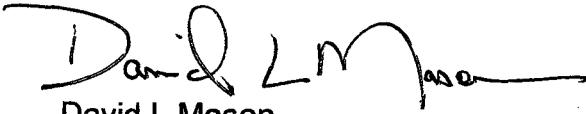
(H) 865-483-7213

(c) 865-607-0325

March 19, 2009

To the City of Oak Ridge:

I would like to apply for a position on the Industrial Development Board (IDB).

A handwritten signature in black ink, appearing to read "David L. Mason". The signature is stylized with a large initial "D" and a long horizontal stroke at the end.

David L Mason

David L. Mason

QUALIFICATIONS

- Twenty-five years of project management experience in both DOE and private sectors (project sizes varying from approximately \$100 thousand to \$700 million).
- Experienced in establishing and building new organizations comprised of multi-disciplined staffs.
- Hands-on experience establishing and maintaining project schedules (using Primavera).
- Experienced in Conduct of Operations and the process of restarting idled facilities

EXPERIENCE

Pro 2 Serve

2006 – 2009

Consultant

Teach project management, leadership and strategic planning

United States Enrichment Corporation Oak Ridge, Tennessee

2000 - 2005

Director, Centrifuge Engineering and Manufacturing Project

Manages the centrifuge demonstration project to ensure DOE objectives are met on schedule and within budget. Ensures continued excellence in working relations with ORNL staff.

Lockheed Martin Energy Systems, Inc. Oak Ridge, Tennessee

1993 -1999

Director, Y-12 Enriched Uranium (EUO) Operations and Resumption Project

1998 - 1999

While meeting all production schedules successfully restarted the accountability portion of EUO and began the process to restart the last and most difficult part of EUO.

*Deputy Director, Environmental Management and Enrichment
Facilities (EMEF)*

1997 - 1998

As deputy to the Vice President of EMEF, was responsible for direct oversight of all EMEF programs and operations.

Director, Project Support Organization, EMEF

1997- 1997

Responsibilities included direct oversight of Oak Ridge Site Management, Portsmouth Site Management, and Paducah Site Management by providing a quality, cost-effective infrastructure of resources necessary to support project planning, execution, control, and completion.

Director, EMEF Technical Support Organization

1995 - 1996

Responsibilities included executive management of the K-25 Technical Division, the materials and chemistry laboratory, and reindustrialization business planning, in addition to the Enrichment Facilities program.

Director, Enrichment Facilities Support

1993 – 1995

Responsibilities included the DOE nuclear energy programs at Paducah, Portsmouth, and Oak Ridge. Also served as the three-site DUF₆ Program Manager during the Defense Nuclear Facility Safety Board Recommendation 95-1.

Acting Production Support Manager, United States Enrichment Corporation

1993

Responsible for production operations at Paducah and Portsmouth until the United States Enrichment Corporation was able to staff with employees.

D. L. Mason

Martin Marietta Energy Systems, Inc.
Oak Ridge, Tennessee

1988 -1993

Director, Enrichment Technical Operations for Uranium Enrichment

Hobart Brothers Corporation
Troy, Ohio

1985 -1988

General Manager, Advanced Welding Systems

Responsible for the design, manufacture, and marketing of robotic and automated welding systems.

Cabot Satellite Division, Cabot Corporation
Elkhart, Indiana

1982 -1985

Manager, Surfacing Systems

Responsible for the design, manufacture, and marketing of automated systems for applying wear and corrosion resistant coatings to various parts and components.

Union Carbide Corporation
Oak Ridge, Tennessee

1968 -1982

Group Leader, Instrumentation

Led group in development and use of devices to nondestructively characterize components and systems to either monitor processes or to fabricate components.

Department Superintendent, Instrumentation and Characterization

Led department in the above-mentioned projects and in microanalytical analysis of materials.

Division Director, Health, Safety, and Environmental Affairs

PERSONAL

Serve on the State Supreme Court's Board of Professional Responsibility

Serve on UWAC distribution panel

Serve on the Coalition of Oak Ridge Retired Employees (CORRE)

Charter President of the Rotary Club of Oak Ridge Sunset

EDUCATION

Ph.D., Physics, University of Florida

ORAU Fellowship for dissertation studies at Oak Ridge National Laboratory

Dissertation Title: Proton-Proton Bremsstrahlung at 65 MeV

B. A., Physics and Mathematics, Austin Peay State University (Graduated first in class)

RECEIVED

2009 FEB 25 AM 11:59

OFFICE OF THE CITY CLERK

February 24, 2009

Ms. Jacquelyn J. Bernard
City Clerk
City of Oak Ridge
Municipal Building
Oak Ridge, TN 37830

Dear Ms. Bernard,

I would like to apply for the vacancy position on the Oak Ridge Industrial Development Board. I believe that my familiarity with the community, my professional background, and my prior experience in both recruiting for the city and working with the Industrial Development Board will allow me to contribute to the Industrial Development Board's mission and goals. I would greatly value working with other board members, the City and the community to support a thriving economic environment for businesses. I would also welcome this opportunity to be of service to my community in an area of professional training and experience.

Thank you for your consideration.

Sincerely,



Stella Schramm
109 Darwin Lane
Oak Ridge, TN 37830

STELLA S. SCHRAMM

109 Darwin Lane • Oak Ridge, Tennessee 37830
(865)483-9373 • Fax:(865)220-8025 • schramms@bigfoot.com

EDUCATION: Post-doctoral Fellow, Institute for New Technologies, United Nations University, Maastricht, The Netherlands, Spring 1995 (on leave from CIDE)

Ph.D., Economics. The University of Tennessee-Knoxville, 1994
Specialization: Economic Development, Regional & Urban Economics, Technology

MBA, Finance. University of New Orleans, 1983

BSc, Psychology. Louisiana State University, 1979

PROFESSIONAL EXPERIENCE

CURRENT: **TUSCULUM COLLEGE**, Knoxville TN. January 2001 to present.
Professor of Economics and Finance (8/08 to present) Faculty member for accelerated management degree programs serving working adults. Teach graduate and undergraduate economics, finance and strategy courses. Assist in development of curriculum wide course offerings, program policies and oversight. Previously served as chair for all graduate professional degree programs during accreditation renewal and extensive curricula development. Associate professor (8/03 to 8/08). Assistant professor (1/01 to 8/03).

ECONOMIC DEVELOPMENT CONSULTANT, Oak Ridge, TN. 1995 to present.
Create business/economic development strategies and management systems for non-profit organizations. Develop guidelines for economic and technology development strategies. Clients include Oak Ridge National Lab and United Nations Industrial Development Organization (UNIDO), Vienna. Work extensively with local community on economic and community development initiatives.

Served 1 year term as VP of Economic Development and Executive Director of the Industrial Development Board of the Oak Ridge Chamber of Commerce (1997 - 1998). Designed and implemented recruitment program aimed at high-tech electronics industry. Program was adopted as a region-wide priority. Recruited over 700 new jobs in the first year. Assisted in raising \$3.5 million for a region-wide economic development program.

PRIOR: **LINCOLN MEMORIAL UNIVERSITY**, Harrogate, TN. 1999 to 2001
Assistant Professor of Business, MBA Program Coordinator: Taught MBA and undergraduate business classes in Managerial Economics, Financial Management, Financial Institutions & Markets, International Business, Strategy, and Law. Served as coordinator of MBA program offered on 3 sites in ETN. Participated in SACS accreditation renewal and lead MBA curriculum development.

CENTER FOR THE RESEARCH AND TEACHING OF ECONOMICS (CIDE), Mexico City. Academic research and teaching institution. 1994-95.
Research Professor (visiting position): Analyzed competitive strategies and technological capabilities of multinational firms in Mexico and the U.S.

ECONOMIC DEVELOPMENT COUNCIL/New Orleans & The River Region, New Orleans, La.: 1979-90. Non-profit organization for business recruitment, research, and policy guidance. Principal economic development organization for a 7 parish (county) region with a population of 1.3 million.

Acting Director: Coordinated economic development efforts of public and private organizations in region. Proposed and funded programs, and provided policy input to state and local governments. Directed reorganization and recommitment of funding for council, 1989-90. (Declined director position to pursue PhD in TN.)

Manager of Commercial Development: Managed marketing, research and public relations programs in port, tourism, medical, food processing, office, retail and real estate development sectors. Term saw extensive development of office headquarters, hotel and retail sectors, including over \$3 billion in new downtown riverfront development. Led software development and implementation of EDC's first computer based prospect management system, 1983-88.

Researcher: Designed and conducted business surveys, wrote analyses of industry sectors and projects, published regional and comparative business data, established data banks on regional economic activity, 1979-83. Research was widely cited in media and business reports.

**GRANTS/
FUNDRAISING:**

Proposal author, La. Tax Free Shopping proposal to implement and manage first U.S. tax free shopping program, 1989. Awarded contract in highly competitive bidding process. Annual award \$150,000 budget, plus profit.

Organizer, expanded economic development program in 1989; raising new investment of \$250,000 annually.

Administrator, Cooperative Office Recruitment Program; contract for \$20,000; \$40,000 and \$100,000 for three consecutive years 1987-89.

Chairperson and Administrator, Public Relations Coordinating Council, PR oversight contract for partial fulfillment of \$80,000 in contracts with regional agencies, 1988-89.

Proposal co-author, Joint Industrial Ecology Research Project between UT, North-South Center and Brazilian government for \$35,000, 1995-97.

Team member (economic development head), New Century Alliance, raised \$3.5 million for 5-year economic development program (1997-98).

**SEMINARS/
TASK FORCES:**

Prior Development Initiatives:

Food Processing Industry Seminar Series (chairperson and administrator)

River Region Economic Development Coalition (manager)

Oil Industry Task Force (manager)

MetroVision Advisory Council

Mayor's Task Force on Business Development

Health Care Task Force

Seafood Export Conference Planning Board

Council for Fiscal Reform (speaker, lobbyist, and fundraiser)

Caribbean Basin Initiative (support to New Orleans office)

Electronics Industry Recruitment Initiative (manager)

Wireless Medical Conference (consultant)

Industrial Advisory Board for UT/ORNL electronics program (organizer, advisor)

Briefings for local, state and national legislators; expert testimony to legislative bodies; lobbying for business legislation. Briefings for corporations and representatives of foreign governments.

**SERVICE
PROJECTS:**

Examples of significant institutional service projects include:

New curriculum development and implementation for:

LMU MBA program (author and MBA program coordinator)

TC BSOM program (co-authored)

TC MAOM program, 2005 and 2008 (task force member)

SACS accreditation and compliance documents during institutional review:

LMU MBA program (author and MBA program coordinator)

TC MAOM program (author & Prof. Studies Graduate Chair)

TC faculty evaluation system revision & guidelines 2004-08 (co-author)

Proposals for new scheduling system for:

LMU MBA program (author and MBA program coordinator)

TC MAOM & BSOM programs (author, pending institutional decision)

Annual assessment & planning documents, graduate program 2006-07 (author and coordinator)

Extensive revision of TC faculty handbook 2008 (committee chair, editor)

REVIEWER:

The Review of Regional Studies

Managerial Economics, proposed graduate economics text, McGraw-Hill

"Economic Gardening", job creation policy proposal, Democracy for ETN

**HONORS/
MEMBERSHIPS:**

Salzburg Seminar Fellow, World Trade Negotiations

Phi Kappa Phi

American Economic Association, member

Healthy Start, Anderson County Health Council, prior advisory board member

Citizens Oak Ridge, member

Rotary Club of Oak Ridge, member

Quality Childcare Initiative; prior board member and committee chair

(Numerous regional professional and volunteer associations.)

Stella S. Schramm

NON-INSTITUTIONAL PROFESSIONAL PAPERS & PUBLICATIONS:

Note: Institutional papers may be provided upon request, with the approval of the relevant institution.

"The Role of Organization in Shaping the Technological Capabilities of Firms," in Technology, Innovation and Industrial Economics: Institutionalist Perspectives (Dilmus D. James and John W. Mogab, editors) Boston: Kluwer Academic Publishers, 1998.

Organizational Choices and Technological Ability: The Challenges Facing Enterprise Clusters, Report to the United Nations Industrial Development Organization, Vienna, March 1997.

"Organization, Learning and the Technological Capability of Firms," presented at the Southwestern Social Sciences Association Meetings in New Orleans, March 1997.

"Environmental Constraints on Industry in Developing Countries," (with William E. Schramm), presented at the International Society for Ecological Economics Meetings in San Jose, Costa Rica, October 1994.

"Beyond Firm Learning: The Emergence of a Concurrent Model of Technological Change." PhD dissertation (supervisor: William E. Cole), University of Tennessee-Knoxville, 1994.

"Iterative versus Concurrent Models of Technological Change," (with William E. Cole), presented at the Southwestern Social Sciences Association Meetings in Austin, March 1994.

"Beyond the Learning Curve: The Implications of Endogenous Technological Change," presented at the Southwestern Social Sciences Association Meetings in New Orleans, March 1993.

"A Proactive Approach to Environmental Management: Meeting Environmental and Competitive Challenges," (with William E. Schramm), in Process Engineering for Pollution Control and Waste Minimization, (D. L. Wise and D. J. Trantolo, editors); New York: Marcel Dekker, Inc., 1993.

"Capital Budgeting Surveys: A Recommended Format," (with T. Mukherjee), presented at the Southwestern Finance Association Meetings, March 1984.

"Capital Budgeting: A Survey of Surveys," (with T. Mukherjee), presented at the Southern Finance Association Meetings, November 1983.

Numerous economic impact reports and business guides, including:

Economic Development in New Orleans and the River Region: An Information Resource Guide, (with Melinda Meyer), Economic Development Council/New Orleans & the River Region, 1989.

"The Economic Impact of the Food Processing Industry in Louisiana," Economic Development Council/New Orleans & the River Region, 1987.

"The Hospitality Industry of New Orleans and the River Region," Economic Development Council/New Orleans & the River Region, 1982.

"The Economic Impact of the Oil and Gas Industry on the New Orleans CBD," (with Virginia Simons), Economic Development Council/New Orleans & the River Region, 1981.

"Business Development Briefs," Economic Development Council/New Orleans & the River Region, monthly, 1979-1981.

"Economic Indicators," (with Woody Penouilh), Economic Development Council/New Orleans & the River Region, monthly, 1979-1981.

The Small Business Resource Guide. Economic Development Council/New Orleans & the River Region, 1981.

**TRAFFIC SAFETY
ADVISORY BOARD
ORHS STUDENT**

CITY OF OAK RIDGE, TENNESSEE
BOARDS AND COMMISSIONS

TIME IN OFFICE AND ATTENDANCE RECORD

NAME: Sonja Solomon

BOARD OR COMMISSION: Traffic Safety Advisory Board

TIME IN OFFICE: Term of Office 1 Year

Date Appointed 5-05-08

Number of Terms Served 1

ATTENDANCE RECORD (MOST RECENT TERM OF OFFICE):

Number of Meetings Held 4

Number of Absences 2

Date Prepared 4/23/09

Attachment: Resume

RECEIVED

2009 APR 13 PM 2: 01

OFFICE OF THE CITY CLERK

37 Palisades Parkway
Oak Ridge, TN 37830
April 8, 2009

The Honorable Mayor Tom Beehan and
Members of Oak Ridge City Council
City of Oak Ridge
Oak Ridge, TN 37830

Dear Mr. Mayor and Members of City Council:

I am writing in order to be considered for reappointment on the Traffic Safety Advisory Board. I have enjoyed my first year on the Board as student representative and have come to know more about my City and how things work here.

I have attached my updated resume for your review and would consider it a privilege to continue to serve on this Board.

Sincerely,



Sonja Solomon
482-4085 (home)
207-7047 (cell)
pitchersolo@aol.com

Sonja E. Solomon
37 Palisades Parkway
Oak Ridge, TN 37830
865-482-4085 (home)
865-207-7047 (cell)
pitchersolo@aol.com

Objective: To become more involved in my community by serving on the Traffic Safety Advisory Board as a student representative.

Education:
2006 to Present Currently a junior at Oak Ridge High School enrolled in 4 Advanced Placement classes and 1 Honors class. GPA is 4.24. Member of Spanish Honor Society and have made application to the National Honor Society.

Work Experience:
2003 to Present Vacuum Technology, Inc., 1003 Alvin Weinberg Drive, Oak Ridge
Worked at VTI since age 12 during the summers, school breaks and some days after school. Current responsibilities include working in the calibrated leak laboratory as a technician. Previous responsibilities included cleaning restrooms and filing.

Other Activities:
2007 to Present One of the starting pitchers for the Oak Ridge High School softball team. Received Outstanding Freshman of the Year Award in 2007 and the Wildcat Spirit Award in 2008. Have played softball since age 7 and also play on a travel team in the summer.

June 2007 Student Ambassador – People to People Student Ambassador Programs. Visited 5 countries in Europe and promoted the United States while also learning about the different cultures, meeting people and visiting historical places in the various countries.

2001 to Present Current member of the Oak Ridge High School Orchestra. Have played the violin since 4th grade. Play the piano and have taken lessons since 2nd grade.

Member and volunteer of the White Elephant at St. Mary's Church in Oak Ridge. Former member of the International Relations Club, the Orchestra Club and the Technology Student Association.

**NOTICE
OF
ELECTIONS**

CITY CLERK MEMORANDUM

09-26

DATE: April 23, 2009

TO: Honorable Mayor and Members of City Council

FROM: Jacquelyn J. Bernard, City Clerk

SUBJECT: ELECTIONS – May 18, 2009

The following elections are scheduled for the May 18, 2009 City Council meeting:

Health and Educational Facilities Board

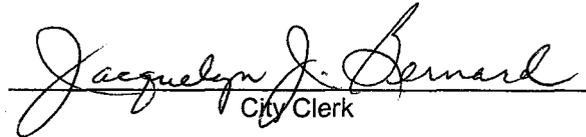
On June 6, 2009, two (2) additional seats will become vacant on the Health and Educational Facilities Board due to normal term expirations. This means that there will be a total of five (5) vacancies. The incumbents for the two additional vacancies are Dr. Bruce Ryan LeForce and Ms. Sue Ann Lewis. Dr. LeForce has indicated that he will serve again if the Council so desires but we have yet to hear from Ms. Lewis in this regard. There are no special qualifications for these seats and as of this date, there are no new candidates. One of these terms ends on June 6, 2011 one on June 6, 2013, and three on June 6, 2015.

Board of Zoning Appeals

On June 18, 2009, one (1) seat will become vacant on the Board of Zoning Appeals due to the normal expiration of term. The incumbent, Craig M. Aurin, has indicated that he does not choose to serve again and as of this date, there are no new candidates. The term of office is five years.

Deadline for Filing

The deadline for filing is 5:00 p.m. on Tuesday, May 5, 2009.


City Clerk

CITY COUNCIL MEMORANDUM
09-16

DATE: April 22, 2009

TO: Honorable Mayor and Members of City Council

FROM: James R. O'Connor, City Manager

SUBJECT: UPCOMING MEETINGS/MAJOR ISSUES

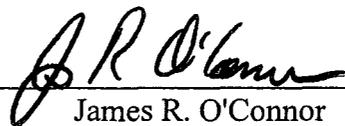
Tuesday, May 5, 2009, 6:00 p.m.-8:00 p.m. – City Council’s Night Out, A/B Room, Oak Ridge Civic Center

Monday, May 11, 2009, 6:30 p.m. – Agenda Review Session, Multipurpose Room, Central Services Complex

Monday, May 18, 2009, 7:00 p.m. – Regular Meeting

- Second Reading – FY 2010 Budget and Appropriation Ordinance; and Rezoning of Parcel 4.00, 106 Administration Road, from O-2 to B-2
- Street Resurfacing
- Street Striping – State Highways
- Street Acceptance – ETPP
- Senior Center Lease
- Vehicles
- Pump & VFDs for Robertsville Booster Station
- Check Valves for Robertsville Booster Station

Wednesday, May 27, 2009, and Thursday, May 28, 2009, New Hope Center – Tennessee Valley Corridor National Technology Summit


James R. O'Connor