

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

May 7, 2012—7:00 p.m.

AGENDA

I. INVOCATION

Reverend Joe Westfall, Minister with United Christian Brotherhood

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPEARANCE OF CITIZENS

V. PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation designating June 15 and 16, 2012 as *Secret City Festival Time*.

VI. SPECIAL REPORTS

- a. Award presentation of the *Tennessee Board of Regents Chancellor's Award for Excellence in Philanthropy* by Dr. Gary Goff, Roane State Community College President.
- b. Presentation from Mark S. Watson, City Manager regarding his recent travels to Oak Ridge's sister-city, Naka City, Japan.
- c. Presentation of the FY 2013 City of Oak Ridge Proposed Budget by Mark S. Watson, City Manager.

VII. CONSENT AGENDA

- a. Approval of the minutes of the April 9, 2012 City Council Meeting.
- b. Approval of the minutes of the April 16, 2012 City Council Special Meeting.
- c. Adoption of a resolution awarding a bid in the estimated amount of \$163,625.00 to ERMCO Distribution Transformers, c/o Utility Sales Agency, LLC, Dyersburg, Tennessee, for the furnishing of three-phase pad mounted transformers for use by the Electric Department.
- d. Adoption of a resolution awarding a contract (COR 11-16-E4) to Design & Construction Services, Inc. Knoxville, Tennessee, for lift station improvements at Castlewood and Westview in the estimated amount of \$419,300.00.
- e. Adoption of a resolution supporting the City of Harriman's, Roane County, Tennessee endeavors to bring a Veterans Administration Hospital to the City of Harriman.

VIII. RESOLUTIONS

- a. Adoption of a resolution awarding a contract to Rich Construction, Inc., Lenoir City, Tennessee, for construction of a pavilion at Melton Lake Park in the estimated amount of \$159,284.00.
- b. Adoption of a resolution approving a Memorandum of Understanding between the City

and the Tennessee Department of Transportation for installation and maintenance of a new traffic signal at the new four-way intersection of South Illinois Avenue (State Route 62) and Woodland Terrace East.

- c. Adoption of a resolution approving a settlement in the amount of \$171,000.00 with the United States Environmental Protection Agency (EPA) for alleged violations.
- d. Adoption of a resolution approving the FY2013 Annual Action Plan, proposed allocations of Community Development Block Grant Entitlement Funds for FY2013 estimated at \$226,341.00, and a subrecipient agreement with Aid to Distressed Families of Appalachian Counties (ADFAC) for the Minor Repair Program.

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of Ordinances

AN ORDINANCE TO AMEND ORDINANCE NO. 27-85, TITLED "A PERSONNEL PLAN FOR EMPLOYEES OF THE CITY OF OAK RIDGE, TENNESSEE," AS AMENDED, BY DELETING SUBSECTION 7.2.B, TITLED "NEPOTISM," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION 7.2.B, TITLED "NEPOTISM"; DELETING SUBSECTION 9.1.D, TITLED "LAYOFF," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION 9.1.D, TITLED "LAYOFF"; RENUMBERING EXISTING SUBSECTIONS 9.1.E, TITLED "REMOVAL," 9.1.F, TITLED "DISMISSAL," AND 9.1.G, TITLED "DEATH," TO BE SUBSECTIONS 9.1.G, 9.1.H AND 9.1.I RESPECTIVELY; CREATING A NEW SUBSECTION 9.1.E, TITLED "REORGANIZATION;" CREATING A NEW SUBSECTION 9.1.F, TITLED "SEVERANCE PACKAGE;" DELETING SUBSECTION 11.4, TITLED "LEAVE," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION 11.4, TITLED "LEAVE"; AND AMENDING SUBSECTION 13.3, TITLED "EMPLOYEE POLITICAL ACTIVITY," BY CREATING A NEW SUBSECTION (E), ALL FOR THE PURPOSE OF UPDATING THE PERSONNEL PLAN.

X. FINAL ADOPTION OF 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 PARCELS 1.06, 1.08, AND 1.24, ROANE COUNTY TAX MAP 30, ALSO KNOWN AS ED-10, LOCATED AT HERITAGE CENTER, FROM F.I.R., FEDERAL INDUSTRY AND RESEARCH TO IND-2, INDUSTRIAL MANHATTAN DISTRICT OVERLAY (IND-2/IMDO).

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

a. Elections/Appointments

Recreation and Parks Advisory Board

Election to fill one (1) vacancy for the balance of an unexpired term ending term ending on December 31, 2014.

Youth Advisory Board Election Notice

b. Announcements

c. Scheduling

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. SUMMARY OF CURRENT EVENTS

a. CITY MANAGER'S REPORT

Playful City USA Announcement

b. CITY ATTORNEY'S REPORT

XIV. ADJOURNMENT

**PROCLAMATIONS
AND
PUBLIC RECOGNITIONS**

PROCLAMATION

WHEREAS, the weekend of June 15 and 16 2012, has been set aside in Oak Ridge as a time for celebration of Oak Ridge's heritage through the 10th Annual Secret City Festival; and

WHEREAS, during this two-day event, the public will be invited to participate in a variety of activities intended to provide both entertainment and enhancement of the community's cultural life; and

WHEREAS, these activities will be presented by the City of Oak Ridge, the Arts Council of Oak Ridge, and the Oak Ridge Convention and Visitors Bureau with festival sponsors being B&W Y12 and the City of Oak Ridge, media sponsorship by The Oak Ridger, WBIR -TV, Lamar Outdoor Advertising, and BBB Communications, and will include arts and crafts shows, juried art show, dances, musical groups, athletic events, Oak Ridge Heritage Preservations Association's historical exhibits, community exhibitors, and special children's and youth activities; and

WHEREAS, to commemorate Oak Ridge's heritage, the events this year will encompass numerous activities, including two festival concerts, with headliners A1A the Official and Original Jimmy Buffet Tribute Show on Friday night and 38 Special with guests Mic Harrison and the High score on Saturday night; and

WHEREAS, the Tennessee Department of Tourist Development, the Tennessee Department of Transportation and the Top Secret Trail committee will launch the Top Secret Trail as the 16th trail in the Discover Tennessee Trails & Byways Program on June 15, 2012 as part of the Secret City Festival Opening Ceremony; and

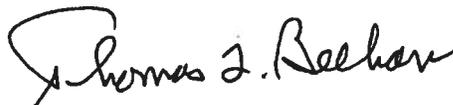
WHEREAS, Oak Ridge's heritage and contributions are causes for great celebration to be shared with the community.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that June 15 and 16, 2012 be proclaimed

SECRET CITY FESTIVAL TIME

in the City of Oak Ridge, Tennessee, and that all citizens celebrate the festival's theme of "From the 40's to the Future" showcasing the City's distinct heritage and growth to a dynamic, growing community rich in history and continuing technological advancements, and participate in a fun-filled two-day event.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed, this the 7th day of May in the year 2012.



MAYOR

SPECIAL REPORTS



Tennessee Board of Regents **RECEIVED**

1415 Murfreesboro Road - Suite 350 - Nashville, Tennessee 37217-2833
(615) 366-4400 FAX (615) 366-4464

2012 JAN 11 AM 9:12

CITY MANAGER'S OFFICE

January 4, 2012

Mr. Mark Watson, City Manager
The City of Oak Ridge
P.O. Box 1
Oak Ridge, Tennessee 37830

Mr. Myron Iwanski, Mayor
Anderson County Government
100 North Main Street, Room 200
Clinton, Tennessee 37716

**FOR YOUR INFORMATION
FROM THE DESK OF
MARK S. WATSON
CITY MANAGER**

Dear Gentlemen:

It is my sincere pleasure to inform you of our recent selection of the City of Oak Ridge and Anderson County government to receive the Tennessee Board of Regents Chancellor's Award for Excellence in Philanthropy. Your agencies were nominated for this award in November by Roane State Community College. Congratulations on this honor.

Recipients of the award are selected based on their generous donation of resources to a Tennessee Board of Regents institution and their outstanding volunteer efforts in raising funds for the institution. President Gary Goff and his staff will be contacting you to schedule the award presentation.

Once again, congratulations on this honor. I am looking forward to presenting the award to you.

Sincerely,

John G. Morgan
Chancellor

JGM/dg/cva

cc: President Gary Goff

Austin Peay State University • East Tennessee State University • Middle Tennessee State University • Tennessee State University
Tennessee Tech University • University of Memphis • Chattanooga State Technical Community College
Cleveland State Community College • Columbia State Community College • Dyersburg State Community College
Jackson State Community College • Motlow State Community College • Mississippi State Technical Community College
Roane State Community College • Southwest Tennessee Community College • Volunteer State Community College
Walters State Community College • Nashville State Technical Community College • Northeast State Technical Community College
The Tennessee Technology Centers

CONSENT AGENDA

**MINUTES OF THE
OAK RIDGE CITY COUNCIL**

April 9, 2012

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on April 9, 2012, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

INVOCATION

The Invocation was given by Reverend Brian Scott, Robertsville Baptist Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was given by Mr. Jack Campbell, Glenwood Elementary School.

ROLL CALL

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

Mayor Pro Tem D. Jane Miller was absent.

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

APPEARANCE OF CITIZENS

Mr. Jeff Collins, 124 Tabor Road, and member of Oak Ridge Fire Department, praised the Oak Ridge Fire Fighter's Association for donating over \$2,000 for the City's Fire Department Smoke Alarm Fund which was used to purchase approximately 120 smoke alarms for residents. Mr. Collins also expressed his appreciation to the Oak Ridge Fire Chief and the City Manager for their support, and to Mr. Roger Clary owner of Downtown Hardware for working with the Fire Department on the purchasing of smoke alarms.

Mr. Boyce Griffith, 107 Beechwood Court, spoke about the Oak Ridge Walking Trail and gave his opinion that there are currently three items missing from the trail: mileage markers, seating, and drinking fountains. Mr. Griffith also indicated there were drainage issues along the trail and noted the walking trails have contributed to improvements to his health. Mr. Griffith concluded by explaining that he collects trash from the trail and would like for the City to consider ways to resolve this issue.

Ms. Trina Baughn, 119 Newport Drive, remarked that the schools had yet to repay the high school's remodeling debt and questioned if a resolution was agreed upon with the City and the Schools regarding repayment. Ms. Baughn raised several questions about what means the City would take to ensure that the School pays the remodeling debt.

Mr. Joseph Lee, 99 East Pasadena Road, expressed his support for the schools and stated he is looking forward to having the repayment issued settled so that focus can shift to other issues.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation recognizing April 27, 2012 as the *Celebration of the Young Child*.

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

The proclamation was accepted by Ms. Carroll Welch, Executive Deputy Director of the Children's Museum of Oak Ridge, along with other representatives from the museum.

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

A proclamation designating April as *Child Abuse Prevention Month*.

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

Ms. Carol Snodgrass, Executive Director of Prevent Child Abuse Tennessee, accepted the proclamation, along with board members from the Anderson County/City of Oak Ridge Advisory Board.

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

A proclamation designating April as *Fair Housing Month*.

Councilmember Hensley moved, seconded by Councilmember Smith that the proclamation be adopted. The motion was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

The proclamation was accepted by Ms. Kahla Gentry, Senior Planner for the Community Development Department.

SPECIAL REPORTS

(NONE)

CONSENT AGENDA

Councilmember Hensley noted that a correction be taken on page 5, paragraph 4, of the March 7, 2012 City Council Meeting minutes to read that the *Comptroller of the State of Tennessee and* representatives of the Tennessee Department of Environmental and Conservation (TDEC).

Following the correction, Councilmember Hope moved, seconded by Councilmember Smith to approved the Consent Agenda which was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye," thereby:

- Approving the minutes of the March 7, 2012 City Council Meeting.
- Approving the minutes of the March 26, 2012 City Council Special Meeting called by the Mayor.
- Approving the minutes of the March 26, 2012 City Council Special Meeting called by the City Manager.

RESOLUTIONS

Resolution No. 4-22-2012

A resolution authorizing a Professional Services Agreement with BBB Communications, LLC., Oak Ridge, to provide thirty (30) oral histories from key individuals important to the history of Oak Ridge, in the estimated amount of \$45,000.00.

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

Following brief deliberation, the resolution was unanimously approved by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 4-23-2012

A resolution awarding a contract (COR 12-08) to Rogers Group, Inc., Oak Ridge, for an Oak Ridge Pedestrian Improvement Project in the estimated amount of \$217,060.70.

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

Steve Byrd, City Engineer, noted that the projects presented were selected from the Transportation Enhancement List and Oak Ridge Bicycle and Pedestrian Plan primarily because they are sidewalk improvement projects.

Following inquiries from Councilmember Mosby, the City Manager noted that the projects being considered would not deplete the Special Program Funds and from the standpoint of pedestrians, there is enough traffic for consideration of enhancements at the proposed locations.

Councilmember Smith asked about the reasons for not including a pedestrian traffic signal for crossings between the Oak Ridge High School and Oak Ridge Civic Center, as had been previously discussed with Council. In response, Steve Byrd explained that based on studies and data, it would be difficult to justify a traffic signal at that location. Councilmember Smith also indicated that she did not think that a standard stoplight would be appropriate, but that she wanted to see a signal that would activate a traffic stoplight and pedestrian walk light only when a pedestrian pushed a walk button.

Councilmember Smith expressed concerns over proposed changes at the Oak Ridge Turnpike at Illinois Avenue (Location #2), stressing that possible traffic errors and inconveniences could occur to drivers as a result of the changes. Following a detailed discussion between Councilmember Smith and Steve Byrd over Location #2, Councilmember Smith moved to approve the remaining locations proposed, but defer the Oak Ridge Turnpike at Illinois Avenue intersection changes until a second review and recommendation by the Traffic Safety Advisory Board (TSAB). Additionally, she noted the deferral would allow the community to become comfortable with the proposed change and benefit Council with a better understanding of the project. The motion was seconded by Councilmember Garcia Garland.

Following discussion on the amendment, the motion to amend the main motion failed by board vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, and Mayor Beehan voting "Nay," and Councilmember Smith voting "Aye."

Councilmember Hope requested that consideration be given to deal with the drainage issues at South Illinois Avenue and Badger Avenue.

Councilmember Garcia Garland requested that city staff reengage the Tennessee Department of Transportation (TDOT) to consider an on-demand signal service near the Oak Ridge High School and Oak Ridge Civic Center.

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

Resolution No. 4-24-2012

A resolution authorizing the purchase of a backhoe from Nortrax, Knoxville, Tennessee; two pickup trucks with utility beds from Golden Circle Auto Group, Jackson, Tennessee; and one truck with crane from Ford of Murfreesboro, Murfreesboro, Tennessee; all for use by the Public Works Department in the grand total estimated amount of \$217,648.82.

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

Following brief discussion, the resolution was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 4-25-2012

A resolution to re-designate the funds allocated by Resolution 4-35-06 to the Highland View Redevelopment Advisory Board to now be used by the City for property acquisition in furtherance of the City's redevelopment project and the *Not in Our City* conceptual plan.

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

Following brief discussion, the resolution was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

PUBLIC HEARING AND FIRST READING OF ORDINANCES

Public Hearing

A public hearing for the Program Year 2012/Fiscal Year 2013 Community Development Block Grant (CDBG) Annual Action Plan.

A public hearing was held with no public participation.

Public Hearing and First Reading of 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 PARCELS 1.06, 1.08, AND 1.24, ROANE COUNTY TAX MAP 30, ALSO KNOWN AS ED-10, LOCATED AT HERITAGE CENTER, FROM F.I.R., FEDERAL INDUSTRY AND RESEARCH TO IND-2, INDUSTRIAL MANHATTAN DISTRICT OVERLAY (IND-2/IMDO).

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

A public hearing was held with no public participation.

Following a brief review by Community Development Director Kathryn Baldwin, the ordinance was approved on first reading by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

First Reading of Ordinances

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

(The public hearing for the above ordinance was held during the March 7, 2012 City Council Meeting.)

Councilmember Hope moved, seconded by Councilmember Smith to approve the ordinance on first reading.

Councilmember Hensley suggested that Council not proceed on the ordinance until action was taken by the Schools on the debt service payment as a reflection of a good business practice. Mayor Beehan commented that delaying action was not a productive means and that the City and the Schools were

working toward a resolution. Councilmember Garcia Garland and Smith expressed similar comments to Councilmember Hensley's in favor of deferring action on the ordinance.

Councilmember Hope noted that the ordinance was an amendment for a budget that had already been approved, and that the amendment was merely an accounting process. Councilmember Mosby also commented that he was unaware of how inaction would help to expedite the debt service process.

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

FINAL ADOPTION OF ORDINANCES

Ordinance No. 03-2012

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," CHAPTER 6, TITLED "STOPPING, STANDING AND PARKING," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE," BY DELETING SECTION 15-601, TITLED "EQUAL RIGHTS TO PARKING SPACES," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SECTION 15-601, TITLED "EQUAL RIGHTS TO PARKING SPACES FOR MOTORIZED VEHICLES, EXCEPTIONS"; BY AMENDING SECTION 15-603, TITLED "PROHIBITED IN SPECIFIED PLACES," BY RE-DESIGNATING THE SECTION AS SUBSECTION (A), ADDING LANGUAGE TO SUBSECTION (A)(1) PERTAINING TO SIDEWALKS, CREATING TWO NEW SUBPARTS (A)(21) AND (A)(22) PERTAINING TO PARKING ON CURBS AND WITHIN MARKED PARKED SPACES, AND CREATING A NEW SUBSECTION (B); AND BY DELETING SECTION 15-604, TITLED "METHOD OF PARKING," SUBSECTION (1), IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION (1), WITH ALL AMENDMENTS FOR THE PURPOSE OF CLARIFYING ON-STREET PARKING REQUIREMENTS AND FOR COMPATIBILITY WITH RECENTLY ENACTED SECTION 15-617.

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

In response to Councilmember Garcia Garland's inquiry about publication of the enforcement of the ordinance, the City Manager discussed the use of media outlets and ensuring that information is readily available over the next month.

Councilmember Smith noted that the ordinance does not contain a specialized grace period for enforcement to which the City Manager explained that the ordinance helps to reinforce the previously adopted ordinances that pertain to parking.

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

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

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

The City Manager explained that a substitute ordinance was being introduced that contained a new rate structure, and that this rate structure was developed as a result of comments received from the public and City Council.

Mr. Watson explained that the City would reinstate the declining rate structure and reexamine the base rate and meter charges, while ensuring competitiveness and maintaining cash flow for 12-24 months. Additionally, he explained that the City would revisit the Department of Energy (DOE) contract base amounts with regard to the base rate of wastewater, and balance increases to ensure customer groups are treated equally.

The City Manager noted that the City was deferring capital projects and renovations on the water system with regards to the new adjustments on water rates, and that the proposed rates meet current cash flow needs for water and wastewater funds of the City.

Mr. Martin McBride, 954 West Outer Drive, expressed his concern that the proposed rates would still impact the City and its future, and that much of the associated costs are still a result of the Environmental Protection Agency's (EPA) Administrative Order. Mr. McBride urged the City to present a compelling case to the EPA so as to reach a consensus on the requirements of the City, noting that the EPA mandates will drive future rate increases and that the City needs to move quickly on these discussions.

Mr. Rick Chinn, 101 Stone Bridge Way, commented that the original water and wastewater rates presented at first reading put the City at a competitive disadvantage, and that he does not want to see the rates increased considerably. Mr. Chinn, however, recognized that the rates currently needed to be raised for cash flow and urged the City to engage the community and other resources to assist with discussions with the EPA to help lower the rates to a manageable status.

Finance Director Janice McGinnis clarified that the proposed wastewater ordinance is a flat rate structure, and that it contains a consumption cap during the summer period.

Following inquiries from Councilmember Mosby, Ms. McGinnis reiterated that the pace for capital water improvements has been slowed down and that the City will not be able to meet the EPA's Administrative Orders for wastewater with either the current or proposed rates. Additionally, she explained that it would be difficult for the City to borrow needed money without a rate increase, as the City would not have the mechanism to pay the debt.

Councilmember Smith expressed that she would like to ensure that the public has had adequate time to learn about the new, proposed rate structure before action is taken, and suggested consideration take place at a special meeting of City Council.

Councilmember Garcia Garland moved to defer action of the ordinances pertaining to both water and waste water rates until a special called meeting, tentatively scheduled for April 16, 2012. The motion was seconded by Councilmember Hensley.

Councilmember Garcia Garland's motion to defer action was approved unanimously by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

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

(Ordinance was postponed as a result of the action taken on the previous ordinance)

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS, AND SCHEDULING

Elections/Appointments

Council appointment to the Youth Advisory Board (YAB) Screening Panel

Councilmember Hensley moved, seconded by Councilmembers Smith to confirm the Mayor's appointment of Councilmember Hope to the Youth Advisory (YAB) Screening Panel which was approved unanimously with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

Announcements

(NONE)

Scheduling

(NONE)

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

SUMMARY OF CURRENT EVENTS

City Manager's Report

Request for two Councilmembers to assist on EPA visit (verbal report).

Mayor Beehan commented that he would like the councilmembers to participate in EPA discussions in which Councilmembers Hensley, Smith, Garcia Garland, and Hope all verbally expressed an interest in participating.

A determination was reached to have councilmember's names drawn for participation in the visit.

Council Retreat Update (verbal report).

The City Manager explained that he has contacted Lynn Fugate of Capital Mark to serve as a facilitator for the retreat. Mr. Watson noted that a date will be suggested to Council following discussions with Ms. Fugate.

City Attorney's Report

Councilmember Hensley briefed City Council on the City Attorney's Evaluation Committee meeting that took place on April 4, 2012. Councilmember Hensley discussed the timeline as follows:

- The City Attorney would provide his progress report by April 30, 2012, afterwards the City Clerk would submit the evaluation forms that were used last year to City Council on May 1, 2012.
- City Council would send completed evaluation forms to the City Clerk's Office no later than May 15, 2012.
- The City Attorney Evaluation Committee would meet on May 21, 2012 to discuss a recommendation, followed by completion of an evaluation report prior to May 23, 2012 for inclusion in the City Council agenda packet for the May 29, 2012 City Council meeting.

Kenneth Krushenski noted that delinquent property taxes would be submitted to the Anderson County Delinquent Tax Attorney.

ADJOURNMENT

The meeting adjourned at 10:05 p.m.

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

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

April 16, 2012

The special meeting of the City Council of the City of Oak Ridge, Tennessee called by City Manager Mark S. Watson convened at 7:00 p.m. on April 16, 2012, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

INVOCATION

The Invocation was given by Councilmember David N. Mosby.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was given by Mr. William Winstead.

ROLL CALL

Upon roll call, the following members of City Council were present: Mayor Thomas L. Beehan, Councilmember Anne Garcia Garland; Councilmember L. Charles Hensley; Councilmember Charles J. Hope, Jr.; Mayor Pro Tem D. Jane Miller; Councilmember David N. Mosby; and Councilmember Ellen D. Smith.

Also present were Dr. Amy S. Fitzgerald, Ph.D., Acting City Manager serving in the absence of City Manager Mark S. Watson; Janice E. McGinnis, Finance Director; Kenneth R. Krushenski, City Attorney; and Diana R. Stanley, City Clerk.

Councilmember Hensley moved to amend the agenda on the floor for City Council to consider the "Final Adoption of Ordinances" first then revert back to the sequence of agenda items. No objections were expressed.

(Amended Agenda Sequence)

FINAL ADOPTION OF ORDINANCES

Ordinance No. 04-2012

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

Councilmember Hensley moved, seconded by Councilmember Smith that the ordinance be approved. Acting City Manager Dr. Amy Fitzgerald explained that the consideration of the ordinance at the special meeting is due to a culmination of prior discussions and revisions of the rates by staff. Finance Director Janice McGinnis explained that the newly-proposed rates were based on an equitable structure, and that there was a two-part phase arrangement for the rates: April 1, 2012 and January 1, 2013.

City Attorney Ken Krushenski clarified that City Council would consider the substitute ordinance included originally in the agenda packet for the April 9, 2012 City Council meeting.

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

Ordinance No. 05-2012

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

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

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

(Reverting Back to Original Order of Agenda)

SPECIAL REPORTS

A special report by Linda M. Daugherty, MPA, University of Tennessee, College of Social Work, Center for Applied Research and Evaluation, on the "Needs Assessment for a New Senior Center in Oak Ridge."

Ms. Linda M. Daugherty briefed City Council on the background of the survey and methodology administered, indicating that there were three areas of focus: benchmarking for quality of provided services, current level of services used by the community, and level of support for a new senior center. She remarked that the survey's conclusion is that citizens are satisfied with the current level of services.

Review of upcoming budget calendar by Finance Director Janice E. McGinnis.

Finance Director Janice McGinnis explained that there was a new process to this year's budget timeline which would include the following:

- Staff will present a budget overview to City Council on May 7, 2012.
- City Council is invited to the Board of Education meeting on May 14, 2012 at 5:30 p.m. where the School's budget will be presented.
- The Board of Education will attend the City Council meeting May 14, 2012, following their aforementioned meeting.
- Lastly, the Board of Education will adopt their final budget on May 24, 2012 and the City's will be adopted on May 29, 2012.

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

(NONE)

Announcements

City Manager is proposing to move the April 23, 2012 Work Session to April 24 at 7:00 p.m. at the Central Services Complex to allow his attendance. Purpose will be to update Council on preliminary budget matters, Woodland School Project, and joint resolution with Oak Ridge Schools.

No opposition expressed by councilmembers. The Work Session was scheduled to April 24, 2012.

Scheduling

Review of Council's availability for May or early June Council Evening Retreat with facilitator. (Proposing Wednesday or Thursday evening, 4 to 8:30 p.m. Location TBD)

A determination was made that the City Clerk would follow up with councilmembers to determine possible dates.

ADJOURNMENT

The special meeting of City Council adjourned at 7:45 p.m.

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

ELECTRIC DEPARTMENT MEMORANDUM
12-06

DATE: April 26, 2012
To: Mark S. Watson, City Manager
From: Jack L. Suggs, Electric Director
SUBJECT: AWARD OF BIDS FOR THREE PHASE PAD MOUNTED TRANSFORMERS

Attached is a resolution making an award to ERMCO Distribution Transformers c/o Utility Sales Agency, LLC, Lenoir City, Tennessee, in the estimated amount of \$163,625.00 for the purchase of seventeen three-phase pad mounted transformers in the sizes and voltages specified on the "Abstract of Bids."

The electric system uses distribution transformers to provide power at voltages needed by its customers. We purchase three different types of transformers, single-phase pole mounts, single-phase pad mounts and three-phase pad mounted units. We strive to maintain a reasonable stock of the various sizes and voltage configurations available in these units both for new customers and for emergency replacements.

Three-phase pad mounted transformers are used primarily to serve larger commercial and industrial loads. Typical loads for these sizes and type of transformers include the new hotel on Tulsa Avenue and the buildings proposed for the Woodland Town Center. The units being ordered will be placed in stock for these and other new loads, and used for system maintenance and emergency replacement purposes. Demand for the units depends a great deal on the development taking place and the severity of the weather. Based on our experience, we believe the number of units purchased will meet our needs for the next 12 to 18 months. The last similar order was placed in July of 2010.

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

In this particular case, the lowest Total Life Cycle Cost also produced the lowest initial cost.

It is important to note that failure to approve the purchases could result in the Electric Department either making purchases at higher cost under emergency conditions or not meeting customer electric needs. Funding for the purchase will come from the Electric Fund. Staff recommends approval of the attached resolution.



Jack L. Suggs
Electrical Director

cc: Lyn Majeski, Accounting Division Manager
Margaret Elgin, Electrical Engineering Division Manager

City Manager's Comments:

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



Mark S. Watson 5/1/12
Date

CITY OF OAK RIDGE, TENNESSEE
Abstract of Bids

OPENING DATE: APRIL 3, 2012 1:30 P.M.

FOR: THREE PHASE PAD MOUNTED TRANSFORMERS		BIDDER: ERMCO Distribution Transformers c/o Utility Sales Agency, LLC 2225 Industrial Blvd Dyersburg, TN 38024		BIDDER: WESCO Distribution, Inc. 1709 North Orchard Knob Ave Chattanooga, TN 37406		BIDDER:	
--	--	--	--	---	--	---------	--

DESCRIPTION	ITEM #	QUANTITY	ERMCO		WESCO		TOTAL	UNIT COST / LIFE CYCLE UNIT COST	UNIT COST / LIFE CYCLE UNIT COST	TOTAL	UNIT COST / LIFE CYCLE UNIT COST	TOTAL
			UNIT COST	UNIT COST	UNIT COST	UNIT COST						
3-PAD-75-120/240 75 KVA <i>Evaluated Life Cost (Memo Only)</i>	1	1	\$ 6,231.00	\$ 6,231.00	\$ 6,769.00	\$ 6,769.00	\$ 6,769.00			\$ 6,769.00		
3-PAD-75-208/120 75 KVA <i>Evaluated Life Cost (Memo Only)</i>	2	3	\$ 8,905.80	\$ 26,717.40	\$ 9,132.05	\$ 27,396.15	\$ 9,132.05			\$ 27,396.15		
3-PAD-150-208/120 150 KVA <i>Evaluated Life Cost (Memo Only)</i>	3	5	\$ 6,204.00	\$ 31,020.00	\$ 6,666.00	\$ 33,330.00	\$ 6,666.00			\$ 33,330.00		
3-PAD-225-480 DELTA 225 KVA <i>Evaluated Life Cost (Memo Only)</i>	4	2	\$ 8,869.40	\$ 17,738.80	\$ 9,174.85	\$ 18,349.70	\$ 9,174.85			\$ 18,349.70		
3-PAD-300-208/120 300 KVA <i>Evaluated Life Cost (Memo Only)</i>	5	4	\$ 7,432.00	\$ 29,728.00	\$ 8,000.00	\$ 32,000.00	\$ 8,000.00			\$ 32,000.00		
3-PAD-750-480/277 750 KVA <i>Evaluated Life Cost (Memo Only)</i>	6	1	\$ 11,979.25	\$ 11,979.25	\$ 12,448.45	\$ 12,448.45	\$ 12,448.45			\$ 12,448.45		
3-PAD-1500-480/277 1500 KVA <i>Evaluated Life Cost (Memo Only)</i>	7	1	\$ 8,762.00	\$ 8,762.00	\$ 9,128.00	\$ 9,128.00	\$ 9,128.00			\$ 9,128.00		
			\$ 14,814.40	\$ 29,628.80	\$ 14,835.10	\$ 29,670.20	\$ 14,835.10			\$ 29,670.20		
			\$ 10,048.00	\$ 40,192.00	\$ 11,795.00	\$ 47,180.00	\$ 11,795.00			\$ 47,180.00		
			\$ 17,892.90	\$ 71,571.60	\$ 18,972.10	\$ 75,888.40	\$ 18,972.10			\$ 75,888.40		
			\$ 16,890.00	\$ 16,890.00	\$ 19,488.00	\$ 19,488.00	\$ 19,488.00			\$ 19,488.00		
			\$ 32,438.05	\$ 32,438.05	\$ 34,691.55	\$ 34,691.55	\$ 34,691.55			\$ 34,691.55		
			\$ 27,016.00	\$ 27,016.00	\$ 27,078.00	\$ 27,078.00	\$ 27,078.00			\$ 27,078.00		
			\$ 54,999.40	\$ 54,999.40	\$ 56,176.05	\$ 56,176.05	\$ 56,176.05			\$ 56,176.05		
EVALUATED LIFE COST/TOTAL PRICE			\$ 284,108.10	\$ 163,625.00	\$ 295,325.05	\$ 178,768.00						
TERMS			NET 30 DAYS	NET 30 DAYS	NET 30 DAYS	NET 30 DAYS						
DELIVERY			8-10 WEEKS	8-10 WEEKS	8-10 WEEKS	8-10 WEEKS						
F.O.B.			OAK RIDGE, TN	OAK RIDGE, TN	OAK RIDGE, TN	OAK RIDGE, TN						
VIA			BEST WAY	BEST WAY	BEST WAY	BEST WAY						

OTHER BIDDERS CONTACTED:
 Utilicor - Nashville, TN
 HD Supplies Utilities - Knoxville, TN
 Power Supply - Chattanooga, TN
 GE Energy - Industrial Solutions - Nashville, TN
 Yoder Sales Agency, Inc. - Chattanooga, TN
 Stuart C. Irby - Johnson City, TN

Stansberry & Associates - New Market, TN
 CG Power Systems USA Inc. - Washington, MO

BIDS OPENED AND RECORDED BY: *Lyn Majeski*
 Lyn Majeski
 Accounting Division Manager

BIDS REVIEWED BY: *Jamie McGinnis*
 Jamie McGinnis
 Finance Director

REASON FOR AWARD:
 ONLY BID RECEIVED
 LOW PRICE
 BETTER OR REQUIRED DESIGN
 EARLY DELIVERY
 LOWEST TOTAL COST
 LOWEST EVALUATED LIFE COST

RECOMMEND AWARD, BASED ON LOWEST LIFE CYCLE COST, BE MADE TO:
 ERMCO Distribution Transformers
 c/o Utility Sales Agency, LLC
 2225 Industrial Blvd
 Dyersburg, TN 38024

RESOLUTION

A RESOLUTION AWARDING A BID IN THE ESTIMATED AMOUNT OF \$163,625.00 TO ERMCO DISTRIBUTION TRANSFORMERS, C/O UTILITY SALES AGENCY, LLC, DYERSBURG, TENNESSEE, FOR THE FURNISHING OF THREE-PHASE PAD MOUNTED TRANSFORMERS FOR USE BY THE ELECTRIC DEPARTMENT.

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

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

WHEREAS, bids were received and publicly opened on April 3, 2012, with ERMCO Distribution Transformers, c/o Utility Sales Agency, LLC, Dyersburg, Tennessee, submitting the lowest and best bid; which bid the City Manager recommends be accepted.

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

That the recommendation of the City Manager is approved and award is hereby made to ERMCO Distribution Transformers, c/o Utility Sales Agency, LLC, 2225 Industrial Blvd, Dyersburg, Tennessee 38024, for the furnishing of three-phase pad mounted transformers; said award in strict accordance with the bid as received and publicly opened on April 3, 2012, and the required specifications, and in the estimated amount of \$163,625.00.

This the 7th day of May 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

PUBLIC WORKS MEMORANDUM
12-14

DATE: April 27, 2012
TO: Mark S. Watson, City Manager
FROM: Gary M. Cinder, P.E., Director of Public Works
SUBJECT: **CONTRACT COR 11-16-E4 – SANITARY SEWER PUMPING STATION IMPROVEMENTS TO CASTLEWOOD AND WESTVIEW**

The accompanying resolution awards a contract to Design & Construction Services, Inc. Knoxville, TN in the estimated amount of \$419,300 to supply all labor, materials, tools, and, equipment to perform all work and services required for sanitary sewer pumping station improvements at two stations.

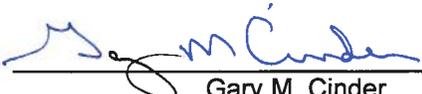
The City owns and operates three major and 32 smaller sanitary sewer pumping stations that are used to transport wastewater to the City's main wastewater treatment plant (WWTP) located on Monterey Road. Most of these stations were constructed when the neighborhood they serve was developed with several of them having reached the end of their useful life and now require excessive maintenance. There are an additional 13 sanitary sewer pumping stations located in or west of Horizon Center that transport wastewater to the Rarity Ridge WWTP including five at ETTP three of which are deficient.

In the past fourteen years, the City has replaced eleven stations that had become unserviceable or where the flow entering the station had exceeded the station's capacity and constructed one new station to replace the package treatment plant which was previously located on Bear Creek Road. Most of the stations that have been replaced were either suction lift type or can-style pumping stations. Construction of these types of stations is no longer permissible; however, there are nine suction lift type stations still in service and seven of these including both Castlewood and Westview are known to be deficient. There was originally a third suction lift type station known as the Gregory's pump station that was to be replaced in this contract; however, it was removed when staff was unable to obtain easements for its replacement. Efforts are presently underway to design a replacement in the same location retrofitting it with submersible type pumps.

Both of the subject pump stations have a brand of pump which the City has recognized to be un-reliable and difficult to maintain. The pumps in both stations are above ground contained in a "dog house" type enclosure sitting on rails that have corroded to the point they no longer function properly. The suction piping at both stations has also corroded. The Castlewood pump station only pumps at 80 percent of its rated capacity. The Westview pump station is oversized and is using 40 horsepower motors. The existing pumps are much less efficient than the replacement submersible pumps which will be 15 horsepower creating a significant energy savings. Both pump stations presently use float type controls which are not compatible with the new control systems required as part of the Environmental Protection Agency (EPA) order.

This project will replace both stations with a more conventional submersible type station with concrete wet-well, corrosion resistant materials and control systems acceptable to EPA.

Funding for this project is available from the recent bond issue. Staff recommends approval of the accompanying resolution.

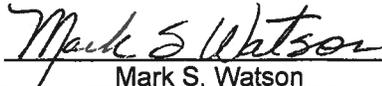


Gary M. Cinder

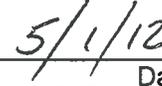
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City Manager's Comments:

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



Mark S. Watson



Date

CITY OF OAK RIDGE, TENNESSEE

COR # 11-16-E4

OPENING DATE: April 19, 2012 2:00 P.M.

DESCRIPTION	ITEM	UNIT	BIDDER:		BIDDER:		BIDDER:	
			UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
Pump Station Improvements Castlewood and Westview FURNISH ALL LABOR, MATERIALS, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES REQUIRED FOR PUMP STATION IMPROVEMENTS AT CASTLEWOOD AND WESTVIEW STATIONS PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE PUBLIC WORKS DEPARTMENT	1	1	\$ 419,300.00	\$ 419,300.00	\$ 422,500.00	\$ 422,500.00		
	TOTAL PRICE \$ 419,300.00 TERMS Net 30 DELIVERY per Contract F.O.B. Oak Ridge VIA Best Way							
OTHER BIDDERS CONTACTED: Southern Constructors, Inc. - Knoxville, TN Cleary Construction - Tompkinsville, KY National Resource Management - Knoxville, TN Norris Brothers Excavating, LLC - Crossville, TN (non-responsive bidder) Walter Martin Excavating - Russell Springs, KY								
REASON FOR AWARD ONLY BID RECEIVED BETTER OR REQUIRED DESIGN EARLY DELIVERY LOWEST TOTAL COST (received from responsive bidders)			RECOMMEND AWARD BE MADE TO: Design & Construction Services, Inc. 515 Harry Street Knoxville, TN 37919			BIDS OPENED AND RECORDED BY:— Lyn Majeski Accounting Division Manager BIDS REVIEWED BY:— Janice McGinnis Finance Director		

RESOLUTION

A RESOLUTION AWARDING A CONTRACT (COR 11-16-E4) TO DESIGN & CONSTRUCTION SERVICES, INC. KNOXVILLE, TENNESSEE, FOR LIFT STATION IMPROVEMENTS AT CASTLEWOOD AND WESTVIEW IN THE ESTIMATED AMOUNT OF \$419,300.00.

WHEREAS, the City of Oak Ridge has issued invitations to bid for the furnishing of all labor, tools, materials, equipment and supplies necessary for lift station improvements at Castlewood and Westview; and

WHEREAS, bids were received and publicly opened on April 19, 2012, with Design & Construction Services, Inc., submitting the lowest and best bid, which bid the City Manager recommends be accepted.

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

That the recommendation of the City Manager is approved and award is hereby to Design & Construction Services, Inc. 515 Harry Street, Knoxville, TN 37919, for the furnishing of all labor, tools, materials, equipment and supplies necessary to perform all work and services for lift station improvements at Castlewood and Westview; said award in strict accordance with COR 11-16-E4, the required specifications, and the bid as publicly opened on April 19, 2012, and in the estimated amount of \$419,300.00.

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

This the 7th day of May 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

CITY CLERK MEMORANDUM

12-17

DATE: May 1, 2012
TO: Mark S. Watson, City Manager
FROM: Diana R. Stanley, City Clerk
SUBJECT: RESOLUTION SUPPORTING THE CITY OF HARRIMAN IN LOCATING A VA HOSPITAL TO HARRIMAN

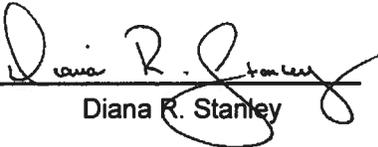
An item for City Council's consideration is a resolution supporting the City of Harriman's endeavors to bring in a Veterans Administration (VA) Hospital to the City of Harriman.

A request was submitted to the City Clerk's Office seeking supporting in Harriman in their efforts to locate a VA hospital to their city, thus decreasing the distance that area veterans would need to travel to receive care.

City staff welcomes the opportunity to assist area cities and a show of support from the City of Oak Ridge would present a united front to the community and especially to veterans.

Adoption of the attached resolution is recommended.

Attachments


Diana R. Stanley

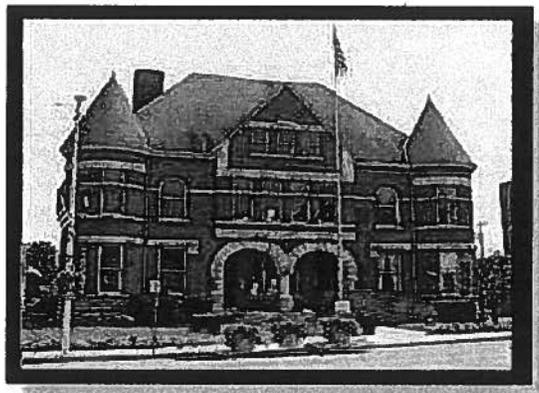
City Manager's Comments:

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


Mark S. Watson


Date

Chris Mason~Mayor
P.O. Box 433
Harriman, TN 37748
865-882-9414



Department of Accounts
and Records
609 North Roane Street
Harriman, TN 37748
Phone: 865-882-9414
Fax: 865-882-7031

The City of Harriman

5/1/12

Dear City of Oak Ridge,

The City of Harriman is gaining strength in our efforts to bring a VA hospital to our area. This effort will not only benefit our city and citizens but also surrounding cities and counties, by serving well deserving veterans in your area.

We are now asking you to help with our endeavor. Attached is a copy of the resolution for your consideration in adopting. If it is supported and passed, please send us a copy of the signed resolution to djackson@cityofharriman.net or askidmore@cityofharriman.net.

With Warmest Regards,

Handwritten signature of Chris E. Mason

Chris Mason, Mayor
City of Harriman

RESOLUTION

A RESOLUTION SUPPORTING THE CITY OF HARRIMAN'S, ROANE COUNTY, TENNESSEE. ENDEAVORS TO BRING A VETERANS ADMINISTRATION HOSPITAL TO THE CITY OF HARRIMAN.

WHEREAS, the City of Harriman has voted in a business meeting to lease the building which currently houses the Roane Medical Center to the Veterans Administration for a sum of \$1 per year; and

WHEREAS, development of a veteran's hospital in Harriman would be centrally located in Roane County between the two existing Veteran's hospitals positioning itself about 145 miles between Murfreesboro and Johnson City; and

WHEREAS, veterans are presently required to travel roughly 275 miles round-trip to access hospital care; and

WHEREAS, patients would be better served, area veteran's resources would be greatly enhanced, employment would rise, new businesses would develop, and additional streams of revenue would flow into Roane County as well as any county that will have veterans traveling through to the proposed destination; and

WHEREAS, the City of Oak Ridge supports the City of Harriman's endeavors to bring said facility to our area that supports the men and women who have proudly served our county.

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

That the City of Oak Ridge fully supports the City of Harriman in locating a VA Hospital to Harriman and applaud their efforts in bringing a valuable facility to our community.

This the 7th day of May 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

RESOLUTIONS

RECREATION AND PARKS MEMORANDUM
12-05

DATE: April 24, 2012
TO: Mark S. Watson, City Manager
FROM: Josh Collins, Recreation and Parks Director
SUBJECT: MELTON LAKE PARK PAVILION AWARD



The accompanying resolution awards a contract to Rich Construction Company to provide materials and labor to construct a picnic pavilion at Melton Lake Park in the total estimated amount of \$159,284.00.

The proposed project envisions the construction of a Polygon Grand Haven 55 Picnic Pavilion in the area currently occupied by an aging 20'x 40' shingled roof pavilion adjacent to the existing playground. The new pavilion has 2,300 square feet of floor space and includes a metal-roofed structure, ceiling lighting, and electrical outlets. The price includes amenities such as stone wraps at the base of the support poles, a low stone wall with electrical outlets, and an enlarged apron around the outside of the structure. Although these amenities add additional cost beyond the basic structure, the Recreation and Parks Advisory Board (Parks Board) agrees that they will enhance the appearance and add functionality to the pavilion.

At its December 12, 2011 meeting, City Council approved a recommendation from the Parks Board regarding the preferred design and location for the Waterfront Pavilion at Melton Lake Park. The Board focused on the construction of a "signature facility" that would set the theme for future development along the water front. Upon approval of the Resolution, Council directed City staff to move forward with securing competitive pricing for the project.

A Request for Proposals (RFP) was prepared and distributed by the staff in early March. Seven potential bidders attended a March 20 pre-bid site visit at the park to discuss the project and review key elements of the RFP. Although the drawings/specifications were for the polygon pavilion, bidders were given the option to propose alternative designs that met the size and general appearance of the polygon model. On April 17, staff received three proposals from two companies for the pavilion project. Rich Construction Company submitted the lowest and best proposal.

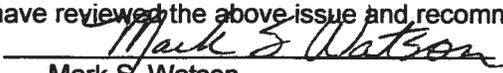
Upon Council approval and issuance of a Notice to Proceed, staff will hold a pre-construction meeting with representatives from Rich Construction to formalize a timeline for completion of the project. Staff will coordinate the construction efforts with the Oak Ridge Rowing Association to minimize the adverse impact on scheduled events at the park. The Electric Department has also prepared a service delivery plan that would establish a utility corridor between the proposed pavilion and Melton Lake Drive that will service future expansion needs for the park.

Staff recommends approval of the accompanying resolution as submitted. Funding for the proposed pavilion will come from the \$140,000.00 donation from UT- Battelle and from savings as a result of staff turnover in the Recreation and Parks Department.

Attachments

City Manager's Comments:

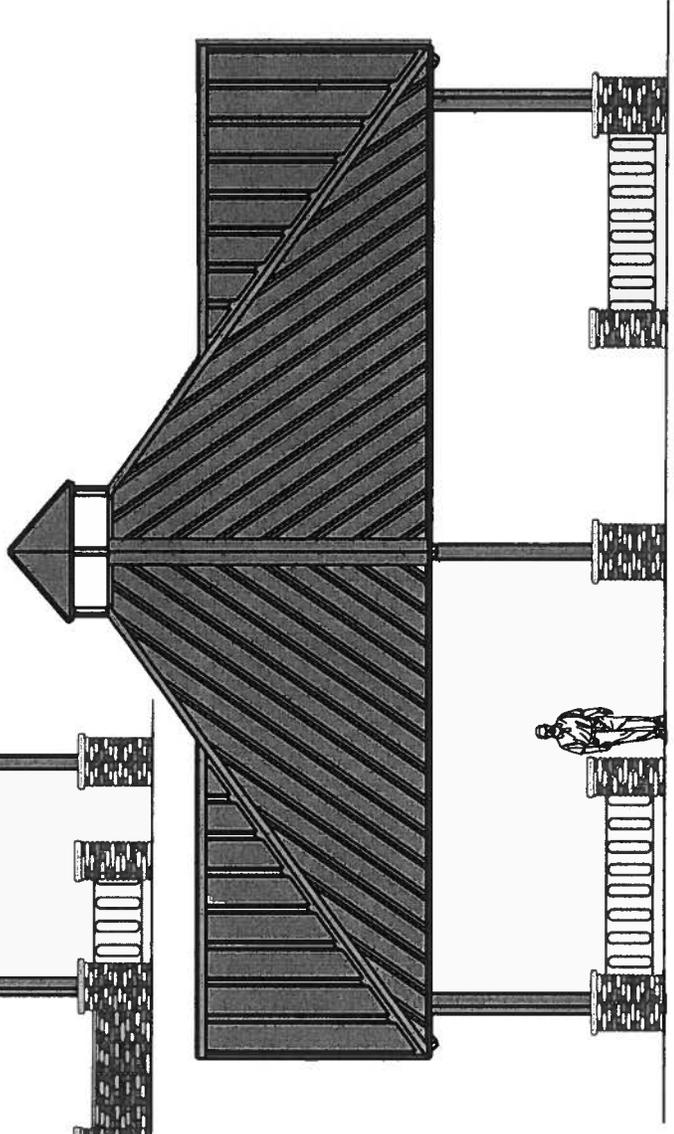
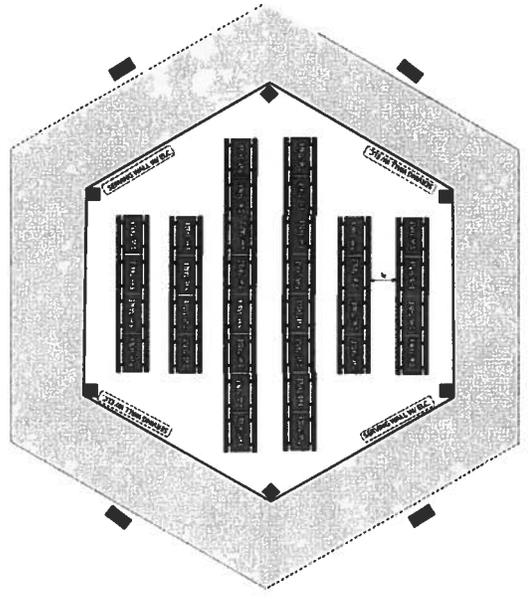
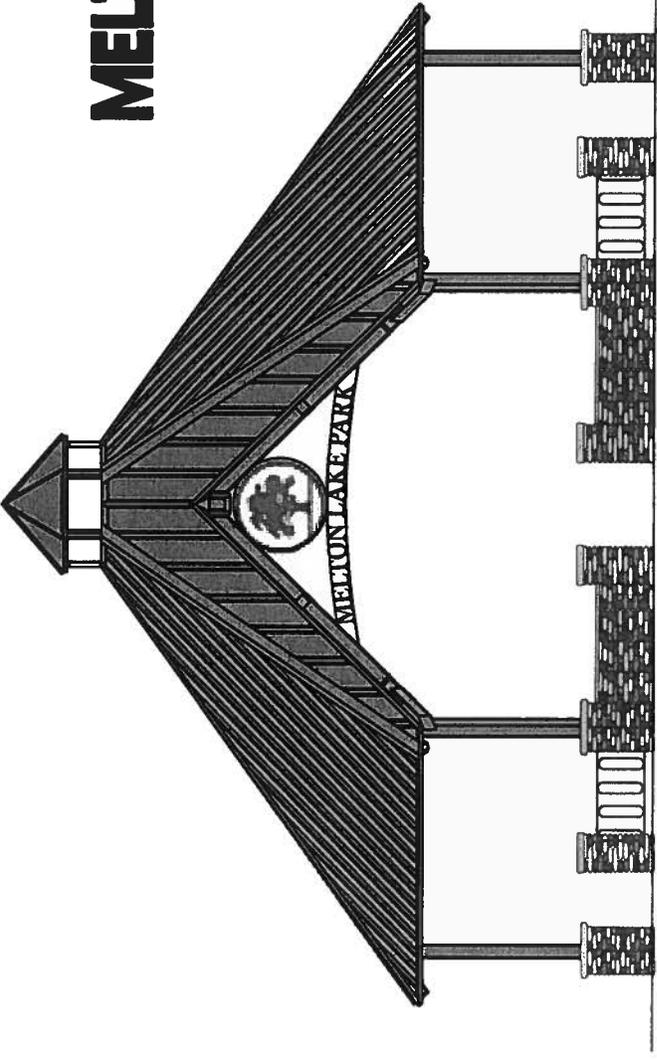
I have reviewed the above issue and recommend Council action as outlined in this document.


Mark S. Watson

5/1/12
Date

MELTON LAKE PARK PAVILION

CONCEPT 12/2011



CITY OF OAK RIDGE, TENNESSEE
Abstract of Bids

COR 12-07
OPENING DATE: April 17, 2012 2:00 P.M.

DESCRIPTION	Option	BIDDER:		BIDDER:		BIDDER:	
		UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
Melton Lake Park Waterfront Pavilion		BIDDER: Rich Construction, Inc. 5844 Town Creek Road E Lenoir City, TN 37772		BIDDER: Design & Construction Services, Inc. 515 Harry Street Knoxville, TN 37919		BIDDER: Design & Construction Services, Inc. 515 Harry Street Knoxville, TN 37919	
FURNISH ALL LABOR, MATERIALS, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES REQUIRED FOR THE MELTON LAKE PARK WATERFRONT PAVILION PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE RECREATION AND PARKS DEPARTMENT	Option						
	Polygon	\$ 135,499.00	\$ 180,000.00	\$ 180,000.00	\$ 145,050.00	\$ 145,050.00	
	Hexagon						
	A	\$ 5,520.00	\$ 5,856.00	\$ 5,856.00	\$ 5,836.00	\$ 5,836.00	
	B	\$ 12,965.00	\$ 8,651.00	\$ 8,651.00	\$ 8,651.00	\$ 8,651.00	
	C	\$ 500.00	\$ 772.00	\$ 772.00	\$ 772.00	\$ 772.00	
	D	\$ 4,800.00	\$ 17,000.00	\$ 17,000.00	\$ 17,000.00	\$ 17,000.00	
Option A: Stacked Stone Column Wraps Option B: Stacked Stone Veneer Wall Option C: Ormentation Option D: Concrete Apron							
TOTAL PRICE		\$ 159,284.00	\$ 212,279.00	\$ 212,279.00	\$ 177,309.00	\$ 177,309.00	\$
TERMS		NET 30	NET 30	NET 30	NET 30	NET 30	
DELIVERY		PER CONTRACT	PER CONTRACT	PER CONTRACT	PER CONTRACT	PER CONTRACT	
F.O.B.		JOBSITE	JOBSITE	JOBSITE	JOBSITE	JOBSITE	
VIA		VENDOR	VENDOR	VENDOR	VENDOR	VENDOR	
OTHER BIDDERS CONTACTED:							
HS Whitson Construction - Knoxville, TN							
Howlett Equipment - Powell, TN							
Citadel Construction - Sevierville, TN							
Ronald Franks Construction - Savannah, TN							
Recreation Brands - Chattanooga, TN							
REASON FOR AWARD		RECOMMEND AWARD BE MADE TO:					
ONLY BID RECEIVED	<input type="checkbox"/>	Rich Construction, Inc.					
LOW PRICE	<input type="checkbox"/>	5844 Town Creek Road E					
BETTER OR REQUIRED DESIGN	<input type="checkbox"/>	Lenoir City, TN 37772					
EARLY DELIVERY	<input type="checkbox"/>						
LOWEST TOTAL COST	<input checked="" type="checkbox"/>						
BIDS OPENED AND RECORDED BY:--		Lyn Majeski Accounting Division Manager					
BIDS REVIEWED BY:--		Janice McGinnis Finance Director					

RESOLUTION

A RESOLUTION AWARDING A CONTRACT TO RICH CONSTRUCTION, INC., LENOIR CITY, TENNESSEE, FOR CONSTRUCTION OF A PAVILION AT MELTON LAKE PARK IN THE ESTIMATED AMOUNT OF \$159,284.00.

WHEREAS, by Resolution 2-12-11, City Council created the Oak Ridge Recreation and Parks Advisory Board to provide recommendations and direction to City Council on the development of a high quality, interconnected parks system ; and

WHEREAS, the Board's primary focus has been on developing a theme for the waterfront at Melton Lake Park and selecting a design for the new pavilion to be funded through a \$140,000.00 donation from UT-Battelle; and

WHEREAS, at its December 8, 2011 meeting, the Board voted to recommend to City Council an approximate 2,400 square foot six to eight sided pavilion with metal roof, ceiling lighting, and electrical outlets, to be located at Melton Lake Park in the current location of an aging twenty foot by forty foot shingled roof structure; and

WHEREAS, by Resolution 12-121-11, City Council approved the recommendation of the City Manager and the Board to move forward with the bid process for construction of the pavilion; and

WHEREAS, proposals were received and publicly opened on April 17, 2012, with Rich Construction, Inc., Lenoir City, Tennessee, submitting the best proposal which proposal the City Manager recommends be accepted.

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

That the recommendation of the City Manager is approved and award is hereby made to Rich Construction, Inc., 5844 Town Creek Road E, Lenoir City, Tennessee 37772, for construction of a pavilion at Melton Lake Park; said award in strict accordance with COR 12-07, the Request for Proposals, the required specifications, and the proposal as received and publicly opened on April 17, 2012, and in the estimated amount of \$159,284.00.

BE IT FURTHER RESOLVED that the City hereby encumbers \$25,000.00 from the FY2012 General Fund for the additional cost of the pavilion in excess of the donation from UT-Battelle.

This the 7th day of May 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

PUBLIC WORKS MEMORANDUM
12-13

DATE: April 26, 2012
TO: Mark S. Watson, City Manager
FROM: Steven R. Byrd, P.E., City Engineer
THROUGH: Gary M. Cinder, P.E., Director of Public Works *GMK*
SUBJECT: **South Illinois Avenue (State Route 62)/Woodland Terrace East - Traffic Signal Contract**

The accompanying resolution authorizes the approval of a contract/Memorandum of Understanding (MOU) between the Tennessee Department of Transportation (TDOT) and the City of Oak Ridge for the installation of a traffic signal at a new South Illinois Avenue/Woodland Terrace East four-way intersection. The contract is necessary to memorialize the City's responsibility to operate and maintain a new traffic signal on a state route.

Woodland Terrace East will be a new city street constructed as part of the Woodland Town Center development. City Council Resolution 7-66-08 approved a single permanent access to South Illinois Avenue for the Woodland Town Center development subject to TDOT's approval of the traffic signal and upon the property owner's development of the site. Installation of a traffic signal at this location was recommended in a previously approved 2007 South Illinois Avenue Corridor Study based on a Traffic Impact Study prepared for the development. The traffic signal will be located opposite the closed Dean Stallings car dealership and approximately half-way between the Rutgers Avenue and Lafayette Drive/Scarboro Road signalized intersections.

The developers of Woodland Town Center will purchase and install the signal at the time the new city street is constructed on the site. Funding for the new street and traffic signal is a part of the Tax Increment Financing agreement for the development. City staff will inspect construction of the signal and accept maintenance responsibility upon acceptable completion of the new street and signal.

The traffic signal design and specifications are included in the approved Woodland Town Center Planned United Development Site Plan. The signal will be a metal pole/mast-arm installation similar to other signalized intersections on South Illinois Avenue. The signal will be coordinated with other signals within the South Illinois Avenue progression system.

Due to the location of a restaurant on the development site, the existing Quincy Avenue must be permanently closed. In approximately five months, the new road and signal will be completed and will serve the development and the Woodland community.

Staff recommends approval of the resolution for a Memorandum of Understanding between TDOT and the City of Oak Ridge for the new traffic signal.

Enclosure



Steven R. Byrd

ks

City Manager's Comments:

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



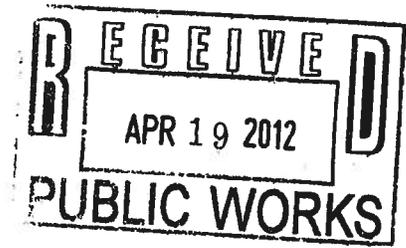
Mark S. Watson



Date



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
TRAFFIC ENGINEERING OFFICE
SUITE 400, JAMES K. POLK BUILDING
NASHVILLE, TENNESSEE 37243-0333



April 16, 2012

Steven R. Byrd, P.E.
P.O. Box 1
Oak Ridge, TN 37831-0001
City Engineer

Dear Mr. Byrd:

**RE: Signal Request
SR 62 @ Woodland Terrace East
Oak Ridge, Anderson County**

Enclosed are two (2) copies of an unexecuted memorandum, which would concur with the installation of a traffic signal once all recommendations of the TIS have been performed

Please have the appropriate officials sign the two (2) copies of the contract and return them to this office to be further processed. A fully executed copy of the contract will then be returned to you for your records.

As you are aware, the City would be responsible for the installation, maintenance, and energy bills for this traffic control device. It is also necessary that all traffic control devices installed on the State's highway system conform to the Manual on Uniform Traffic Control Devices.

If we can be of further assistance, please advise.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael L. Tugwell".

Michael L. Tugwell, P.E.
Traffic Engineering Office
Maintenance Division

MLT/ej

cc: Nathan Vatter
File

MEMORANDUM OF UNDERSTANDING
BETWEEN THE TENNESSEE DEPARTMENT OF TRANSPORTATION
AND THE CITY OF OAK RIDGE

This memorandum of understanding, made and entered into on this ___ day of _____, 2012, by and between the Department of Transportation of the State of Tennessee, hereinafter called "DEPARTMENT" and the City of Oak Ridge, hereinafter called "CITY".

WHEREAS, the CITY desires to purchase, install, operate and maintain the hereinafter described highway traffic control device on a city street designated as a state highway within its jurisdiction; and

WHEREAS, the DEPARTMENT and the CITY share an interest in traffic flow and safety on city streets and state highways as they may be affected by the installation of a highway traffic control device; and

WHEREAS, T.C.A., Section 54-5-108 (b), requires that all highway traffic control devices on any public street or highway in Tennessee conform with the Manual on Uniform Traffic Control Devices (MUTCD) as adopted by the DEPARTMENT; and

WHEREAS, T.C.A. Section 4-3-2303(10), authorizes the DEPARTMENT to provide technical assistance to other public agencies; and

WHEREAS, the CITY requests that the DEPARTMENT review the proposed traffic control device for conformity with the MUTCD;

NOW, THEREFORE, in consideration of these premises, the parties set forth the following understandings:

1. It is understood that the DEPARTMENT, in the exercise of its engineering judgment, concurs with the CITY that the installation of the following type of highway traffic control device at the following location is warranted under the MUTCD:

LOCATION	TYPE
SR 62 w/ Woodland Terrace East	Multiphase Traffic Signal

2. It is understood that the CITY shall purchase and install said device, or authorize a contractor and/or developer to purchase and/or install said device, and thereafter the CITY shall operate, maintain, and guarantee that it, or some other governmental entity, will pay for electricity to the same, all without expense to the DEPARTMENT.

3. It is further understood by the CITY that should roadway or traffic conditions change such that said device is no longer justified under the provisions of the MUTCD, the CITY shall remove the same at no expense to the DEPARTMENT.

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized officials to execute this Memorandum of Understanding on the date written.

CITY OF _____

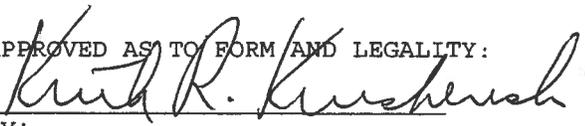
TENNESSEE DEPARTMENT OF TRANSPORTATION

By: _____
Name

By: _____
John Schroer
Commissioner

Title: _____

APPROVED AS TO FORM AND LEGALITY:


By: _____
City Attorney

By: _____
John H. Reinbold
General Counsel

RESOLUTION

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR INSTALLATION AND MAINTENANCE OF A NEW TRAFFIC SIGNAL AT THE NEW FOUR-WAY INTERSECTION OF SOUTH ILLINOIS AVENUE (STATE ROUTE 62) AND WOODLAND TERRACE EAST.

WHEREAS, by Ordinance No. 22-08, City Council approved the Woodland Town Center Planned Unit Development (PUD) plan which included the closure of a portion of Quincy Avenue and construction of a new roadway connecting to South Illinois Avenue and proposing a traffic signal at the intersection; and

WHEREAS, by Resolution 7-66-08, City Council approved a permanent access to South Illinois Avenue from the Woodland Town Center as recommended by the Traffic Safety Advisory Board and contingent upon development of the proposed Woodland Town Center and approval by the Tennessee Department of Transportation (TDOT) of the requested access; and

WHEREAS, the developer of Woodland Town Center will purchase and install the traffic signal for the City's maintenance after approval and acceptance; and

WHEREAS, TDOT has approved the installation of the traffic signal location and has provided a Memorandum of Understanding setting forth the City's installation and maintenance responsibilities; and

WHEREAS, the City Manager recommends approval of the Memorandum of Understanding.

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

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into a Memorandum of Understanding with the Tennessee Department of Transportation for installation of the traffic signal on South Illinois Avenue (State Route 62) at its intersection with Woodland Terrace East which will serve the Woodland community.

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

This the 7th day of May 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

LEGAL DEPARTMENT MEMORANDUM
12-28

DATE: April 26, 2012

TO: Honorable Mayor and Members of City Council

FROM: Kenneth R. Krushenski, City Attorney

SUBJECT: EPA SETTLEMENT PROPOSAL/ADMINISTRATIVE ORDER-FINES AND PENALTIES

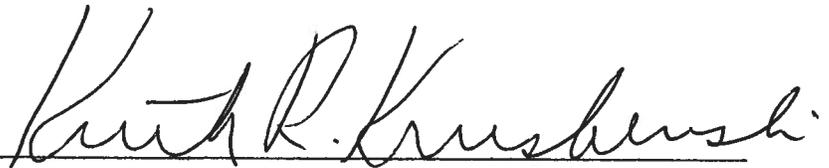
At City Council's Work Session on Tuesday, April 24, 2012, Council was briefed by the Public Works Director, City Attorney and City Manager of a settlement proposal made by EPA Regional Counsel's Office for the fines and associated penalties incurred by the City for violations of the Clean Water Act. The total amount that could have been imposed on the City was in the 4-5 million dollar range.

The EPA has recommended a settlement of \$171,000.00 to be as follows:

Cash:	\$102,600.00
SEP:	68,400.00
TOTAL:	\$171,000.00

A SEP is a supplemental environmental project that is over and above what is required under the requirements of the EPA Administrative Order that the City is under. The City Attorney and City Manager recommend that Council approve this settlement.

A Resolution approving the settlement is attached to this Memo



Kenneth R. Krushenski

RESOLUTION

A RESOLUTION APPROVING A SETTLEMENT IN THE AMOUNT OF \$171,000.00 WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) FOR ALLEGED VIOLATIONS.

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

WHEREAS, by Resolution 9-86-11, City Council adopted the City's Management-Operations-Maintenance Program as required for compliance with the U.S. Environmental Protection Agency (EPA) Administrative Order; and

WHEREAS, it was estimated that the amount of fines and penalties that could be levied against the City by the EPA for said violations could range from \$4,000,000.00 to \$5,000,000.00; and

WHEREAS, the EPA has offered a settlement in the amount of \$171,000.00, with \$102,600.00 paid in cash and \$68,400.00 as a Supplemental Environmental Project (SEP); and

WHEREAS, SEPs are offered by the EPA to provide the alleged violator with the opportunity to voluntarily undertake an environmentally beneficial project related to the violation in exchange for mitigation of the penalty; and

WHEREAS, City Council was briefed on the proposed settlement at their April 24, 2012 work session; and

WHEREAS, the City Attorney and City Manager recommend approval of the settlement offer.

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

That the recommendation of the City Attorney and City Manager is approved and the City hereby agrees to pay to settle the demands made by the United States Environmental Protection Agency for alleged violations payable as follows: \$102,600.00 paid in cash and \$68,400.00 as a Supplemental Environmental Project (SEP), for a total settlement of \$171,000.00.

This the 7th day of May 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

**COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM
12-16**

DATE: April 30, 2012

TO: Mark S. Watson, City Manager

FROM: Kathryn Baldwin, Community Development Director *KAB*
Ken Krushenski, City Attorney
Susan Fallon, Contracts/Grants *SF*
Matthew Widner, Housing Remediation Specialist, *MW*
Athanasia Lewis, Community Development Specialist *AL*
Kahla Gentry, Senior Planner

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). The Program Year (PY) 2012/ Fiscal Year (FY) 2013 allocation from HUD is \$226,341.00 This is a reduction of \$10,614.00 from the prior year's level of funding. The accompanying resolution approves the City of Oak Ridge CDBG Annual Action Plan for PY12/FY13, authorizes a subrecipient agreement, and allocates funds in the total amount of \$226,341.00

The distribution of the draft Annual Action Plan initiated a 30-day public comment period that concluded on April 30, 2012. A public hearing for the Annual Action Plan, including the funding recommendations, was held during the April 9, 2012 City Council meeting with no public comments received.

The City of Oak Ridge CDBG Annual Action Plan for PY2012/FY2013 was developed after holding a public hearing to obtain comments and recommendations from citizens and non-profit agencies. No comments or recommendations were received at the public hearing held in October 2011. In February 2012, Aid to Distressed Families of Appalachian Counties (ADFAC) requested \$11,500.00 in funding for a minor home repairs program targeting income-eligible homeowners in the Woodland neighborhood.

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

October 12, 2011	Public Hearing #1 – Needs Assessment and Potential Projects
April 1, 2012	30-Day Public Comment Period Begins for the City of Oak Ridge PY12/FY13 Annual Action Plan
April 9, 2012	Public Hearing #2 – Proposed Annual Action Plan
April 30, 2012	30-Day Public Comment Period Ends for the City of Oak Ridge PY12/FY13 Annual Action Plan
May 7, 2010	City Council Approval of the PY12/FY13 Annual Action Plan
May 8, 2012	PY12/FY13 Annual Action Plan Submitted to HUD for 45-Day Review Period
June 2012	Subrecipient Agreement Signed and Returned to the City
July 1, 2012	PY12/FY13 Begins

RESOLUTION

A RESOLUTION APPROVING THE FY2013 ANNUAL ACTION PLAN, PROPOSED ALLOCATIONS OF COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT FUNDS FOR FY2013 ESTIMATED AT \$226,341.00, AND A SUBRECIPIENT AGREEMENT WITH AID TO DISTRESSED FAMILIES OF APPALACHIAN COUNTIES (ADFAC) FOR THE MINOR REPAIR PROGRAM.

WHEREAS, FY2013 will be the 29th 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, the amount of funds available for distribution under the FY2013 CDBG Entitlement Program is \$226,341.00; and

WHEREAS, HUD requires that a description of the City's proposed allocations of CDBG Entitlement funds be included in the FY2013 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 FY2013 Annual Action Plan, funding allocations, and a subrecipient agreement with ADFAC for the Minor Repair Program.

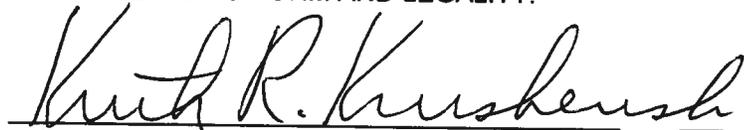
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the FY2013 Annual Action Plan, the following proposed allocations of Community Development Block Grant Entitlement funds estimated to be available for FY2013 totaling \$226,341.00, and a subrecipient agreement with Aid to Distressed Families of Appalachian Counties (ADFAC) for the Minor Repair Program are hereby approved:

- | | |
|---|--------------|
| • Scarborough Center Expansion (Year 11 of 15 Debt Expense) | \$95,000.00 |
| • Acquisition and Removal of Dilapidated Housing | \$116,841.00 |
| • Grant Administration | \$3,000.00 |
| • ADFAC Minor Repair Program | \$11,500.00 |

This the 7th day of May 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

**FINAL ADOPTION
OF
ORDINANCES**

PERSONNEL MEMORANDUM
12-051

DATE: April 26, 2012
TO: Mark S. Watson, City Manager
FROM: Penelope H. Sissom, Personnel Director
SUBJECT: PERSONNEL PLAN/ORDINANCE AMENDMENTS – NEPOTISM; LAYOFF,
REORGANIZATION AND SEVERANCE PACKAGE; INJURY LEAVE; AND EMPLOYEE
PARTICIPATION ON CITY BOARDS AND COMMISSIONS

An item for the agenda is an ordinance to amend the Personnel Plan/Ordinance to update certain sections to provide clarification, be more compatible with the surrounding areas, and to provide a severance package in the event of layoff or reorganization. A bold/strikethrough version of the proposed amendments is included for ease of reference.

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

Nepotism – Section 7.2.B

As proposed, this section specifies the relatives that cannot be hired or promoted in the same department. This amendment addresses misconceptions regarding employment with the City, as well as curtails potential conflicts in the workplace from family relationships.

The recommendation is made to disallow married employees to work in the same department, regardless of supervisory or non-supervisory roles. Employees who become married while in the same department must notify supervision and resign or transfer within 60 days of marriage.

Current married employees within the same department are not affected by this change.

Layoff, Reorganization, and Severance Package – Subsections 9.1.d, 9.1.e and 9.1.f

Commensurate with prevailing work practices throughout the area, a change is proposed to add a provision for a severance package when employment is terminated through circumstances external to the work performed (layoff or reorganization).

The severance package offered will be one week's pay for each full year (26 pay periods) of employment with the City as a regular employee. Additionally, upon receipt of proof of payment from the medical insurance provider, the City will reimburse the terminated employee for the COBRA rate for continuation of medical insurance for two months following the effective date of layoff or reorganization.

Should a layoff occur, affected regular employees will be notified in writing two weeks prior to the effective date. In the event of a reorganization at least four weeks' notice would be given to employees. The severance package would be reduced accordingly by the amount of notice given to the employee.

With the addition of provisions regarding reorganization and severance packages immediately following the layoff provision, existing subsections needed to be renumbered. Subsequently, Subsections 9.1.e, Removal, 9.1.f, Dismissal, and 9.1.g, Death, were renumbered as Subsections 9.1.g, 9.1.h, and 9.1.i respectively.

INJURY LEAVE –Section 11.4

In 2011, the City was asked by its insurance provider, Tennessee Municipal League Risk Pool, to reassess the Injury Leave policy. The City's policy provided a substantial allowance of six (6) months'

Injury Leave pay at 100% of salary before entering into the actual Workers Compensation payment schedule of 66 and 2/3% of salary.

After review and research of area business and municipality practices, the recommendation is to modify the existing policy to provide twelve (12) work weeks of Injury Leave at 100% salary. At the end of twelve (12) work weeks, should the employee still not be able to return to work, he or she would move into the payment schedule for Workers Compensation. However, the City Manager would be able to extend the amount of paid Injury Leave depending on the nature of the injury and the probability of the employee ultimately returning to normal job duties.

Drug screen requirements for return to work after a prolonged absence of 240 hours and random drug screens while on Injury Leave will be implemented. Also, at the discretion of the department head, any employee returning to work after a prolonged absence of 240 hours may not be scheduled for overtime or standby status, except in emergency cases, for a period of six (6) months and any additional employment, as specified in the Personnel Plan/Ordinance 13.1 will be revoked for six (6) months.

Another addition is the policy on light duty after an injury, which is defined as the ability to perform job tasks in a lower position in the Classification Plan. During the first three (3) months of light duty, the employee will receive his or her normal salary. If the assignment continues longer than three (3) months, the salary will be reduced by 10% or to the maximum of the pay grade associated with the light duty assignment.

The changes in the Injury Leave policy were reviewed by the Management Team. In many cases all employees in a department had input and some modifications resulted from this input.

EMPLOYEE POLITICAL ACTIVITY –Newly Created-Subsection 13.3.e

The City has had a long standing practice of not allowing active city employees to serve in a voting capacity of City Boards and Commissions. Upon an extensive review by the City Clerk, it was determined that no written policy exists that prohibits such participation. An addition was added under the above referenced section to not allow active employees to be on the ballot for appointment to City Boards and Commissions as a voting member.

The Personnel Advisory Board spent two meetings carefully reviewing the suggested changes and the members present at the April 13, 2012 meeting unanimously approved all four amendments.

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

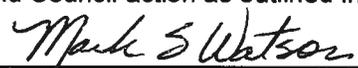


Penelope H. Sissom

Attachments

City Manager's Comments:

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



Mark S. Watson 5/1/12
Date

BOLD/STRIKETHROUGH OF PERSONNEL ORDINANCE AMENDMENTS

7.2.B. NEPOTISM

~~Employees shall not be placed in positions under the supervision or accountability of a member of the immediate family, which includes spouse, child, parent, and sibling. Other relationships may be added by the City Manager any family member.~~

With the exception of seasonal and temporary Recreation Department employees, applicants will not be considered or hired into a department where a member of the immediate family is currently employed. Current employees will not be promoted or transferred to a department where a member of the immediate family is currently employed. Immediate family is defined as spouse, child or step-child, daughter-in-law, son-in-law, parent, parent-in-law, brother, brother-in-law, sister and sister-in-law. Other relationships may be added by the City Manager.

If two employees in the same department marry, then one of those employees must resign from City employment or apply for a transfer to another department should a vacancy be available at that time. Selection for that vacancy will be based on the qualifications of all applicants and not on the present employment status. This change must occur within sixty (60) days of the marriage. Failure to comply will result in the termination of one or both employees.

BOLD/STRIKETHROUGH OF PERSONNEL ORDINANCE AMENDMENTS

9.1 TERMINATIONS

- d. Layoff. When a regular position is discontinued or abolished **due to lack of funds**, the City Manager shall determine the order of layoff of employees on the basis of the relative suitability for the jobs that remain. However, no regular employee shall be terminated while there is a temporary or probationary employee in any class **in his or her department** performing duties for which the regular employee is at least equally qualified and applies. **The employee to be laid off would have to go through the recruitment process for any vacant positions in other departments.**

Regular employees subject to layoff shall be notified in writing two (2) weeks prior to the effective date..

Temporary **and seasonal** employees shall receive a layoff when the authorized time for their specific position has lapsed, or when their services are no longer required.

- e. Reorganization. From time to time, the City Manager and various heads of departments may reorganize the structure of different City operations. Due to efficiencies or improved streamlining of operations, positions may be eliminated, consolidated, or reclassified. Notice in these situations shall occur at least four (4) weeks in advance of the change to allow the affected employee to find other employment within or without the organization.
- f. Severance Package. Regular employees who have actually lost their jobs due to a Layoff or as a result of Reorganization shall be granted a severance package of one weeks' pay for each full year (twenty-six pay periods) they have been employed by the City as regular employees. The weeks that are payable in the severance package shall be reduced by the amount of notice the City has provided to the employee. Upon receipt of proof of payment from the medical insurance provider, the City will reimburse the terminated employee for the COBRA rate for continuation of medical insurance for two (2) months following the effective date of the layoff or the reorganization.
- e- g. Removal. (Renumbered only – language does not change)
- f- h. Dismissal. (Renumbered only – language does not change)
- g- i. Death. (Renumbered only – language does not change)

BOLD/STRIKETHROUGH OF PERSONNEL ORDINANCE AMENDMENTS

11.4 INJURY LEAVE

Leave with pay may be approved for a period determined by the City Manager, upon the recommendation of the head of the department and the Personnel Director, but not to exceed ~~six (6) months~~ **twelve (12) work weeks** for any one disabling injury incurred while performing job-related duties. This would be a total of ~~1,040~~ **480** hours for regular full-time employees and ~~1,456~~ **672** hours for Fire station-based shift employees. **The employee's department will make the injury leave request on the appropriate form.** Other leave benefits are not accrued and holiday leave is not granted when an employee is on injury leave. If there is a reoccurrence of the ~~same~~ **same** injury after the employee has returned to work, ~~a separate application for injury leave must be submitted each time with~~ supporting **medical documentation must be provided and any additional lost time hours are considered part of the maximum the City provides.**

~~Application~~ **A First Report of Injury Form and a City Incident Report for such leave shall contain a statement by the employee, unless he or she is incapacitated, statements from all witnesses, confirmed by the supervisor and/or head of the department. This documentation shall describe the circumstances, cause, setting forth the nature and extent of the injury and must be completed in full and presented to the Personnel Department within the first twenty-four (24) hours of injury. Injuries requiring medical treatment must include verified and supported by a licensed medical professional's statement indicating treatment, diagnosis, prescription medications and the probable period of disability. Application for leave for injury in line of duty shall be made in writing and approved on the appropriate form.** Every period of leave granted under the provisions of this rule shall be considered creditable service and shall be indicated on the employee's leave records, but shall not be charged to any other type of leave.

The City reserves the right to obtain other medical opinions regarding the employee's injured condition. Employee refusal to cooperate in the seeking of these opinions or to follow rehabilitation/**recuperation** instructions from the licensed medical professional, or the employee changing the date and/or time of a medical appointment **without adequate justification** and prior approval of the Personnel Department, **and/or failure to provide all medical documentation (including prescription medications) received by the employee shall may** constitute grounds for denying injury leave benefits and may result in disciplinary action.

If an injury results in lost time from work, the employee will be subject to drug/alcohol testing while on injury leave. Any employee returning to work after a prolonged absence of 240 hours or more for a 40 hour per week employee and 336 hours for Fire Department station based employees will be required to submit for a Return after Injury/Illness drug and alcohol screen. The use of any substance which carries a label that indicates the potential for impaired mental functioning, motor skills, or judgment must be reported to Personnel and the employee's supervisor. Medical advice and written authorization from the attending physician must be provided by the employee before performing work related duties. Failure to disclose prescription drug use of any substance defined in this ordinance will result in discipline up to and including termination.

At the department head's discretion, any employee returning to work after a prolonged period of time as defined above may not be scheduled for overtime or standby status, except in cases of emergency, for a six- month period. Approval of additional employment as specified in the Personnel Plan Article 13.1 will also be revoked for six months.

When injury leave is used, an employee shall be protected against loss of pay. The regular salary shall be paid during this leave, but any amount received on behalf of the employee in Worker's Compensation insurance payments (excluding medical and hospitalization payments)

BOLD/STRIKETHROUGH OF PERSONNEL ORDINANCE AMENDMENTS

shall be returned to the City. Every attempt will be made to return the individual on injury leave to modified or light duty as soon as possible.

If the employee has been granted the maximum for injury leave as specified above and is still not able to return to work, and the attending physician indicates that the employee can eventually return to normal job duties, the ~~City may provide payments that will furnish 75% of the base salary prior to the injury for four additional week, then 50% for four more weeks, and then 25% for four more weeks~~ **City Manager may grant additional paid injury leave. Otherwise, the City will place the employee in a "Leave Without Pay" status for 26 work weeks (1040 hours for 40 hour per week employees and 1456 for Fire Department) and the employee will be eligible for Temporary Total Disability (TTD) benefits provided by Worker's Compensation Insurance. During this period, the employee will be responsible for paying the City for his/her normal deductions for the benefit program. The employee also has the option of using any accumulated General Leave or Emergency Leave. As part of any consideration for this salary supplement, the employee's history of job related injuries and leave usage in general shall be carefully reviewed along with all pertinent information including medical reports relative to the current injury.**

After the 26 work weeks of "Leave without Pay" (1040 hours for 40 hour per week employees and 1456 for Fire Department), if the employee is still not able to return to normal job duties, the Personnel Department will begin processing a Disability Retirement, if applicable, for the injured employee. The employee will be removed from the City's payroll on a disability basis. Once the employee has been granted the maximum permitted for injury leave and is still not able to return to work, accumulated General Leave or Emergency Leave may be used. If the employee is using accumulated General Leave or Emergency Leave, any amount received on behalf of the employee in Worker's Compensation insurance payments shall be given to the employee.

If the injury is such that an impairment rating and subsequent monetary settlement is awarded, the awarded amount will be reduced by the amount the City has subsidized the TTD benefits from the Worker's Compensation Insurance program.

MODIFIED/LIGHT DUTY

If the injured employee is not able to perform the normal job duties but can perform tasks associated with a lower position in the classification plan, whether in the employee's designated department or other City department, a modified work plan will be required by the City. This modified or "light duty" plan shall compensate the employee at the normal rate of pay for a three (3) month period, beyond which the employee's salary shall be reduced at least ten percent (10%) or to the maximum of the pay grade associated with the light duty work. All Department Directors will assess work to be completed within their respective areas and provide "modified/light duty" assignments to the Personnel Department on an as needed basis. The injured employee must contact the Personnel Department on a designated day each week to determine if accommodation for modified/light duty can be made. Safety training needs of the injured employee can also be considered an assignment. The Personnel Department can provide training materials for this purpose.

BOLD/STRIKETHROUGH OF PERSONNEL ORDINANCE AMENDMENTS

13.3 EMPLOYEE POLITICAL ACTIVITY

In accordance with TCA §7-51-1501, policies relative to political activities for City employees are as follows:

- a. An employee may become a candidate for any state or local elected office other than a seat on City Council.
- b. City employees may participate in political activities by supporting or opposing political parties, political candidates, and petitions to any government entity.
- c. Any employee desiring time off from work to participate in political activities shall arrange such time in advance according to departmental rules and may use General Leave or leave without pay with permission.
- d. The following political activities are prohibited:
 1. Conducting any political activities during work hours including, but not limited to, campaigning, circulating petitions, soliciting contributions or distributing campaign literature.
 2. Displaying campaign literature, buttons or pins in City-owned buildings, facilities and/or vehicles.
 3. Using the official position to endorse a particular political position. This prohibition includes the wearing of City uniforms during political or campaign activities unless so assigned as part of the normal job duties.
 4. Using City facilities, supplies or equipment to produce, duplicate or distribute any campaign information or literature.
- e. **Active City employees may not serve on a City Council appointed board, commission or committee unless they are serving as staff representatives without voting privileges.**

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 27-85, TITLED "A PERSONNEL PLAN FOR EMPLOYEES OF THE CITY OF OAK RIDGE, TENNESSEE," AS AMENDED, BY DELETING SUBSECTION 7.2.B, TITLED "NEPOTISM," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION 7.2.B, TITLED "NEPOTISM"; DELETING SUBSECTION 9.1.D, TITLED "LAYOFF," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION 9.1.D, TITLED "LAYOFF"; RENUMBERING EXISTING SUBSECTIONS 9.1.E, TITLED "REMOVAL," 9.1.F, TITLED "DISMISSAL," AND 9.1.G, TITLED "DEATH," TO BE SUBSECTIONS 9.1.G, 9.1.H AND 9.1.I RESPECTIVELY; CREATING A NEW SUBSECTION 9.1.E, TITLED "REORGANIZATION;" CREATING A NEW SUBSECTION 9.1.F, TITLED "SEVERANCE PACKAGE;" DELETING SUBSECTION 11.4, TITLED "LEAVE," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION 11.4, TITLED "LEAVE"; AND AMENDING SUBSECTION 13.3, TITLED "EMPLOYEE POLITICAL ACTIVITY," BY CREATING A NEW SUBSECTION (E), ALL FOR THE PURPOSE OF UPDATING THE PERSONNEL PLAN.

WHEREAS, the City desires to expand the nepotism provision to increase the definition of "immediate family" when prohibiting family members from holding a position of supervision or accountability, to prohibit future hires from being related to existing employees within the same department, and to require a transfer or resignation if two employees in the same department marry; and

WHEREAS, the City desires to clarify the provisions pertaining to layoffs and to create a provision on reorganization and establish a severance packages for employees who lose their job due to a layoff or reorganization; and

WHEREAS, the City desires to update and revise the provision on injury leave and establish a provision for modified/ light duty; and

WHEREAS, the City desires to codify the City's practice of not permitting employees to serve on City Council created/appointed boards, commissions or committees as voting members; and

WHEREAS, the Personnel Advisory Board at its April 13, 2012 meeting reviewed the proposed amendments to the Personnel Plan and unanimously recommended their adoption; and

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

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

Section 1. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," Article 7, "Recruitment, Selection and Appointment of Employees," is hereby amended by deleting Subsection 7.2.B, titled "Nepotism," in its entirety, and substituting therefor a new Subsection 7.2.B, titled "Nepotism," which subsection shall read as follows:

7.2.B. NEPOTISM

Employees shall not be placed in positions under the supervision or accountability of any family member.

With the exception of seasonal and temporary Recreation Department employees, applicants will not be considered or hired into a department where a member of the immediate family is currently employed. Current employees will not be promoted or transferred to a department where a member of the immediate family is currently

employed. Immediate family is defined as spouse, child or step-child, daughter-in-law, son-in-law, parent, parent-in-law, brother, brother-in-law, sister and sister-in-law. Other relationships may be added by the City Manager.

If two employees in the same department marry, then one of those employees must resign from City employment or apply for a transfer to another department should a vacancy be available at that time. Selection for that vacancy will be based on the qualifications of all applicants and not on the present employment status. This change must occur within sixty (60) days of the marriage. Failure to comply will result in the termination of one or both employees.

Section 2. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," Article 9, "Terminations and Disciplinary Actions," Section 9.1, titled "Terminations," is hereby amended by deleting Subsection 9.1.d, titled "Layoff," in its entirety, and substituting therefor a new Subsection 9.1.d, titled "Layoff," which subsection shall read as follows:

9.1 TERMINATIONS

- d. Layoff. When a regular position is discontinued or abolished due to lack of funds, the City Manager shall determine the order of layoff of employees on the basis of the relative suitability for the jobs that remain. However, no regular employee shall be terminated while there is a temporary or probationary employee in any class in his or her department performing duties for which the regular employee is at least equally qualified and applies. The employee to be laid off would have to go through the recruitment process for any vacant positions in other departments.

Regular employees subject to layoff shall be notified in writing two (2) weeks prior to the effective date.

Temporary and seasonal employees shall receive a layoff when the authorized time for their specific position has lapsed, or when their services are no longer required.

Section 3. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," Article 9, "Terminations and Disciplinary Actions," Section 9.1, titled "Terminations," is hereby amended by renumbering existing Subsection 9.1.e, titled "Removal," to Subsection 9.1.g, existing Subsection 9.1.f, titled "Dismissal," to Subsection 9.1.h, and existing Subsection 9.1.g, titled "Death," to Subsection 9.1.i, and creating a new Subsection 9.1.e, titled "Reorganization," and a new Subsection 9.1.f, titled "Severance Package," which new subsections shall read as follows:

9.1 TERMINATIONS

- e. Reorganization. From time to time, the City Manager and various heads of departments may reorganize the structure of different City operations. Due to efficiencies or improved streamlining of operations, positions may be eliminated, consolidated, or reclassified. Notice in these situations shall occur at least four (4) weeks in advance of the change to allow the affected employee to find other employment within or without the organization.
- f. Severance Package. Regular employees who have actually lost their jobs due to a Layoff or as a result of Reorganization shall be granted a severance package of one weeks' pay for each full year (twenty-six pay periods) they have been employed by the City as regular employees. The weeks that are payable in the severance package shall be reduced by the amount of notice the City has provided to the employee. Upon receipt of proof of payment from the medical insurance provider, the City will reimburse the terminated employee for the COBRA rate for

continuation of medical insurance for two (2) months following the effective date of the layoff or the reorganization.

Section 4. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," Article 11, "Leave," is hereby amended by deleting Section 11.4, titled "Leave," in its entirety, and substituting therefor a new Subsection 11.4, titled "Leave," which subsection shall read as follows:

11.4 INJURY LEAVE

Leave with pay may be approved for a period determined by the City Manager, upon the recommendation of the head of the department and the Personnel Director, but not to exceed twelve (12) work weeks for any one disabling injury incurred while performing job-related duties. This would be a total of 480 hours for regular full-time employees and 672 hours for Fire station-based shift employees. The employee's department will make the injury leave request on the appropriate form. Other leave benefits are not accrued and holiday leave is not granted when an employee is on injury leave. If there is a reoccurrence of the same injury after the employee has returned to work, supporting medical documentation must be provided and any additional lost time hours are considered part of the maximum the City provides.

A First Report of Injury Form and a City Incident Report shall contain a statement by the employee, unless he or she is incapacitated, statements from all witnesses, confirmed by the supervisor and/or head of the department. This documentation shall describe the circumstances, cause, nature and extent of the injury and must be completed in full and presented to the Personnel Department within the first twenty-four (24) hours of injury. Injuries requiring medical treatment must include a licensed medical professional's statement indicating treatment, diagnosis, prescription medications and the probable period of disability. Every period of leave granted under the provisions of this rule shall be considered creditable service and shall be indicated on the employee's leave records, but shall not be charged to any other type of leave.

The City reserves the right to obtain other medical opinions regarding the employee's injured condition. Employee refusal to cooperate in the seeking of these opinions or to follow rehabilitation/recuperation instructions from the licensed medical professional, or the employee changing the date and/or time of a medical appointment without adequate justification and prior approval of the Personnel Department, and/or failure to provide all medical documentation (including prescription medications) received by the employee may constitute grounds for denying injury leave benefits and may result in disciplinary action.

If an injury results in lost time from work, the employee will be subject to drug/alcohol testing while on injury leave. Any employee returning to work after a prolonged absence of 240 hours or more for a 40 hour per week employee and 336 hours for Fire Department station based employees will be required to submit for a Return after Injury/Illness drug and alcohol screen. The use of any substance which carries a label that indicates the potential for impaired mental functioning, motor skills, or judgment must be reported to Personnel and the employee's supervisor. Medical advice and written authorization from the attending physician must be provided by the employee before performing work related duties. Failure to disclose prescription drug use of any substance defined in this ordinance will result in discipline up to and including termination.

At the department head's discretion, any employee returning to work after a prolonged period of time as defined above may not be scheduled for overtime or standby status, except in cases of emergency, for a six-month period. Approval of additional

employment as specified in the Personnel Plan Article 13.1 will also be revoked for six months.

When injury leave is used, an employee shall be protected against loss of pay. The regular salary shall be paid during this leave, but any amount received on behalf of the employee in Worker's Compensation insurance payments (excluding medical and hospitalization payments) shall be returned to the City. Every attempt will be made to return the individual on injury leave to modified or light duty as soon as possible.

If the employee has been granted the maximum for injury leave as specified above and is still not able to return to work, and the attending physician indicates that the employee can eventually return to normal job duties, the City Manager may grant additional paid injury leave. Otherwise, the City will place the employee in a "Leave Without Pay" status for 26 work weeks (1040 hours for 40 hour per week employees and 1456 for Fire Department) and the employee will be eligible for Temporary Total Disability (TTD) benefits provided by Worker's Compensation Insurance. During this period, the employee will be responsible for paying the City for his/her normal deductions for the benefit program. The employee also has the option of using any accumulated General Leave or Emergency Leave.

After the 26 work weeks of "Leave without Pay" (1040 hours for 40 hour per week employees and 1456 for Fire Department), if the employee is still not able to return to normal job duties, the Personnel Department will begin processing a Disability Retirement, if applicable, for the injured employee. The employee will be removed from the City's payroll on a disability basis.

If the injury is such that an impairment rating and subsequent monetary settlement is awarded, the awarded amount will be reduced by the amount the City has subsidized the TTD benefits from the Worker's Compensation Insurance program.

MODIFIED/LIGHT DUTY

If the injured employee is not able to perform the normal job duties but can perform tasks associated with a lower position in the classification plan, whether in the employee's designated department or other City department, a modified work plan will be required by the City. This modified or "light duty" plan shall compensate the employee at the normal rate of pay for a three (3) month period, beyond which the employee's salary shall be reduced at least ten percent (10%) or to the maximum of the pay grade associated with the light duty work. All Department Directors will assess work to be completed within their respective areas and provide "modified/light duty" assignments to the Personnel Department on an as needed basis. The injured employee must contact the Personnel Department on a designated day each week to determine if accommodation for modified/light duty can be made. Safety training needs of the injured employee can also be considered an assignment. The Personnel Department can provide training materials for this purpose.

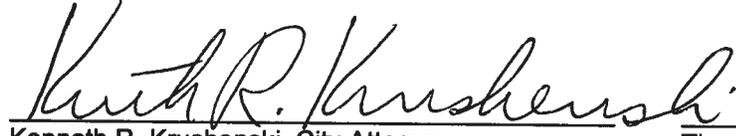
Section 5. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," Article 13, "Conduct of Employees," Section 13.3, titled "Employee Political Activity," is hereby amended by creating a new Subsection 13.3.e, which subsection shall read as follows:

13.3 EMPLOYEE POLITICAL ACTIVITY

- e. Active City employees may not serve on a City Council appointed board, commission or committee unless they are serving as staff representatives without voting privileges.

Section 6. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

First Reading: 05/07/2012
Publication Date: _____
Second Reading: _____
Publication Date: _____
Effective Date: _____

**FINAL ADOPTION
OF
ORDINANCES**

**COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM
12-10**

DATE: March 28, 2012
TO: Mark S. Watson, City Manager
THROUGH: Kathryn Baldwin, Community Development Director *KGB*
FROM: Kahla Gentry, Senior Planner
SUBJECT: **Request to Rezone, Parcels 1.06 (Bldg. K-1400), 1.08 (Bldg. K1501 H&L) and 1.24 (ED-10) Roane County Tax Map 30, from F.I.R. to IND-2/IMDO**

An item for the City Council agenda is a request to rezone Parcels 1.06, 1.08, and 1.24 Map 30, also referred to as ED-10, see attached map, from F.I.R., Federal Industry and Research to IND-2/IMDO, Industrial Manhattan District Overlay. These parcels have an approximate area of 12.83 acres and are owned by Heritage Center, L.L.C. The property is located within the Heritage Center, between 15th Street and East Patrol Road. Rezoning is requested because the property is being converted to private industrial use. At their regular meeting on March 22, 2012, the Planning Commission recommended approval of the rezoning by a vote of 8-0.

The F.I.R., Federal Industry and Research Zoning District is only applicable to the D.O.E. Reservation. When property is transferred from the federal government to enable private development, rezoning to an appropriate district is required. The Industrial Manhattan District Overlay (IMDO) is a new district that was approved by City Council in December 2010. The IMDO District was created to facilitate the transfer and reuse of property from the U.S. Department of Energy (D.O.E.) to the private sector. As the Heritage Center is transferred to private entities, it is expected that subdivision plats and site plans for properties with existing buildings and parking facilities will need to have alternatives available in meeting various performance criteria such as minimum setbacks from property lines, parking requirements, green space and, landscaping requirements. The IMDO does not waive bulk regulations or performance criteria, but rather provides alternative measures to achieve compliance through off- site improvements, cross access easements, and identification of shared parking facilities.

Rezoning the subject property to a base zone of IND-2, Industrial with the Industrial Manhattan District Overlay (IMDO) is the next step in facilitating the reuse of this industrial property. The Staff finds the rezoning to be in compliance with the Land Use Plan, consistent with the existing uses within the area, and appropriate for the proposed use. Approval of the rezoning is recommended.

Kahla Gentry

Kahla Gentry, Senior Planner

City Manager's Comments:

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

Mark S. Watson

Mark S. Watson

4-3-12

Date

Staff Review of Rezoning Request

Location & Approximate Area: Roane County Tax Map 30, Parcels 1.06 (Bldg. K-1400), 1.08 (Bldg. K1501 H&L,) and 1.24 (ED-10); located between 15th Street and East Patrol Road within the Heritage Center. Approx. 12.83 acres in area.

Date: March 8, 2012

Owner: Heritage Center LLC
107 Lea Way
Oak Ridge, TN 37830

Request Rezoning

From: F.I.R., Federal Industry and Research
To: IND-2 IMDO, Industrial Manhattan District Overlay

Purpose: Transfer of property for private use of brownfield industrial site.

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

Existing Land Use: Industrial

Adjacent Land Uses & Zoning:

North: F.I.R., Federal Industry and Research, Heritage Center industrial area
East: F.I.R., Federal Industry and Research, Heritage Center industrial area
South: F.I.R., Federal Industry and Research, Heritage Center industrial area
West: F.I.R., Federal Industry and Research, Heritage Center industrial area

Previous Rezoning Requests: None

2. **Conformity with 1988 Comprehensive Plan:** The Land Use Plan designates this area as I, Industrial. The proposed zone is in conformance with the Land Use Plan.

Applicable Policies:

Policy E-3: The City will attempt to strengthen a coordinated, business-like, public-private approach to retain, develop and recruit targeted businesses that broaden the tax base, particularly those which maintain or increase per capita and family income.

POLICY E-4: In a joint public-private partnership approach, the City will work with the community to nurture spin-off industries and stimulate the formation of affinity industries in Oak Ridge.

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.

3. **Applicable Regulations:**

Setbacks: IND-2, Industrial setbacks are as follows: Front – 30 feet; Side – 25 feet; Rear – 25 feet. Overlay allows exceptions for existing buildings

Maximum Usable Floor Area to Lot Area Ratio: 60%

Analysis:

The following criteria were used to evaluate the rezoning request.

- 1) **Is the proposed zoning district consistent with the City's Comprehensive Plan?**
Yes.
- 2) **Are there substantial changes in the character of development in or near the area under consideration that support the proposed rezoning.**
The property has become privately owned and made available by D.O.E for economic development.
- 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 an industrial area without close proximity to residential uses. There is nearby access to S.R. 58, S.R. 95 and Interstate 40.
- 4) **Will the proposed rezoning create an isolated district unrelated to adjacent and nearby districts?**
ED-10 is the sixth area within the Heritage Center to be rezoned from F.I.R., Federal Industry and Research as the change from ownership by the federal government to private entities progresses. ED-5 was rezoned to IND-2 in September 2009. ED-8 was rezoned to IND-2/IMDO in March 2011, ED-9A and B were rezoned to IND-2/IMDO in November 2011, ED-4B was rezoned to IND-2 in December 2011 and the K-792 Area was also rezoned in December 2011 to IND-2/IMDO. Additional rezonings from F.I.R. will occur as the redevelopment and privatizing of the Heritage Center continues.
- 5) **Are public facilities and services adequate to accommodate the proposed zoning district?**
Road access and utility services are adequate and provided by D.O.E., Heritage Center, LLC and the City of Oak Ridge.
- 6) **Would the requested rezoning have environmental impacts?**
The Heritage Center is already an industrial site. Changing the zoning from F.I.R. to IND-2/IMDO will not change the environmental impacts.

Neighborhood Position: No comments have been received. The surrounding property is held by the U.S. D.O.E.

Landscaping/Buffering requirements: The landscaping and design standards within Article XIII of the Zoning Ordinance will apply at final site review stage with possible alternatives as allowed by the Overlay District.

Notification of Property Owners Within 200': March 8, 2012

Conclusion and Planning Staff Recommendation: Staff recommends approval of the IND-2 Industrial Manhattan District Overlay as requested, finding the proposed zoning consistent with existing uses and the character of development within the area and in compliance with the Comprehensive Plan.

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 PARCELS 1.06, 1.08, AND 1.24, ROANE COUNTY TAX MAP 30, ALSO KNOWN AS ED-10, LOCATED AT HERITAGE CENTER, FROM F.I.R., FEDERAL INDUSTRY AND RESEARCH TO IND-2, INDUSTRIAL MANHATTAN DISTRICT OVERLAY (IND-2/IMDO).

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:

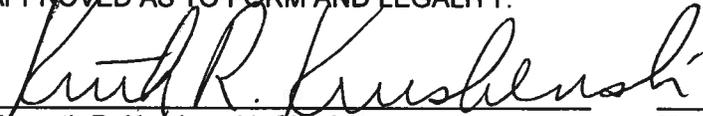
Section 1. The district boundaries of the zoning map attached to and made a part of Ordinance No. 2, as amended, are revised in the following particulars:

<u>Property Description</u>	<u>Location</u>	<u>Present Zoning District</u>	<u>New Zoning District</u>
Parcels 1.06, 1.08, And 1.24, Roane County Map 30 (± 12.83 Acres)	Between 15 th Street and East Patrol Road	F.I.R., Federal Industry and Research	IND-2, Industrial Manhattan District Overlay (IND-2/IMDO)

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

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

Public Hearing: 04/09/2012
Publication Date: 03/22/2012
First Reading: 04/09/2012
Publication Date: 04/16/2012
Second Reading: 05/07/2012
Publication Date: _____
Effective Date: _____

ELECTIONS
&
APPOINTMENTS
ANNOUNCEMENTS
SCHEDULING

Recreation and Parks Advisory Board

NumVacancies 1
 Total # of Members 9

Term of Office
 Balance of unexpired term ending on December 31,
 2014

Qualifications

No qualifications other than Oak Ridge residency.

Applicants

Recreation and Parks Advisory Board	Submitted	Preference
Mr. Frank P. Chmielewicz	4/6/2012	1
Ms. Emilie Damos	4/9/2012	1
Mr. Gene R Dunaway	4/13/2012	1
Mr. Sheldon Green	4/8/2012	1
Ms. Bonnie Hebert	4/13/2012	1
Ms. Kristy Herron	4/11/2012	1
Ms. Esther Palmer	4/8/2012	1
Ms. Nancy Ward	4/10/2012	1

Current Members

Recreation and Parks Advisory Board		Term Expires
Ms. Sherith Colverson		2013
Mr. Robert Cushman		2012
Ms. Bridgette Ellis		2012
Mr. William Eubanks		2012
Mr. Gerry Palau	Chair	2013
Ms. Laurel Patrick	Vice Chair	2013
Mr. Daniel Robbins		2014
Ms. Catherine Toth		2014

City of Oak Ridge Board Application

BoardName: Recreation and Parks Advisory Board

2012

Application Submitted

Applicant: Chmielewicz, Frank

Choice

1

4/6/2012 11:59:56

12 Windhaven Lane,

HomePhone

Email

MobilePhone

804.7091

frankchmi@hotmail.com

Oak Ridge

TN

OfficePhone

Retired?

y

Current Position / Title

Current Employer

Company / Organization Retired From

U. S. Postal Service

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

Convention and Visitors Bureau

Education, Professional and or Community Activity

Rowan University, Glassboro N.J. BA 1984 Member, Y12 Community Relations Council Director, Secret City Half Marathon and Relay Coach, Team in Training, Leukemia/Lymphoma Society Past President, Oak Ridge Track Club Past Member, Bicycle and Pedestrian advisory Committee Graduate, Leadership Oak Ridge 2002

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

I came to Oak Ridge in 1999 and served as the Postmaster until 2007 when I was promoted to Postmaster, Hilton Head Island, SC. I returned to Oak Ridge upon retiring from the U. S. Postal Service in 2009. I want to serve the city now, as I have in the past. My interests are recreation, fitness, and running. I desire to take an active role in ensuring our parks and recreation facilities and programs meet the needs of the residents.

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

I feel that my strong background in fitness and management gives me the ability to assimilate new ideas and concepts. I possess strong communication, organizational and management skills, with a keen interest in outside recreation and fitness; I believe these skills and knowledge will be an asset to the board. I have been involved in coordinating or directing several running events in the city. The largest event being the Secret City Half Marathon that brought over 750 runners to the city. This race alone had a positive financial impact to the city of over \$40,000 in 2012. I am currently developing and coordinating with the Recreation and Parks Department a new greenway race to coincide with the opening of the new phase of the Greenway. All proceeds from this race will go to the Parks and Recreation Department.

Notes

FRANK P. CHMIELEWICZ

12 Windhaven lane
Oak Ridge TN
37830

Tel: 865-804-7091

Email: frankchmi@hotmail.com

WORK HISTORY

Oct 2007 **Postmaster**
to *U.S. Postal Service*
Jun 2009 *Hilton Head Island, SC 29928*

Responsible for Postal Operations involving three facilities and over 100 employees in a city of 40,000 full time residents and 250,000 seasonal. Operations involved retail sales, distribution, mail processing, transportation, and delivery.

- Temporary Position: Postmaster, Brunswick GA. 2008

Aug 1999 **Postmaster**
To *U.S. Postal Service*
Sep 2007 *Oak Ridge TN. 37830*

Directly responsible for Postal operations in two facilities in a city with a population of approximately 28,000. Was responsible for staffing recommendations and analysis for all small Post Offices in east Tennessee. Management arbitration advocate for labor disputes between USPS management and Unions in East Tennessee.

- Temporary Position: Postmaster, Destin, FL 2005
- Temporary Position: Postmaster, Sevierville, TN 2006
- Temporary Position: Manager, Post Office Operations, Knoxville 2007

Jun 1985 **Manager, Customer Services**
to *U.S. Postal Service*
Aug 1999 *Melbourne FL 32901*

Area manager for a large Postal Operation with over 500 employees, 11 stations and branches serving customers in several communities.

EDUCATION

1984 **Rowan University**
Glassboro, NJ
BA, Sociology

MEMBERSHIPS

- Past President, Oak Ridge Track Club
- Past Member, Bicycle and pedestrian advisory committee
- Coach, Team in Training, Leukemia/Lymphoma Society
- Board Member, Oak Ridge Convention and Visitors Bureau
- Member, Y12 Community Relations Council

- Director, Secret City Half Marathon
- Past Member, Breakfast Rotary club of Oak Ridge
- Graduate, Leadership Oak Ridge 2002

CERTIFICATIONS

RRCA certified endurance running coach

End of Application for

Chmielewicz, Frank

For Board:

Recreation and Parks Advisory Board

City of Oak Ridge Board Application

BoardName: Recreation and Parks Advisory Board

2012

Application Submitted

Applicant: Damos, Emilie

Choice

1

4/9/2012 14:38:33

1039 West Outer Drive

HomePhone

865-220-8912

Email

MobilePhone

8658981106

emiliedamos@gmail.com

Oak Ridge

TN

OfficePhone

Retired?

n

Current Position / Title

L&T Processor

Current Employer

ABS Auto Services & YPOR member

Company / Organization Retired From

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

Education, Professional and or Community Activity

MA Organizational Training & Education BS Organizational Management AS Early Childhood Education TNAchieves Young Professionals of Oak Ridge

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

I would like to be part of the community & work with others. It would be a great opportunity for personal growth.

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

I am a self starter, organized, and I am eager to learn and take on new opportunities and responsibilities.

Notes

End of Application for

Damos, Emilie

For Board:

Recreation and Parks Advisory Board

City of Oak Ridge Board Application

BoardName: Recreation and Parks Advisory Board

2012

Application Submitted

Applicant: Dunaway, Gene

Choice

1

4/13/2012 11:21

125 Vienna Road

HomePhone

865-934-9956

Email

MobilePhone

865-934-9956

GRDunaway@gmail.com

Oak Ridge

TN

OfficePhone

Retired?

Y

Current Position / Title

Computer System Engineer

Current Employer

Company / Organization Retired From

Federal Reserve Bank

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

None

Education, Professional and or Community Activity

MA Library Science (Sam Houston State U Huntsville TX) post-grad work in education Have served on a governing or advisory board with each professional organization I have been a member, some state-wide, some regional, some local -- all elected by my peers. Have volunteered extensively with various activities of O R Rec and Parks. Have 40 years of catering experience Have experience in planning community affairs arts in the park open-air theater (Richmond VA) outdoor concerts food tastings holiday open house events everything from financing, arranging parking to security, publicity, finishing with clean-up and evaluation.

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

In the seven years I've lived in Oak Ridge, the events of Rec and Parks have had the most influence. I am very familiar with the scope of this commission. While I do not know every person employed by Rec and Parks (I'm weak on remembering names), I am quite sure they know me and have a favorable view of my contribution to their effort. I would welcome the opportunity to use my expertise to the betterment of my community.

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

See the previous reponse

Notes

Gene R Dunaway

PO BOX 5061
Oak Ridge, TN 37831

Cell Phone: 865-934-9956
E-Mail: GRDunaway@gmail.com

OBJECTIVES:

Account Administration; Information Network Design / Operations; Data Cable Installation / Certification; Information Technology Instructor

SUMMARY OF EXPERIENCE

- 26 years experience in all phases of establishing and maintaining computer / telephone networks
- 22 years experience in all phases of cabling for computer / telephone networks
- 20 years experience in establishing and maintaining databases (mainframe and pc's)
- 18 years experience in lan / wan networking and information security
- 18 years experience in helpdesk and chip-level hardware repair
- 16 years accounting experience in budget preparation and administration, accounts payable, payroll, inventory control; also 16 years experience as office manager
- 16 years experience in printing, book / magazine editing, and desktop publishing
- 8 years teaching experience (junior high, high school, and adult); also 7 years experience as a librarian

WORK HISTORY

06/07-Present Active Retirement
12/05-06/07 Janitor (F/T), Kroger Supermarket, Oak Ridge, TN
06/05-07/05 Courtesy Clerk / Bagger (P/T), BI-LO Supermarket, Oak Ridge, TN
08/04-06/05 Family relocation
10/03-08/04 Information Systems Instructor, Beta Tech, Richmond, VA
04/03-10/03 Contract Employee, Venturi Staffing Partners, Richmond, VA
04/03-10/03 Janitor (P/T), The General Company, Richmond, VA
11/02-04/03 Overnight Stocking Clerk (Seasonal), Target Store, Brook Road, Richmond, VA
11/95-02/02 Senior DP Technical Analyst, Federal Reserve Bank, Richmond, VA (Early Retirement)
09/94-11/95 Telecommunication Analyst, Federal Reserve Bank, Richmond, VA
06/92-09/94 PC Maintenance Technician, Federal Reserve Bank, Richmond, VA
12/91-06/92 Helpdesk Technician, Fox Temporaries assigned to the Federal Reserve Bank, Richmond, VA
05/89-12/91 Office Manager, Signet Investment Banking, Richmond, VA
08/88-05/89 Librarian, Beaumont Learning Center, Beaumont, VA
12/82-08/88 Computer Systems Coordinator, College of Humanities & Sciences, VCU, Richmond, VA
02/82-12/82 Scientific Typesetter, William Byrd Press, Richmond, VA
06/81-02/82 Fiscal & Accounts Technician, Department of Physiology, MCV/VCU, Richmond, VA
07/78-06/81 Photographic Sales Counselor and Trainer, Best Products, Inc. Richmond, VA (PT & FT)
02/79-09/80 Junior High English Teacher, Hopewell (VA) Public Schools
09/75-11/78 Coordinator of Library Services, VA Dept. of Correctional Education, Richmond, VA
12/72-09/74 Librarian/Teacher, Virginia State Farm, State Farm, VA
09/70-12/72 Information (Public Relations) Technician, VA Dept. of Personnel, Richmond, VA

PROFESSIONAL AFFILIATIONS

- BICSI
- Office Automation Association of Richmond (consecutively, Information Officer, Program Chair, Vice Chair, and Chair)
- Office Automation Society International (certified Office Automation Professional)
- Served two two-year non-concurrent terms on the FRB Employees' Council (vice chair and chair for two years of the terms)
- Postgraduate Professional Teacher Certificate: Jr. High / High School English, Speech, Journalism, and Library Science, Virginia Department of Education (subject to renewal)

EDUCATION

- 1975 Master of Library Science (minor in Criminal Justice): Sam Houston State University, Huntsville, TX
- 1967 BA in English (Speech / Journalism) / minor in Religion: Trevecca University, Nashville, TN
- Graduate work in education (including services to the handicapped and learning disabled), computing, and radio / television production

INTERESTS

Have Virginia Extension Service certification as a producer/director of public access television programming. Am a semi-professional photographer. Served as Lighting / Sound director for several local theatre groups. Was head director for the Chamberlayne Actors' Theatre 1987/88 Winter Show; also a member of the Board of Directors. Have had articles published in local Virginia journals; also have been published in international trade journals. Was a contributing editor for a regional theatrical magazine. Actively participated in various volunteer organizations

VITALS

Marital Status: Single

Citizen of the United States – holder of current US Passport

Available for immediate employment

Available for positions that require travel, relocation, or overtime to complete project

REFERENCES

References furnished upon request

End of Application for

Dunaway, Gene

For Board:

Recreation and Parks Advisory Board

City of Oak Ridge Board Application

BoardName: Recreation and Parks Advisory Board

2012

Application Submitted

Applicant: Green, Sheldon

Choice

1

4/8/2012 22:41:37

28 Rockingham Lane

HomePhone

(865) 272-3337

Email

MobilePhone

8652021580

sgreen06@comcast.net

Oak Ridge

TN

OfficePhone

Retired?

n

Current Position / Title

Agency Field Executive

Current Employer

State Farm Insurance

Company / Organization Retired From

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

Knoxville Area Urban League - board member

Education, Professional and or Community Activity

Master's Degree in Financial Services. - the American College Bachelor of Science in Business Administration - Concord University Associate of Arts Degree in Business Administration - Potomac State College Jefferson High School, Shenandoah junction , WV Member of Oak Ridge Breakfast Rotary Club

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

Oak Ridge is my home. I have always had an interest in my community and giving back in order to make it a better place to live. I love to bike ride and play other sports. I would have a great interest in making sure our parks are clean, safe and that Oak Ridge become known for walking paths, bicycle paths and a great environment for outdoor exercise.

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

I have no special knowledge or experience. I have participated and helped in some of Oak Ridge's organized bike runs in the past few years. I do have a great work ethic for doing things of this nature which is helping with outdoor activities.

Notes

End of Application for

Green, Sheldon

For Board:

Recreation and Parks Advisory Board

City of Oak Ridge Board Application

BoardName: Recreation and Parks Advisory Board

2012

Application Submitted

Applicant: Hebert, Bonnie

Choice

1

4/13/2012 15:27:21

118 Center Park Lane,

HomePhone

865-483-9593

Email

MobilePhone

8657125261

bheberttennis@comcast.net

Oak Ridge

TN

OfficePhone

Retired?

n

Current Position / Title

Human Resources Team Lead and Communications Manager

Current Employer

UT-Battelle; Oak Ridge National Laboratory

Company / Organization Retired From

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

Education, Professional and or Community Activity

MS, General Administration, Central Michigan University; BS, Administrative Management, Clemson University Member Tennessee Valley Human Resources Association SPHR Certification (Senior Professional Human Resources) Community Activities: Leadership Oak Ridge Interim Board Oak Ridge Playhouse Board - 2008-2011 Atomic Rowing Association - Volunteer St. Mary's Church - Volunteer Oak Ridge Baseball - Volunteer

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

I have a genuine interest in promoting the Oak Ridge community and making it a better place to work and live. Because I am an Oak Ridge resident and also recruit and attract people to live and work in this area as part of my job in human resources, I would like to be part of a committee that will potentially provide enhancements to promote growth in Oak Ridge. In addition, I have two children involved in high school athletics, so I understand some of the issues regarding local facilities.

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

I have served in many management and leadership positions over the years, both at work and for local communities. I have also lived in many different locations, not only nationally but internationally due to my military experience. My broad leadership and community experience will qualify me for this appointment.

Notes

BONNIE B. HÉBERT

118 Center Park Lane
Oak Ridge, TN 37830

Office: 865-574-8381

hebertb@ornl.gov; bhebertennis@comcast.net

Cell: 865-712-5261

SENIOR HUMAN RESOURCES AND COMMUNICATIONS MANAGER

Providing People, Process & Organizational Leadership to Support Global Operations

Distinguished career of more than 20 years by using creativity and tenacity in organizational development, change management and strategic HR management – optimizing people assets in response to ever-changing business objectives. Facilitated strategic planning and operating decisions in support of growth and consolidation/centralization of global operations. Masters degree and advanced leadership training complement success in:

- Building top-flight national and international HR organizations and teams, and delivering the highest level of services to corporate and operating groups in the US, Europe and Middle East.
 - Developing/deploying technology and performance management programs to reduce costs and improve efficiency.
 - Championing training, health/welfare and career advancement programs for entry-level employees to executives.
 - Serving as a key advisor to executives and business unit leaders to promote positive internal/external communications.
-

PROFESSIONAL EXPERIENCE

INTEGRATED SENIOR HUMAN RESOURCES & COMMUNICATIONS BUSINESS MANAGER

2006 to Present

US ITER Project Office, Oak Ridge National Laboratory (ORNL), Oak Ridge, TN and Cadarache, France

Joined a leadership team to develop, deliver and integrate HR, communications and related services for a \$2.5B, 10-year Department of Energy (DOE) international project (ITER), an unprecedented collaboration of global scientists, technologists and engineers demonstrating the feasibility of fusion power by building a Tokamak in France. Serve as a liaison to provide weekly/monthly communications, project metrics and personnel allocation/management between the US Department of Energy, and partner laboratories. Counterparts include the European Union, Russian Federation, Japan, Korea, China and India. Direct a staff of 4, responsible for \$500k budget and report to the Deputy Project Director matrixed from HR and Communications Directorate.

Organizational Development & Global Human Resources Management

- Designed and implemented best in class recruitment/retention, performance management, compensation, training, rewards/recognition and employee relations programs, and created effective HR systems and processes for the newly created organization.
- Developed domestic and international workforce plans and staffing models to recruit/place key scientific personnel and senior staff for key roles in the US and France. Identified and selected multinational candidates for nomination to ITER International.
- Appointed as the US representative to the Advisory Board of the ITER International School, providing recommendations for curriculum development, addressing parent issues and concerns and providing recommendations to school leadership.
- Led an HR, legal and procurement team in developing a long-term foreign assignment and relocation policy.
 - Used benchmarked practices from government, academia and industry, which are now being used as a best-in-class example to formulate other relocation policies.
 - Structured appropriate briefings with DOE HQ, the American Consul General in Marseille and US State Dept. to gain policy approvals.
- Promoted/ advertised more than 300 international vacancies, nominated 500+ US candidates and filled numerous ITER International vacancies. Provided cross cultural training and family assistance to more than 40 US personnel working overseas and stateside.

Internal, External & Multinational Communications

- Wrote a comprehensive communications plan to develop and maintain open lines of internal and external communications among US DOE and other US and foreign public-private sector organizations vested in the multinational project.
- Established a public relations platform and upgraded website, media kits, project fact sheets, newsletters and other public and media collaterals. Prepped senior personnel for media interviews and speaking engagements.
- Led the flawless planning and execution of high-level foreign visits, ITER representation at industry conferences and public forums, and other special events.
- Encouraged and attained 90%+ high-level participation in the US ITER Gallup Q12 survey in 2007, and actively involved in the roll-out of Gallup Q12 for 2008.

COMMUNICATIONS & SENIOR PROTOCOL OFFICER – Oak Ridge National Laboratory (ORNL), Oak Ridge, TN 2005 to 2006

Joined the management team of a world-leading scientific and technology research center, ORNL which is a joint partnership between Battelle Memorial Institute and the University of Tennessee, and the largest multi-purpose US DOE laboratory. Established a formal means of communicating the proposed science agenda for potential DOE, Congressional, Industry and other VIP guests.

Protocol, Employee Relations & Community Outreach

- Directed countless flawless dignitary visits with the Department of Energy Secretary, Senator Lamar Alexander, numerous US Congressmen, and senior delegations from China, England, Japan and Russia. Managed planning, itineraries, logistics, audio-visual support, photo coverage, transportation, correspondence and gift exchange program.
- Chartered and served as President of Club ORNL, an employee association to develop esprit de corps across a large, diversified organization. Benchmarked and set up the leadership structure, operating guidelines, budgets and events.
- Showcased the laboratory as an organization committed to its employees by organizing a first-ever fall festival and a summer vintage car display with more than 2,000 people in attendance.
- Collaborated with human resources in developing retention programs to include training the managers on the process and results analysis of the Gallup Q12 Employee Engagement Survey.
- Contributed to community service and outreach programs through participation on the East TN Economic Council, Chamber of Commerce, Leadership Oak Ridge Board, Habitat for Humanity, Oak Ridge Playhouse and several United Way campaigns.

SENIOR COMMUNICATIONS OFFICER – Centers for Disease Control & Prevention (CDC), Atlanta, GA 2004 to 2005

Senior CDC spokesperson and crisis communications expert for national and international media queries, other CDC groups, Federal, state and local health officials, and international agencies. Developed communication plans, program materials, press releases and presentations. Coached senior scientist/administrators on interacting with the scientific community, media and public. Designed Terrorism Preparedness & Response training materials, 2004 Summer Safety Kit and Vaccine Safety Communication programs for staff. Served as a senior CDC primary spokesperson during the influenza vaccine shortage crisis.

DIRECTOR OF PUBLIC AFFAIRS AND SENIOR EXECUTIVE – 3rd US Army, Fort McPherson GA, Afghanistan and Kuwait 2000 to 2003

Partnered with a three-star commanding general to create strategic public affairs contingency war plans in the areas of budget, personnel, logistics and equipment for the HQs in one of the Army's largest organizations. Substantiated the need to triple staff assigned to HQs, to accommodate a geographically dispersed organization across Kuwait, Qatar and Afghanistan as a result of the 9/11 terrorist attacks on the US. Outlined roles, responsibilities and accountability, and built a 45-person public affairs team to support HQs and field operations. Quickly staffed and deployed teams in support of operations in Afghanistan and Iraq. Managed a \$1.3M budget.

Internal / External Communications & Resource Management

- Opened lines of communication and synchronized the use of 3rd party resources to contribute to the effectiveness and timely delivery of information to internal and external audiences, and geographically dispersed operations worldwide.
- Developed and published an internal weekly newspaper for an Army population of 2K deployed near Cairo, Egypt for an international joint services exercise just after 9/11.
- Utilized web-based employee relations/communications to provide real-time information to employees and the public.
- Led senior executive training, and managed communications and special events for senior officers and distinguished visitors, including Defense Secretary Donald Rumsfeld, Newt Gingrich, General Myers, and Congressional delegations.
- Awarded a Bronze Star for service in Iraq and Legion of Merit Award upon retirement.

SENIOR HUMAN RESOURCES MANAGER – US Army 3rd Infantry Division, Fort Stewart, GA 1997 to 1999

Led 200 professionals in human resources, payroll, benefits and administration for one of the largest divisions of the Army overseeing operational and personnel support for 56 organizations with 26K personnel. Using change management expertise, traversed disparities between functional groups to establish common objectives and direction to transform an "old line" culture into a professional and shared services organizational structure.

Team Building & Organizational Development

- Led strategic HR and organizational development to position HR as a business partner, helping operating unit heads optimize their most valuable asset – people. Drove complex business consolidation, operations integration and culture change initiatives.
- Created fully integrated finance and HR group, merging 200 professionals into a newly created shared services center.
- Won commendations and recognition for continuous process improvement and service excellence in a changing environment.
- Applied people, process and technology applications to create a dynamic resource allocation plan and effective organizational model that balanced employee and customer needs with headcount and cost reduction demands placed on the organization.
- Accelerated placement of key individuals and senior level officers by 20% by identifying all qualified personnel by job function, skill level and management grade to ensure placement of the best talent into high-profile positions.
- Coordinated assignments and resources to set up a 23-person HR division support group for a six-month period in Kuwait.
- Reported to and briefed a two-star commanding general monthly on the ever-changing senior officer positions.

HUMAN RESOURCES/COMMUNICATIONS OFFICER – Department of the Army, Pentagon, Washington, DC 1993 to 1996

Promoted from field operations into a HQs group, overseeing communications and training for military and civilian executives at the Pentagon. Served as primary Army spokesperson for issues related to key personnel issues and crisis communications management. After 2 years, transitioned into an HR/OD management role to institute a new information management system for handling officer performance evaluation and promotion and placement of 70K senior officers Army-wide.

Performance Management, Communications, Team Building, Training & Diversity

- Led media/ crisis communications training for senior staff and Pentagon general officers on key topics (e.g., healthcare, morale, social issues, safety and military justice) and prepared them for high level controversial interviews like 60 Minutes.
- Served as an Army spokesperson on women in the military, homosexuality, diversity, health/benefits and military justice. Coordinated media coverage of the 1st Islamic Chaplain and *Glamour* feature on the 1st Female Drill Sergeant of the Year.
- Helped coordinate and construct an updated performance management system and operating guidelines, including related training/development programs, career paths and succession planning for 70K officers worldwide.
- Facilitated shift to a fully automated performance evaluation system, compiled best practice guidelines, and instituted quality controls to improve the accuracy, timeliness and availability of information delivered to senior officers.
- Upgraded position descriptions and changed staffing for key HQs positions to transition from all military to civilian personnel for the Officer Evaluation Reports Division.

EARLY CAREER (1983 to 1992) Advanced through increasingly responsible human resources assignments as an Assignment Manager / Personnel Actions Manager for the 9th Infantry Division (Ft. Lewis, WA) and as Director of Personnel for US Army Europe (Augsburg, Germany) commanding more than 200 personnel. Optimized people, processes and technology to track and manage a 15-month initiative involving downsizing of 4 personnel operations in locations throughout Germany in conjunction with the Army drawdown in Europe.

EDUCATION, PROFESSIONAL DEVELOPMENT & AWARDS

MS, General Administration – Central Michigan University

BS, Administration Management – Clemson University
Distinguished Military Graduate; Four Year ROTC Scholarship

Senior Professional Human Resources Certification (SPHR); SHRM Member

Selectee, Senior Service College
Top 15% of senior officers selected for doctorate level training

Training With Industry – Fleishman-Hillard Inc.
One-year management public relations development program

Graduate, Command & General Staff College
Management development and advanced education program

2009 Esprit de Corps Award;

2007 Administrative Support Team and 2006 Esprit de Corps Awards – UT-Battelle Awards Night

Bronze Star Award – Iraq Campaign; Legion of Merit Award – U S Army Retirement

End of Application for

Hebert, Bonnie

For Board:

Recreation and Parks Advisory Board

City of Oak Ridge Board Application

BoardName: Recreation and Parks Advisory Board

2012

Application Submitted

Applicant: Herron, Kristy

Choice

1

4/11/2012

11:30:23

284 Jefferson Avenue

HomePhone

Email

MobilePhone

8657246450

kristy.herron@gmail.com

Oak Ridge

TN

OfficePhone

Retired?

y

Current Position / Title

Marketing Strategist

Current Employer

WestGate Lodging, LLC (OfficeTeam-Part Time)

Company / Organization Retired From

UT-Battelle

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

Education, Professional and or Community Activity

Oak Ridge High School Graduate 1997 Bachelor of Science in Organizational Management from Tusculum College Graduate 2004 Master of Science in Public Administration (Completed 85%) University of Phoenix & Utica College Actively involved in local marketing efforts for local business owner in Oak Ridge via social media and other channels.

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

Oak Ridge has a unique opportunity to attract world-class, potential employees to the area in addition to retaining the talent we have now. Specifically, Oak Ridge offers beautiful landscape, activities, and parks attractive to families. Sustaining these parks and activities is essential to the growth and life of our city. Parks and recreation have the obligation to offer safe, clean, fun environments in which our families and children thrive via its leadership.

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

In addition to being a parent of a five year old and an eight year old, I have also lived in the area my entire my life. My professional experience allows me to be familiar with sustainability initiatives. In my previous experience, I have traveled to universities and provided leadership and planning to communities for sustainability planning. It is my wish to bring my experience and my passion for the city to the board in an effort to grow our city. Prior to leaving UT-Battelle responsible for overall program/project management strategic planning and execution, and fiscal resource matters for Lockheed Martin projects. Developed near- and long-range strategies, budgets and program/project to meet the life cycle requirements and established implementation criteria and timelines. Provided expert advice to management on the interpretation, development, and application of policies, and the coordination of efforts across the directorates.

Notes

End of Application for

Herron, Kristy

For Board:

Recreation and Parks Advisory Board

City of Oak Ridge Board Application

BoardName: Recreation and Parks Advisory Board

2012

Application Submitted

Applicant: Palmer, Esther

Choice

1

4/8/2012 14:15:13

107 Brentwood Drive

HomePhone

865-685-0311

Email

MobilePhone

expalmer1@aol.com

Oak Ridge TN

OfficePhone

Retired? n

Current Position / Title

Records and Information Manager

Current Employer

Bechtel National

Company / Organization Retired From

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

Education, Professional and or Community Activity

College Member of ARMA Long connection with the DOE community

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

I have lived in cities with both good and bad parks and believe I could offer help.

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

The field to enter the cell phone number is working 865-356-7883 or 865-398-3735

Notes

End of Application for

Palmer, Esther

For Board:

Recreation and Parks Advisory Board

City of Oak Ridge Board Application

BoardName: Recreation and Parks Advisory Board

2012

Application Submitted

Applicant: Ward, Nancy

Choice

1

4/10/2012 17:01:22

104 W Damascus Rd,

HomePhone

865-483-5590

Email

MobilePhone

WNancy@aol.com

Oak Ridge TN

OfficePhone

Retired? y

Current Position / Title

Current Employer

Company / Organization Retired From

US Department of Energy

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

Education, Professional and or Community Activity

BS from University of Alaska, 1982 MS from MIT. 1985 Retired as the Team Lead (Branch Chief) for the Quality, Environment, & Analysis Team. Had 14 years with Department of Energy, 12 years with Department of Interior (MMS), and 4 years with Department of Intelligence for the Army (ITAC) before retiring. Also, lived in a historic house and ran a Bed & Breakfast, part-time, in Harriman, TN While in Harriman served on the Historic Zoning Board for 4 years (volunteer)

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

I have not been involved in Community Activities, except as a user since leaving Harriman in 2004 because of family commitments. However, I have missed being more involved in the Community and believe this commitment would make good use of my background and experience.

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

With my background in environmental science and since I am a frequent user of the Parks I believe this would be a good fit. Also, while serving on the Zoning Board in Harriman, helping to expand the use of the David Webb Park on the riverfront and selecting playground equipment for all the parks in Harriman. I use the playgrounds with my grandchildren; I walk my dog in the Elm Grove Park; I watch the rowing races at times, and many other activities and understand what makes the experience at the parks and walkways good and what detracts from enjoyment of the areas. In addition, I have over 25 years experience with involving the public in making community and national decisions. (See above.)

Notes

104 W Damascus Rd
Oak Ridge, TN 37830

April 10, 2012

TO WHOM IT MAY CONCERN

SUBJECT: Application to the Recreation & Parks Board

I would like to apply to the Vacancy on the Recreation & Parks Board. I have lived in Oak Ridge since 2004. Prior to that we lived in Harriman for several years, but when we retired, we moved back to Oak Ridge because we still had ties to the community and enjoyed living here.

I retired after serving over 25 years with the federal government. In addition, I have also served as volunteered in many different activities. Some of my volunteer activities included being CASA (Court Appointed Special Advocate) for Anderson County, working with the Children's Museum of Oak Ridge, and serving on the Historic Zoning Board for Harriman.

I believe that my background in Environmental Science and my experience in gathering comments from the public and analyzing the results would be beneficial to the Board. I also believe that my experience with familiarity with Oak Ridge and its Parks would be beneficial in analyzing and determining appropriate growth and maintenance.

Thank you for considering my application for the Oak Ridge Recreation and Parks Board.

Nancy K Ward

End of Application for

Ward, Nancy

For Board:

Recreation and Parks Advisory Board

**Voting Ballot for Recreation and Parks Advisory Board
Elect (1) One Applicant to serve a balance of an
unexpired term ending December 31, 2014.**

Frank P. Chmielewicz

Abstain

Emilie Damos

Gene R. Dunaway

Sheldon Green

Bonnie Hebert

Kristy Herron

Esther Palmer

Nancy Ward

Member, Oak Ridge City Council
May 7, 2012

YOUTH ADVISORY BOARD ELECTION NOTICE

Applications are currently being accepted for Youth Advisory Board (YAB) board members for the 2012-2012 school year. Sixteen (16) applicants will be confirmed and appointed by City Council at the July 9, 2012 City Council Meeting.

Board members will serve a one-year term of office that commences on August 1, 2012. To be considered, applicants must be residents of Oak Ridge and entering grade levels 8th through 12th.

Incumbents:	Grade Level:
Cameron Brinkman	10 th
Caliope Brousal	9 th
Aaron Chasan	11 th
Emily Ducko	12 th
Patricia Edou	9 th
Courtney Follman	11 th
Shane Harris	9 th
Ross Landenberger	11 th
Emily Lockhart	12 th
Hannah Magill	11 th
Ashley Parks	12 th
Patrick Rader	11 th
Sarah Stokely	12 th
Patrick Williams	11 th
Kelsey Warmbrod	10 th
Shichen Zhang	8 th

All interested students are encouraged to fill out the new, on-line application which is available on the City Clerk's Departmental Website or at <http://tiny.cc/yab>.

Paper applications are available in the Guidance Offices at Jefferson Middle School and Robertsville Middle School, the Student Affairs Office at Oak Ridge High School, and at the front desk of the Civic Center.

Applications and on-line submissions are due on Friday, June 1, 2012 by 5:00 p.m. to the locations listed above.

For more information, please contact Diana Stanley, City Clerk at (865) 425-3411.

**SUMMARY
OF
CURRENT EVENTS**

CITY OF OAK RIDGE



POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001

City Manager's Report

Playful City USA Designation

On February 13, 2012, the Oak Ridge City Council voted unanimously to support the submission of an application to secure a Playful City USA Designation and to support efforts promoting increased play opportunities throughout the community.

Pursuance of the Playful City USA designation was included in the 2012 Goals Program for the Recreation and Parks Department, as well as City Council's goals for the Recreation and Parks Advisory Board. Matt Reedy, Recreation Program Supervisor, led this effort by gathering supporting information and helping to complete the application.

Playful City USA is a national recognition program sponsored by Kaboom! that honors cities and towns that make play a priority and use innovative programs to get children active, playing, and healthy. In 2011, 151 cities and towns across the country in 38 states and 1 territory earned the Playful City USA status. City Councilmembers and City staff have seen Playful City USA displays and material as they travel to NLC meetings and conferences.

The Recreation and Parks Department has had past success working with KaBOOM! In 2011, department staff applied for and won three grants from Dr. Pepper Snapple Group, a National Partner of KaBOOM! The grants totaled \$1,750 and will be used to cover the cost of bike racks and installation of concrete pads at Cedar Hill and Elm Grove Parks.

A Playful City event will be held as part of the Secret City Festival on June 15-16, 2012.

Mark S. Watson, City Manager