

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

February 10, 2014—7:00 p.m.

AGENDA

- I. INVOCATION  
Pastor Robert May with Family Bible Church
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPEARANCE OF CITIZENS
- V. PROCLAMATIONS AND PUBLIC RECOGNITIONS  
(NONE)
- VI. SPECIAL REPORTS  
(NONE)
- VII. CONSENT AGENDA
  - a. Approval of the January 13, 2014 City Council Meeting minutes.
  - b. Approval of the January 27, 2014 City Council Special Meeting minutes.
  - c. Approval of the January 27, 2014 Work Session Meeting minutes.
  - d. Approval of a proclamation declaring March 7, 2014 as "Arbor Day" in the City of Oak Ridge.
  - e. Adoption of a resolution approving bylaws of the Oak Ridge Land Bank Corporation.
  - f. Adoption of a resolution authorizing the transfer of tax equivalent funds from the Electric and Waterworks Funds to the General Fund for the fiscal year ending June 30, 2014, and to authorize its distribution between the City of Oak Ridge and Anderson and Roane counties in accordance with state law.
  - g. Adoption of a resolution authorizing the City to apply for a grant from the Tennessee Department of Transportation through the Knoxville Transportation Planning Organization for Federal Congestion Mitigation and Air Quality improvement (CMAQ) program funds, in the estimated amount of \$250,000.00 to \$300,000.00, and accepting said grant if awarded.
  - h. Adoption of a resolution authorizing Aid to Distressed Families of Appalachian Counties, Inc. (ADFAC) to submit on the City's behalf a grant application, including all understandings and assurances contained therein, to the Tennessee Housing Development Agency (THDA) for 2014 Home Grant Program Funds to promote the rehabilitation of housing for low-income households in Oak Ridge, in the not to exceed amount of \$500,000.00.

VIII. RESOLUTIONS

A RESOLUTION AWARDING A BID IN THE ESTIMATED AMOUNT OF \$486,808.00 TO SPILLMAN TECHNOLOGIES, INC., SALT LAKE CITY, UTAH, FOR THE FURNISHING OF INTEGRATED HARDWARE, SOFTWARE, AND TECHNICAL SUPPORT SERVICES FOR THE POLICE DEPARTMENT.

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of an Ordinance

AN ORDINANCE TO AMEND TITLE 3, TITLED "MUNICIPAL COURT," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE," BY CREATING A NEW CHAPTER 6, TITLED "ADMINISTRATIVE HEARING OFFICER," TO CREATE AN ADMINISTRATIVE HEARING OFFICER POSITION IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED §6-54-1001 ET SEQ.

X. FINAL ADOPTION OF ORDINANCES

(NONE)

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

a. Elections/Appointments

- i. Appoint one (1) applicant to the Trade Licensing Board for a term of office ending on December 31, 2016.
- ii. Appoint three (3) members of City Council to both the City Attorney's Evaluation Committee and City Manager's Evaluation Committee.
- iii. Appoint one (1) member of City Council to the Youth Advisory Board (YAB) Screening Panel.

b. Announcements

c. Scheduling

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. SUMMARY OF CURRENT EVENTS

a. CITY MANAGER'S REPORT

b. CITY ATTORNEY'S REPORT

XIV. ADJOURNMENT

# CONSENT AGENDA

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

January 13, 2014

The regular meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on January 13, 2014, in the Courtroom of the Municipal Building with Mayor Pro Tem D. Jane Miller presiding.

**INVOCATION**

Dr. Tim Borchert of First Baptist Church delivered the Invocation.

**PLEDGE OF ALLEGIANCE**

Mr. David Joy led the Pledge of Allegiance to the Flag of the United States of America.

**ROLL CALL**

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

Mayor Thomas L. Beehan 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. Dave Shepard, 127 Pembroke, expressed his concern over recent coyote sightings.

Ms. Kay Williamson, 420 Jefferson Avenue, expressed her concern over the living conditions of both the Applewood and Jackson Square Apartments and outlined her involvement about looking into the issue.

Mr. Dan Mantooth, 144 Montana Avenue, expressed his concern of coyote sightings in his neighborhood.

Mr. Martin McBride, 954 West Outer Drive, commented about an International Global Peace Celebration in 2015 which would mark the 70<sup>th</sup> anniversary without a global war.

Mr. Andrew Howe, 115 East Maiden Drive, commented about setting a standard for data being included in the agenda packet when items are before City Council's consideration.

**PROCLAMATIONS AND PUBLIC RECOGNITIONS**

*A proclamation designating January 2014 as "Red Ribbon Month" in Oak Ridge.*

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

Mr. Michael Foster, Prevention Coordinator for Allies for Substance Abuse Prevention of Anderson County and fellow associates accepted the proclamation.

**SPECIAL REPORTS**

*FY 2013 Independent Audit Report from Mr. Ted Hotz with Pugh & Company, P.C.*

Mr. Hotz provided an overview of the highlights of the FY2013 City of Oak Ridge's Audit Report including,

a status report of the audit, components of the audit, and key financial figures. Mr. Hotz emphasized that the audit revealed no significant concerns or deficiencies. Additionally, Mr. Hotz responded to questions and comments of City Council at the conclusion of the presentation.

At the recommendation of the City Manager, Councilmember Hensley moved, seconded by Councilmember Baughn to acknowledge the presentation of the report as provided by Mr. Hotz with Pugh & Company, P.C. for the record. The motion was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, and Mayor Pro Tem Miller voting "Aye."

*Presentation of State Forms CT-0253 Report on Debt Obligation the Lease Purchase of Two Fire Trucks in the amount of \$964,291.34.*

Finance Director Janice McGinnis provided brief remarks regarding the lease purchase, noting that this presentation at a public meeting was part of a new requirement from the State of Tennessee Comptroller's Office when a city issues debt and that the item was presented for informational and discussion purposes of City Council. Additionally, Ms. McGinnis responded to inquiries of City Council.

### **CONSENT AGENDA**

Councilmember Garcia Garland requested to remove a resolution from the Consent Agenda titled "a resolution authorizing the City to apply for a grant from the Tennessee Department of Environment and Conservation (TDEC), Clean Tennessee Energy Program, in the estimated amount of \$250,000.00 with a sixty percent (60%) local match, and accepting said grant if awarded."

Councilmember Hensley moved, seconded by Councilmember Baughn to approve the remainder of the Consent Agenda as modified. The motion was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, and Mayor Pro Tem Miller voting "Aye," thereby:

- Approving the December 9, 2013 City Council meeting minutes.
- Approving two (2) minutes from December 16, 2013 City Council Special Meetings.
- Adopting **Resolution No. 01-01-2014** authorizing the Mayor to execute on behalf of the City of Oak Ridge Certificates of Good Moral Character for Pamla Ann Morton, Oak Ridge Moose Lodge No. 1316; and Barry C. Bergren, Atomic City Eagles No. 2514.
- Adopting **Resolution No. 01-02-2014** awarding a bid in the amount of \$141,080.00 to Stuart C. Irby Co., Johnson City, Tennessee, for the furnishing of four (4) Intellirupter Pulseclouser devices.

### **Item Removed from the Consent Agenda**

#### **Resolution No. 01-03-2014**

**Adoption of a resolution authorizing the City to apply for a grant from the Tennessee Department of Environment and Conservation (TDEC), Clean Tennessee Energy Program, in the estimated amount of \$250,000.00 with a sixty percent (60%) local match, and accepting said grant if awarded.**

Public Works Director Gary Cinder explained that the City was using the grant to begin the replacement process as opposed to using a 100% of city funds, as well as noted that a replacement plan for the HVAC units was included in the Capital Improvement Plan (CIP).

Councilmember Baughn inquired about consideration of using the grant monies marked by the City for use with the grant to help replace the HVAC system at Robertsville Middle School that was also in need of replacement.

Discussions followed between City Council and City Staff regarding a joint effort of prioritizing and completing projects, such as the HVAC replacement, between the City and the Schools. Additionally, an in-depth discussion developed regarding the possibility of completing a grant application to help replace the heating system at Robertsville.

Ms. Ellen Smith, 116 Morningside Drive, commented that the HVAC system was identified as a priority as part of the Climate Action Plan by the Environmental Quality Advisory Board (EQAB) due to its remarkably high energy use. Additionally, Ms. Smith noted that the State would require data specifics regarding energy usage that might not be readily available on the heating system at the middle school.

The City Manager noted that based on conversations, his recommendation was for City Council to approve the City's authorization to apply and accept the TDEC grant as presented, and, secondarily, City Council would provide concurrence and approval to apply for a grant with the Schools.

Councilmember Baughn moved to amend the resolution to replace the Central Services Complex as the recipient with that of Robertsville Middle School.

The motion failed for lack of a second.

The resolution passed by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, and Mayor Pro Tem Miller voting "Aye," and Councilmember Baughn voting "Nay."

## **RESOLUTIONS**

### **Resolution No. 01-04-2014**

#### **A RESOLUTION TO AMEND RESOLUTION 4-26-2013 TO PROVIDE FOR A CHANGE IN THE PROTOMET PHASE II EXPANSION EQUIPMENT LEASE.**

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

Mr. Jeff Bohanan, President of Protomet, explained that the amendment being considered was for clarification that the equipment being purchased from Protomet would be parallel to the five (5) year term of the PILT program that was approved by City Council in April of 2013 as it was not evident in the existing description and procedures concerning the equipment lease. Additionally, Mr. Bohanan reviewed the success of his business in Oak Ridge and his success in completing his first PILT agreement.

The City Attorney clarified that the reason for consideration by City Council was because the terms were outside of the matrix procedures as the approved abatement was a 100% abatement and a flat five-year term when approved in April 2013, and the applicant—Mr. Bohanan—was requesting that the abatement begin as of the last date of equipment acquisition.

Discussions proceeded between Mr. Bohanan and the City Council regarding the terms of the PILT application for the Phase II Expansion Equipment Lease as was approved in April of 2013.

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

### **Resolution No. 01-05-2014**

#### **A RESOLUTION TO DISSOLVE THE HIGHLAND VIEW REDEVELOPMENT ADVISORY BOARD CREATED BY RESOLUTION 2-17-05.**

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

Following clarifications from the City Attorney explaining that there was no public hearing requirement for the dissolution of this board, the resolution was approved by voice vote with Councilmembers Garcia

Garland, Hensley, Hope, Mosby, and Mayor Pro Tem Miller voting “Aye,” and Councilmember Baughn voting “Nay.”

**Resolution No. 01-06-2014**

**A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OAK RIDGE, TENNESSEE, AND THE OAK RIDGE SCHOOL BOARD OF EDUCATION CONCERNING THE INSTALLATION AND OPERATION OF A FIBER OPTIC NETWORK DESIGNED TO MEET THE TECHNOLOGICAL NEEDS OF BOTH PARTIES.**

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

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

**Resolution No. 01-07-2014**

**A RESOLUTION TO AUTHORIZE THE HIRING OF ONE ADDITIONAL POLICE OFFICER OVER AND ABOVE THE CURRENT BUDGETED NUMBER OF POLICE OFFICERS IN ORDER TO ASSIGN AN EXISTING POLICE OFFICER AS A SCHOOL RESOURCE OFFICER.**

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

Councilmember Garcia Garland moved to table discussions of this resolution due to a lack of data and/or information not being submitted regarding the need or benefit of an additional School Resource Officer (SRO) in the schools, and information regarding the additional funding for this position.

The City Manager clarified that monies were available in FY2014 for this hiring due to savings resulting from police personnel turnovers.

The motion introduced by Councilmember Garcia Garland failed for lack of second.

Discussions took place between the City Council, City Manager, and Oak Ridge Police Chief James Akagi regarding funding for the officer in FY2014 and FY2015, equipment to outfit the officer, and the utilization of the officers in the schools and their mobility to others schools.

Councilmember Baughn moved to increase the number of proposed SROs under consideration from one (1) to two (2) based on recommendations of the Chief of Police and the School Board to address safety at the schools. The motion failed for lack of a second.

Members of City Council discussed the need for obtaining additional information to determine the safety needs of the schools and the funding associated with the needs. Councilmember Baughn made a request for a special-called meeting within the next month for the City Council and the School Board to meet to address the aforementioned needs. The request was supported by Councilmember Garcia Garland.

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

**PUBLIC HEARINGS AND FIRST READING OF ORDINANCES**

(NONE)

**FINAL ADOPTION OF ORDINANCES**

(NONE)

**ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

Elections/Appointments

Announcements

Scheduling

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

Councilmember Hensley announced that the Oak Ridge Land Bank had met one week prior to elect officers and to discuss goals and potential future partnerships. Councilmember Hensley noted that another meeting had been scheduled for January 15, 2014.

Councilmember Mosby requested that the City Manager give consideration to items that were mentioned by citizens during "Appearance of Citizens" that included code violations, coyotes, and consideration to the 70<sup>th</sup> anniversary planning of no global war.

**SUMMARY OF CURRENT EVENTS**

CITY MANAGER'S REPORT

(NONE)

CITY ATTORNEY'S REPORT

(NONE)

**ADJOURNMENT**

The meeting adjourned at 9:10 p.m.

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

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

January 27, 2014

The special meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on January 27, 2014, in the Multipurpose Room of the Central Services Complex with Mayor Thomas L. Beehan presiding.

**ROLL CALL**

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

Also present were Mark S. Watson, City Manager; Kenneth R. Krushenski, City Attorney; and Diana R. Stanley, City Clerk

**RESOLUTION**

**Resolution No. 01-08-2014**

**A resolution approving an order of dismissal in *Kay Littlejohn v. City of Oak Ridge* and a settlement in the amount of \$75,000.00, with the City's portion of the settlement amounting to \$37,500.00.**

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

Following a brief introduction and explanations by the City Attorney, the resolution was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

**ADJOURNMENT**

The meeting adjourned at 7:05 p.m.

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

**OAK RIDGE CITY COUNCIL  
WORK SESSION MINUTES**

**January 27, 2014**

The Work Session of the Oak Ridge City Council convened at 7:05 p.m. on January 27, 2014 in the Multipurpose Room of the Central Services Complex.

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

Also Present: Mark S. Watson, City Manager  
Ken Krushenski, City Attorney  
Diana Stanley, City Clerk

**PRESENTATION ON TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC) REGULATIONS DESIGNATING THE CITY AS A MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) BY GARY M. CINDER AND STEVEN R. BYRD**

City Engineer Steve Byrd provided an in-depth presentation regarding the MS4 designation which included the following subjects:

- History of the National Stormwater Regulations
- City's history with the MS4 designation criteria
- Purpose of the Notice of Intent (NOI) and its six minimum control measures
- Proposed budgeted amount in the Capital Improvement Program (CIP) for the next five (5) fiscal cycles
- Proposed FY2015 MS4 Stormwater Program Budget
- Next Steps for the MS4 Stormwater Program
- Funding Options for the Stormwater Management Program

Throughout the presentation both Public Works Director Gary Cinder and Steve Byrd responded to inquiries of City Council.

**REVIEW AND DISCUSSION ON THE PURCHASE OF INTEGRATED HARDWARE, SOFTWARE, AND TECHNICAL SUPPORT SERVICES FOR THE POLICE DEPARTMENT BY CHIEF AKAGI**

An in-depth discussion was held between the City Council and various members of staff—Lieutenant Robin Smith; Police Chief James Akai; Deputy Police Chief Alan Massengill; Finance Director Janice McGinnis; and Information Services Manager Adam Fiscor—regarding the need to pursue this purchase update; funds used for this procurement; software integration across public safety departments, such as Fire; and the efficiencies and advancements that will be experienced as a result of the implantation of this software.

Jon Hunter with Spillman Technologies, Inc. provided an overview of the company, the support offered, system integration, site license structure, and components of the Core System Modules for this records management software.

**DISCUSSION ON PROPOSED FY2015 BUDGET PROCESS AND OVERVIEWS AND CIP REVIEW BY MARK S. WATSON AND JANICE MCGINNIS**

The City Manager referenced the three budget meeting dates—May 5, 12, and 27—as listed in the agenda packet by Finance Director Janice McGinnis.

The City Manager encouraged members of City Council to contact him with budget inquires and suggestions as staff continues to work on the budget.

**UPDATES/REPORTS**

*Update on initial implementation of landlord registration home inspection program*

Community Development Director Kathryn Baldwin briefly reviewed the highlights of the Rental Registration Program that the City will be implementing. Ms. Baldwin responded to questions and comments of City Council, particularly with regards the detail of the Rental Inspection Checklist which was modeled from the U.S. Department of Housing and Urban Development (HUD) standards.

Brief discussions were also held regarding the potential utilization of an Administrative Hearing Officer to assist with building and property code violations.

*Update on City Council/City Manager grouping of "parking lot policy issues" for future consideration*

The City Manager noted that he has provided City Council with an extensive list of "parking lot policy issues" for the Council to review and to begin discussions.

The meeting adjourned at 9:40 p.m.

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

**CITY CLERK MEMORANDUM**

**14-03**

**DATE:** January 24, 2014

**TO:** Honorable Mayor and Members of City Council

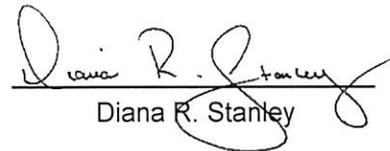
**FROM:** Diana R. Stanley, City Clerk

**SUBJECT:** PROCLAMATIONS-CONSENT AGENDA

The following proclamation is presented for the February 10, 2014 City Council meeting:

Arbor Day

A proclamation for City Council's consideration is in response to a request from the Recreation and Parks Department declaring March 2014 as "Arbor Day" as part of the City's annual celebration of Arbor Day and the City's recognition as a Tree City.

  
Diana R. Stanley

Attachment:

Arbor Day Proclamation

# PROCLAMATION

**WHEREAS**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees and this holiday, called "Arbor Day," was first observed with the planting of more than a million trees in Nebraska; and

**WHEREAS**, Arbor Day is now observed throughout the nation and the world; and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

**WHEREAS**, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

**WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal; and

**WHEREAS**, the City of Oak Ridge has been designated a "Tree City USA" by the National Arbor Day Foundation in recognition of the city's desire to maintain an effective program of tree care and planting that will continue through the years; and

**WHEREAS**, as part of this program, the City's Recreation and Parks Department distributes seedlings to fourth graders in all five of the elementary schools each year, and this year's seedlings will be sourwood trees; and

**WHEREAS**, the program also includes the planting of an official tree on Arbor Day of each year, in cooperation with the UT Arboretum, with the planting location being rotated among the elementary schools; and

**WHEREAS**, this year a White Dogwood is being planted at Glenwood Elementary School in a public ceremony to take place on Friday, March 7, 2014, at 10:00 a.m.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE**, that March 7, 2014, be proclaimed

## ARBOR DAY

in the City of Oak Ridge, Tennessee, and that all citizens be urged to support efforts to protect our trees and woodlands and to support our city's urban forestry program.

**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 10<sup>th</sup> day of February in the year 2014.

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THOMAS L. BEEHAN  
MAYOR

LEGAL DEPARTMENT MEMORANDUM  
14-04

DATE: January 27, 2014  
TO: Mark S. Watson, City Manager  
FROM: Kenneth R. Krushenski, City Attorney  
SUBJECT: OAK RIDGE LAND BANK CORPORATION – APPROVAL OF BYLAWS

Introduction

An item for the agenda is a resolution approving bylaws for the Oak Ridge Land Bank Corporation.

Funding

Funding is not required for this item.

Background

By Ordinance 08-2013, City Council created the Oak Ridge Land Bank Corporation (Land Bank). By Resolution 11-108-2013, City Council established qualification preferences for the Land Bank's Board of Directors, established goals and objectives, and prioritized the disposition of properties held by the Land Bank. At a special meeting on December 16, 2013, City Council elected the Board of Directors for the Land Bank.

The Board of Directors approved bylaws at their meeting on January 15, 2014, which are attached. In accordance with the Articles of Incorporation for the Land Bank, the bylaws require approval by resolution of City Council. The bylaws are presented to City Council for approval.

Recommendation

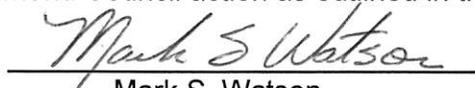
Approval of the attached resolution is recommended.

  
Kenneth R. Krushenski

Attachments: Resolution  
Bylaws

**City Manager's Comments:**

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

  
Mark S. Watson

2-3-14  
Date

**RESOLUTION**

A RESOLUTION APPROVING BYLAWS OF THE OAK RIDGE LAND BANK CORPORATION.

WHEREAS, by Ordinance 08-2013, City Council created the Oak Ridge Land Bank Corporation;  
and

WHEREAS, by Resolution 11-108-2013, City Council established qualification preferences for the Land Bank's Board of Directors, established goals and objectives, and prioritized the disposition of properties held by the Land Bank; and

WHEREAS, at a special meeting on December 16, 2013, City Council elected the Board of Directors for the Land Bank; and

WHEREAS, at their January 15, 2014 meeting, the Board of Directors approved bylaws for the Land Bank; and

WHEREAS, in accordance with the Articles of Incorporation for the Land Bank, the bylaws are presented to City Council for approval by resolution; and

WHEREAS, the City Manager recommends approval of the bylaws.

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

That the recommendation of the City Manager is approved and the attached Bylaws of the Oak Ridge Land Bank, Inc., are hereby approved.

This the 10th day of February 2014.

APPROVED AS TO FORM AND LEGALITY:



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

\_\_\_\_\_  
Thomas L. Beehan, Mayor

\_\_\_\_\_  
Diana R. Stanley, City Clerk

**BYLAWS OF THE  
OAK RIDGE LAND BANK, INC.**

**ARTICLE I – Office Location**

The principal offices of the Oak Ridge Land Bank, Inc. (Land Bank), a Tennessee non-profit corporation, shall be at the Municipal Building in the Community Development Department in the City of Oak Ridge as designated by the Board of Directors. Meetings of the Board of Directors for the transaction of business, except such as required by law to be transacted at the principal offices, may be held elsewhere in the City of Oak Ridge as approved by Resolution of the Board of Directors. All books, journals and records of the Land Bank shall be kept at the principal office.

**ARTICLE II – Board of Directors**

The Board of Directors shall consist of seven (7) members in which all powers of the Land Bank are vested. All directors shall be duly qualified electors of and taxpayers in the city of Oak Ridge. The directors shall serve as such without compensation except that they shall be reimbursed for their actual expenses incurred in and about the performance of their duties. One Director shall be a member of City Council. No other director shall be an officer or employee of the City of Oak Ridge.

The directors shall be elected by the City Council of the City of Oak Ridge and they shall be so elected that they shall hold office for staggered terms as follows:

The City Council member shall serve until the expiration of his/her current term of office on City Council at which time this position shall be re-appointed. Of the six (6) remaining Directors first elected in December 2013, three (3) Directors shall serve through December 31, 2014, and three (3) Directors shall serve through December 31, 2015. Thereafter, the terms of the office for Directors shall be two (2) years commencing on January 1.

**ARTICLE III – Officers of the Board**

The officers of the Board of Directors shall consist of a Chair, a Vice-Chair, a Secretary, and a Treasurer. The Chair shall preside at all meetings of the Board of Directors. Except as otherwise authorized by Resolution of the Board of Directors, the Chair shall sign all contracts, bonds, deeds and other instruments made by the Board of Directors. At each meeting, the Chair shall submit such

recommendations and information as he/she may consider proper concerning the business affairs and policies of the Board of Directors.

The Vice-Chair shall perform the duties of the Chair in the absence or incapacity of the Chair; and in case of the resignation or death of the Chair, the Vice-Chair shall perform such duties as are imposed on the Chair until such time as a new Chair shall be selected.

The Secretary shall keep the records of the Board of Directors, shall act as Secretary of the meetings of the Board of Directors and record all votes, and shall keep minutes of the proceedings of the Board of Directors. A copy of the minutes shall be on file with Oak Ridge City Clerk.

The Treasurer shall have the care and custody of all funds of the Land Bank and shall deposit the same in the name of the Land Bank in such bank or banks as the Board of Directors may select. The Treasurer shall sign all orders and checks for the payment of money and shall pay out and disburse such moneys under the direction of the Board of Directors. Except as otherwise authorized by Resolution of the Board of Directors, all such orders and checks shall be countersigned by the Chair. The Treasurer shall, upon request of the Board, or at least quarterly, provide regular books of accounts showing receipts and expenditures and shall render to the Board of Directors an account of his/her transactions and also of the financial condition of the Board.

The offices of Secretary and Treasurer may be combined and occupied by the same person.

The officers of the Board of Directors shall perform such other duties and functions as may from time to time be required by the Board of Directors or the bylaws or rules and regulations of the Board of Directors.

The Chair, Vice-Chair, Secretary and Treasurer shall be elected in January<sup>1</sup> at the annual meeting of the Board of Directors from among the directors and shall hold office for one year or until their successors are elected and qualified. Should any office become vacant, the Board of Directors shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office.

The Board of Directors may employ such personnel as it deems necessary to exercise administrative duties and functions but only as approved by Resolution of its Board. The selection and

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<sup>1</sup> The terms and election of officers for all City Boards and Commissions was changed to January by Council Resolution No. 2-8-11, dated February 14, 2011.

compensation of such personnel shall be determined by the Board of Directors subject to the laws of the State of Tennessee.

#### **ARTICLE IV – Meetings**

The annual meeting of the Board of Directors shall be held on the third (3<sup>rd</sup>) Wednesday of January of each year. Monthly meetings shall be held with notice at 8:00 a.m. on the third (3<sup>rd</sup>) Wednesday of the month unless the same falls on a legal holiday, in which event said meeting shall be held on the next succeeding secular day; however, the place, date and time of holding regular meetings may be changed from time-to-time, by Resolution, without the formality of amending this section.

Special meetings shall be called by the Chair at his/her discretion, or in response to written request of any two (2) Board Directors by providing each member with at least twenty-four (24) hours written notice served personally, by email, or left at his/her usual place of residence. Business transacted at any special meeting shall be limited to subjects recited in the notice of such meetings. The public shall be given twenty-four (24) hour notice of each special meeting consistent with the notification means used by the Oak Ridge City Council.

The powers of the Land Bank shall be vested in the Board of Directors thereof in office from time-to-time. Four (4) Directors shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time-to-time until a quorum is obtained. When a quorum is in attendance, action may be taken by the Board of Directors upon a vote of a majority of the Directors present.

The Chair shall have the power to appoint such committees as he/she may deem advisable; said committees shall have the power to recommend a course of conduct to the Board of Directors but shall have no extraordinary powers to act.

At the regular meetings of the Board of Directors the following shall be the order of business:

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes of Previous Meeting
5. Treasurer's Report
6. Actions to be Taken and Voted on by Resolution of the Board

- 7. Old Business
- 8. New Business
- 9. Adjournment

The voting on all questions/motions, which are not unanimous, shall be by roll call and the "aye's", "nay's" and abstentions shall be entered upon the minutes of each meeting.

**ARTICLE V - Powers**

The Land Bank is formed under the authority of Public Chapter #1096 as contained in Sections 13-30-101 et seq., Tennessee Code Annotated and City Ordinance No.08-2013 and is vested with all of the powers granted therein. Copies of these documents are attached hereto and incorporated by reference herein. The purpose of the Land Bank is to follow the guidelines set out by City Council Resolution No. 11-108-2013 which is attached hereto and incorporated by reference herein and to carry out such other activities as directed by City Council Resolution No.11-108-2013 and TCA 13-30-101 et seq.

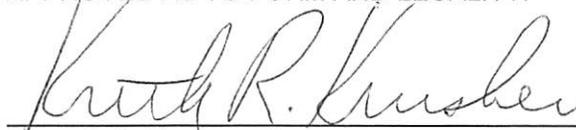
**ARTICLE VI – Adoption and Amendment**

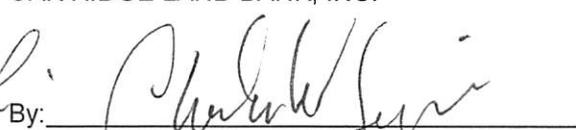
The Bylaws of the Land Bank shall be promulgated and established by the Board of Directors, but in accordance with the provision contained in the Articles of Incorporation, such bylaws and any amendments thereto shall first be submitted to the Mayor and Councilmen of the City of Oak Ridge and approved by Resolution duly adopted.

The Bylaws may be amended only with the approval of a majority of the total Board membership at a regular meeting or at a Special Meeting called for the purpose.

APPROVED AS TO FORM AND LEGALITY:

OAK RIDGE LAND BANK, INC.

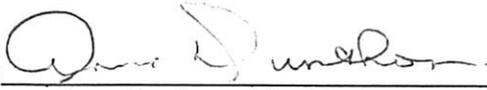


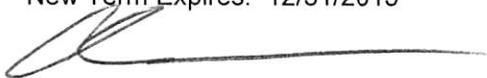
By: 

Kenneth R. Krushenski  
Of Counsel to the  
Oak Ridge Land Bank, Inc.

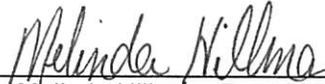
Charles (Charlie) W. Jernigan, Chairman  
New Term Expires 12/31/2015

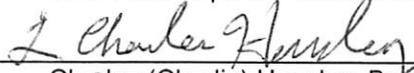
Dated: 1/15/14

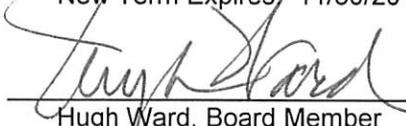
By:   
Anne Dunthorn, Vice Chair  
New Term Expires: 12/31/2015

By:   
Colin Colverson, Secretary/Treasurer  
New Term Expires: 12/31/2014

By:   
Colin Anderson, Board Member  
New Term Expires: 12/31/2014

By:   
Melinda Hillman, Board Member  
New Term Expires: 12/31/2015

By:   
Charles (Charlie) Hensley, Board Member  
New Term Expires: 11/30/2016

By:   
Hugh Ward, Board Member  
New Term Expires: 12/31/2014

ADOPTED BY CITY COUNCIL  
RESOLUTION NO. \_\_\_\_\_

DATED: \_\_\_\_\_

\_\_\_\_\_  
Thomas L. Beehan, Mayor

\_\_\_\_\_  
Diana R. Stanley, City Clerk

**FINANCE DEPARTMENT MEMORANDUM**

**14-04**

**DATE:** January 24, 2014  
**TO:** Mark S. Watson, City Manager  
**FROM:** Janice E. McGinnis, Finance Director  
**SUBJECT:** TAX EQUIVALENTS

Introduction

An item for City Council's consideration is a resolution that authorizes tax equivalent payments from the Electric Fund to the General Fund and to Anderson and Roane Counties and a tax equivalent payment from the Waterworks Fund to the General Fund.

Funding

Funding is budgeted and will be provided by the Electric and Waterworks Fund.

Review

Tennessee Code Annotated (TCA) authorizes and establishes guidelines for municipal operated utility systems to pay tax equivalent payments to the General Fund of the municipality. Basically, this is an in-lieu of property tax payment paid by the City's utility systems. This is comparable to the property taxes that a private business that provided a similar service would be required to pay the City.

The City Electric Fund's tax equivalent payment is calculated utilizing guidelines set forth in Sections 7-52-301 and 7-52-307 of the TCA and Section 2 – Terms and Conditions, Revision 1987, of the TVA contract. The tax equivalent is calculated utilizing the net asset value of the Electric System's physical plant (i.e. electric lines, land, traffic signals, street lights, vehicles and substations) on a cost basis and a three-year average of the system's operating revenues, excluding purchased power. The net asset value of the system's property is \$44,965,245 in the Anderson County portion of the City and \$7,270,296 in the Roane County portion of the City. Based on the calculations specified in Section 2 of the TVA contract, the tax equivalent payment from the Electric Fund for fiscal 2014 is \$1,888,260.28.

State law requires City Council to annually approve the amount of the Electric Fund's tax equivalent payments and to allocate 77.5% of the total tax equivalent to the City's General Fund, with the remaining 22.5% allocated to the county taxing jurisdictions. Computations in accordance with these formulas result in the following Electric Fund tax equivalent payments as follows:

Portion to Oak Ridge General Fund (77.5%)	\$1,463,401.72
Portion to Counties (22.5%)	.
distributed based on plant value:	
Anderson County	365,725.50
Roane County	<u>59,133.06</u>
Total Electric Fund Tax Equivalent	<u>\$1,888,260.28</u>

The Waterworks Fund disburses tax equivalent payments to the City's General Fund under authorization of TCA 7-34-115. The code provides for a maximum tax equivalent payment to the General Fund not to exceed the amount of taxes payable on privately owned property of a similar nature. The tax equivalent payment can be established at any level below that maximum amount. There is no provision for the Waterworks Fund's tax equivalent payment to be shared with the counties. Tennessee code does require City Council to annually approve the Waterworks Fund tax equivalent payment. This calculation is based on the net book value of waterworks fixed assets at the public utility assessment ratio of 55%, which equates to the assessed value, at the City's equalized property tax rate per \$100 of assessed value. The amount of the tax equivalent payment will fluctuate each year based on the value of new assets added versus depreciation and changes in the appraisal ratio. The appraisal ratio is currently 100%. The amount of tax equivalent on the waterworks system comparable to that of a private enterprise for fiscal 2014 is \$1,298,470.65

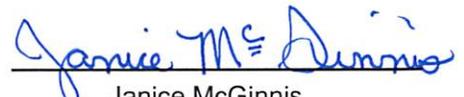
TCA 7-34-115 also provides for an equity investment charge payable to the General Fund from the waterworks system at a 6% per annum rate. The General Fund's initial investment in the Waterworks system at the 6% rate equates to an annual payment of \$250,445.25

The Waterworks Fund's payment to the General Fund would be \$1,548,915.90, which is the total of these two charges.

Recommendation

Adoption of the attached resolution is recommended reflecting the tax equivalent payment as provided for under State law.

Attachment(s)

  
Janice McGinnis

**City Manager's Comments:**

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

  
Mark S. Watson

  
Date

NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION AUTHORIZING THE TRANSFER OF TAX EQUIVALENTS FROM THE ELECTRIC AND WATERWORKS FUNDS TO THE GENERAL FUND FOR THE FISCAL YEAR ENDING JUNE 30, 2014, AND TO AUTHORIZE ITS DISTRIBUTION BETWEEN THE CITY OF OAK RIDGE AND ANDERSON AND ROANE COUNTIES IN ACCORDANCE BY STATE LAW.

WHEREAS, Chapter 237 of the Public Acts of 1969 (Tennessee Code Annotated §7-52-301, §7-52-307, and §7-34-115) provides for the transfer of tax equivalents from the Electric Fund and the Waterworks Fund to the General Fund of the owning municipality; and

WHEREAS, said law further provides that the governing body of the municipality shall determine the amounts to be transferred for each fiscal year to the municipality's General Fund, not to exceed specified limits; and

WHEREAS, the City Council of the City of Oak Ridge now desires to establish such payment for the fiscal year ending June 30, 2014, and accordingly authorize its distribution between the City and Anderson and Roane Counties, in accordance with State law.

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

That the City of Oak Ridge, Tennessee pay from its Electric Fund and its Waterworks Fund to the General Fund and that such funds then be distributed to the respective taxing jurisdictions, in accordance with Chapter 237 of the Public Acts of 1969, in the estimated amounts shown below:

<u>Electric Fund</u>	
City of Oak Ridge	\$1,463,401.72
Anderson County	\$365,725.50
Roane County	\$59,133.06
 <u>Waterworks Fund</u>	
City of Oak Ridge	\$1,548,915.90

This the 10th day of February 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Thomas L. Beehan, Mayor

\_\_\_\_\_  
Diana R. Stanley, City Clerk

PUBLIC WORKS MEMORANDUM

14-02

**DATE:** January 23, 2014  
**TO:** Mark S. Watson, City Manager  
**FROM:** Steven R. Byrd, P.E., City Engineer  
**THROUGH:** Gary M. Cinder, P.E., Director of Public Works *GMC*  
**SUBJECT:** CMAQ Grant Application for an Advanced Traffic Management System Master Plan and Study

Introduction

An item for City Council's consideration is the submission of an application for Congestion Mitigation and Air Quality (CMAQ) funding for a proposed City Advanced Traffic Management System Master Plan and Study.

Funding

If selected for funding, the Master Plan and Study would be eligible for 100% federal funds. The project cost is estimated between \$250,000 and \$300,000. A final estimated cost will be determined in the completed grant application.

Project Description

The project includes the development of a master plan coupled with a traffic signal optimization program for 24 signalized intersections. The purpose of the master plan is to develop a roadmap for the control of traffic signals and field devices needed in the future. The Plan serves as a basis for plans and specifications to provide signal communication for future control of system implementation. The 24 signalized intersections are located on the existing synchronized corridors of Illinois Avenue, Oak Ridge Turnpike, Lafayette Drive and Scarboro Road. Some significant project tasks include environmental phase, data collection, surveys, before and after operational analysis, development of signal timing/implementation plans, and recommendations for future equipment and communication needs. Completion of this project sets the framework for possible future State funding for infrastructure improvements.

Background

The federal CMAQ program was established to fund transportation projects in non-attainment areas that reduce transportation related congestion and emissions. Several counties around Knoxville, including Anderson County are in non-attainment for ozone and thus are eligible to receive annual allocation of CMAQ funds to be distributed by the Knoxville Transportation Planning Organization (TPO).

The City of Oak Ridge, as a part of the Knoxville TPO, has participated in regional planning to identify area transportation needs. A City Advanced Traffic Management System Master Plan and Study project was identified early through staff's participation in updating the Knoxville Regional Intelligent Transportation System Architecture. This project has also been included in the adopted TPO 2014-2017 Transportation Improvement Program (TIP).

The Tennessee Department of Transportation (TDOT) has recently announced the 2014 CMAQ grant competition to statewide planning organizations for project proposals. To initiate the request for grant funds TPO members must describe and submit an application for their project to their area TPO. The TPO then reviews and ranks applications and submits a list to TDOT for evaluation by March 15, 2014. Through TDOT's evaluation process and based on available CMAQ funding for the TPO areas, a number of projects are selected to be funded through the federal CMAQ program.

Recommendation

Staff recommends approval of the resolution to submit a CMAQ application to the TDOT through the TPO, subject to TPO's acceptance of the project as a viable candidate.

*Steven R. Byrd*  
\_\_\_\_\_  
Steven R. Byrd

cc: Jack L. Suggs, Electric Director

**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

*2-3-14*  
\_\_\_\_\_  
Date

**RESOLUTION**

A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR A GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION THROUGH THE KNOXVILLE TRANSPORTATION PLANNING ORGANIZATION FOR FEDERAL CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ) PROGRAM FUNDS, IN THE ESTIMATED AMOUNT OF \$250,000.00 TO \$300,000.00, AND ACCEPTING SAID GRANT IF AWARDED.

WHEREAS, grants funds are available as part of the federal Congestion Mitigation and Air Quality Improvement (CMAQ) program to fund projects that reduce transportation related congestion and emissions; and

WHEREAS, CMAQ applications must be submitted to the Knoxville Transportation Planning Organization who then reviews and ranks applications and submits a list of viable projects to the Tennessee Department of Transportation for consideration; and

WHEREAS, the City desires to submit a CMAQ application for development of a master plan and traffic signal optimization program for twenty-four signalized intersections to develop a roadmap for the control of traffic signals and field devices to provide signal communication for future control of system implementation; and

WHEREAS, the project is anticipated to cost between \$250,000.00 and \$300,000.00 which cost would be covered by federal grant funds if the CMAQ application is approved; and

WHEREAS, the City Manager recommends submittal of a CMAQ application for this project.

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

That the recommendation of the City Manager is approved the City is hereby authorized to submit a Congestion Mitigation and Air Quality Improvement (CMAQ) grant application to the Tennessee Department of Transportation through the Knoxville Transportation Planning Organization for consideration of a master plan and study to reduce transportation related congestion and emissions, with an estimated project cost of \$250,000.00 to \$300,000.00.

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

BE IT FURTHER RESOLVED that the City Manager and/or Mayor are hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 10th day of February 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

## COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

14-04

**DATE:** January 24, 2014  
**TO:** Mark S. Watson, City Manager  
**FROM:** Kahla Gentry, Senior Planner  
**SUBJECT:** 2014 HOME PROGRAM GRANT

### Introduction

An item for City Council's consideration is a resolution authorizing the City of Oak Ridge, in partnership with Aid to Distressed Families of Appalachian Counties, Inc. (ADFAC), to apply for and accept funds from the 2014 HOME grant program to be awarded by the Tennessee Housing Development Agency (THDA) not to exceed the amount of \$500,000.

### Funding

THDA administers the federally funded HOME grant program to promote the production, preservation and rehabilitation of housing for low-income households. HOME grant funds are awarded through a competitive application process to cities, counties and non-profit organizations. Applicants may apply for a maximum of \$500,000. Matching funds are not required; however, applicants that have matching funds receive more points for their application. The HOME grant application being submitted to THDA from the City and ADFAC will be for \$500,000 with \$25,000 of matching funds from the City of Oak Ridge and \$25,000 of matching funds from ADFAC. The City's share of matching funds will come from the Housing Initiatives budget. The proposed use of the grant is for homeowner occupied rehabilitation. If a HOME grant is awarded to the City, all direct costs related to the HOME housing rehabilitation program will be covered by the HOME grant.

### Background

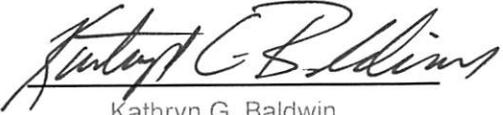
The use of HOME funds will be limited to the rehabilitation of existing housing units. A maximum of \$40,000 per house for rehabilitation costs (excluding building inspections, LBP inspections, energy related inspections, administration) will be allowed. Dilapidated structures which require reconstruction are not eligible. Priority will be given to repair or replacement of roofs, energy saving operational enhancements, HVAC systems, electrical systems upgrades, sewer line service and plumbing systems, foundation problems, water supply issues, and exterior painting to maintain the structure. The structure must exhibit at least one code violation as revealed by a code inspection. HOME regulations require that after work is complete, the entire structure must meet the City's adopted building code. Structures that cannot be brought up to code within the maximum grant funds would be ineligible. Priorities for improvements will be for added taxable value and lowering annual operational costs.

ADFAC will prepare the application with input and review by city staff and, if awarded, ADFAC will administer the grant for the City. If the 2014 HOME grant is awarded for the maximum amount allowed, \$500,000, it is expected that approximately 12 homes will be rehabilitated. ADFAC will receive a maximum allowable 7% of the total grant award for administering the grant or as negotiated with the City of Oak Ridge. The economic impact of the improvements will be assessed and finally determined by the City.

ADFAC has successfully applied for and administered numerous HOME grants for itself and other municipalities in the area of home rehabilitation, reconstruction and single family home development over the last 20 years, demonstrating a tremendous amount of experience in completing proposed activities. The organization does an outstanding job administering the HOME grant process and will be responsible to the City and THDA for the full and proper maintenance of required records.

Recommendation

Staff recommends approval of the accompanying resolution.

  
Kathryn G. Baldwin

**City Manager's Comments:**

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

  
Mark S. Watson

2-3-14  
Date

**RESOLUTION**

A RESOLUTION AUTHORIZING AID TO DISTRESSED FAMILIES OF APPALACHIAN COUNTIES, INC. (ADFAC) TO SUBMIT ON THE CITY'S BEHALF A GRANT APPLICATION, INCLUDING ALL UNDERSTANDINGS AND ASSURANCES CONTAINED THEREIN, TO THE TENNESSEE HOUSING DEVELOPMENT AGENCY (THDA) FOR 2014 HOME GRANT PROGRAM FUNDS TO PROMOTE THE REHABILITATION OF HOUSING FOR LOW-INCOME HOUSEHOLDS IN OAK RIDGE, IN THE NOT TO EXCEED AMOUNT OF \$500,000.00.

WHEREAS, the Tennessee Housing Development Agency (THDA) administers the federally funded HOME grant program to promote the production, preservation and rehabilitation of housing for low-income households; and

WHEREAS, THDA annually awards HOME funds through a competitive application process to cities, counties and non-profit agencies; and

WHEREAS, the City desires to promote the production, preservation and rehabilitation of housing for low-income households within the City of Oak Ridge; and

WHEREAS, the proposed use of the grant is for homeowner occupied rehabilitation, with an expectation that twelve (12) homes could be rehabilitated if the full grant amount is awarded; and

WHEREAS, the City has partnered with Aid to Distressed Families of Appalachian Counties, Inc., (ADFAC) for the preparation of the grant application and, upon award, the administration of the grant; and

WHEREAS, the City and ADFAC have each designated \$25,000.00 in matching funds for this project; and

WHEREAS, the City Manager recommends submittal of the grant application for HOME funds and acceptance of said grant if approved by THDA.

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

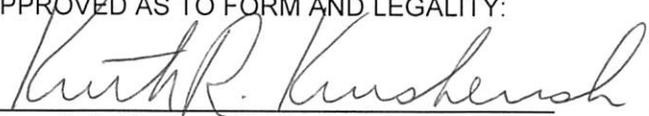
That the recommendation of the City Manager is approved and Aid to Distressed Families of Appalachian Counties, Inc., (ADFAC) is hereby authorized to submit on the City's behalf a grant application, including all understandings and assurances contained therein, to the Tennessee Housing Development Agency (THDA) for 2014 HOME grant program funds to promote the rehabilitation of housing for low-income households in Oak Ridge, in the not to exceed amount of \$500,000.00.

BE IT FURTHER RESOLVED that if said application is approved by THDA, the Mayor is authorized to accept said grant for the City, the City is authorized to expend \$25,000.00 in matching funds, and ADFAC is hereby authorized to administer the grant on behalf of the City.

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

This the 10th day of February 2014.

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Thomas L. Beehan, Mayor

\_\_\_\_\_  
Diana R. Stanley, City Clerk

# RESOLUTIONS

## OAK RIDGE POLICE DEPARTMENT MEMORANDUM

13-08

**DATE:** January 28, 2014  
**TO:** Mark S. Watson, City Manager  
**FROM:** James T. Akagi, Chief of Police  
**SUBJECT:** PROCUREMENT OF SPILLMAN TECHNOLOGIES, INC.

### Introduction

An item for City Council's consideration is a resolution authorizing procurement of hardware, software and technical support services from Spillman Technologies, Inc. for an integrated software suite, which includes, but is not limited to a computer aided dispatch system (CADS), a records management system (RMS), mobile and field reporting applications, barcoding and scanner capabilities, electronic ticket (e-ticket) capabilities, and conversion of legacy data in an estimated amount of \$486,808.00, which includes the first year of maintenance costs.

### Funding

The City's total expenditure for the software suite is approximately \$486,808.00. The City will utilize \$61,745.00 from a Tennessee E-911 State Grant and match this amount with \$63,550.00 of monies from the Drug Fund; the remaining \$361,513.00 will be covered using monies from the City's Equipment Replacement Fund.

As a result of the reduced annual maintenance with Spillman Technologies, the City will experience a reduction of approximately \$40,000.00 in annual maintenance fees. The reduction will be used to repay those funds used from Equipment Replacement for this purchase.

### Background/Analysis

In 1998, the Oak Ridge Police Department (ORPD) installed a Vision Software, Inc. CADS. The following year, ORPD installed a Vision Software RMS, and in 2001, the mobile and field reporting applications. In 2011, Vision (VisionAir) Software merged with TriTech, Inc. and shortly thereafter ORPD began to experience hardware and software compatibility issues. TriTech customer support could not provide a remedy and the diminished technical function caused compatibility faults, the most serious issue being with the Tennessee Bureau of Investigation (TBI) records transmission technology. This ultimately resulted in non-compliance with the Tennessee Incident Based Reporting System (TIBRS), the State of Tennessee mandatory crime reporting system. Failure to comply with TIBRS could negatively impact acquisition of grants, state and federal assistance, etc. Since 2011, ORPD and the City's Information Systems (IS) Department made several urgent requests to TriTech, Inc. for technical assistance and software updates to become TIBRS compliant, which has resulted in negligible action from Tri-Tech, Inc., and ORPD is still non-TIBRS compliant.

ORPD currently pays TriTech, Inc. approximately \$80,000.00 in annual maintenance fees. Spillman Technologies, Inc. can provide current technology, to include hardware, software and improved customer service support, as well as e-ticket capabilities to ORPD, which will:

- Make ORPD TIBRS compliant
- Improve efficiency by integrating CADS and RMS, along with mobile and field reporting capabilities
- Enhance statistical reporting and crime analysis capabilities, to include tactical and strategic functions through direct integration with ORPD's current crime analysis software

- Improve efficiency of traffic enforcement and ORPD administrative reporting functions, as well as increase efficiency of Municipal Court functions through integrated software downloading

Attached to this memorandum is an extensive, but not entirely inclusive list of services Spillman Technologies, Inc. will provide to accomplish the aforementioned improvements

October 2013, the City issued a Request for Proposal for procurement of hardware, software, and technical support services for ORPD. A total of four vendors made presentations to ORPD and Information Services. Two vendors requested additional time to submit proposals, and the proposal due date was extended to accommodate their request; however, only Spillman Technologies submitted a proposal. Based on a review of the company's proposal, products and technical specifications, ORPD believes Spillman Technologies will provide the highest level of service to support public safety efforts in Oak Ridge.

On January 27, 2014, ORPD and Spillman Technologies made a presentation to the Oak Ridge City Council during a Council Work Session. Following this presentation, Spillman Technologies revised their proposal total to \$486,808.00, a reduction of \$2,200.00 from their previous proposal total of \$489,008.00. The reduction was based on an assessment of additional options, minus items in the existing hardware and software infrastructure, further detailed as follows:

Additions

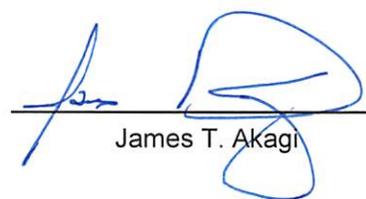
Brazos XML interface - \$7,212.00  
 Brazos license - \$22,000.00  
 Pictometry interface - \$2,838.00  
 Barcode equipment - \$1,930.00  
 Total Additions = \$33,980.00

(Reductions)

Firehouse interface - (\$1,810.00)  
 Training and implementation charges - (\$13,300.00)  
 Cisco 1811 - (\$950.00)  
 Windows server - (\$20,120.00)  
 Total Reductions = (\$36,180.00)

Recommendation

Adoption of the attached resolution is recommended to procure services from Spillman Technologies, Inc. for integrated hardware, software suites and technical support in an estimated amount of \$486,808.00.

  
 \_\_\_\_\_  
 James T. Akagi

**City Manager's Comments:**

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

  
 \_\_\_\_\_  
 Mark S. Watson

2-3-14  
 \_\_\_\_\_  
 Date

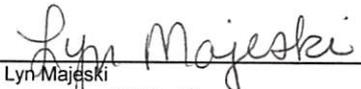
Spillman Technologies services to be provided:

1. Computer- Aided Dispatch
2. Automated Vehicle Locator
3. CAD Mapping
4. Records Management System
5. Traffic Information
6. Imaging
7. Evidence Management
8. Pin Mapping
9. Automated Field Reporting
10. Mobile Mapping and AVL
11. Personnel Management Module
12. Voiceless Dispatch
13. TIBRS Reporting Interface
14. E9-1-1 Interface
15. Smartphone and Tablet Interface
16. TIES Interface
17. Conversion of Legacy Data
18. Bair Analytics Interface
19. Training, Implementation, Installation, and Project Management Services.
20. Mobile Queries of State, National, and Local Records Databases
21. Fire Mobile Module and Interface to Firehouse Records
22. Brazos eCitation and eCrash software for 40 licenses
23. Evidence Barcode and Audit system and Equipment
24. Mobile Data Computing and Field Reporting
25. First Year Support and Maintenance

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

RFP FY2014 ORPD

OPENING DATE: December 3, 2013 2:00 P.M.

FOR --- Public Safety Software			BIDDER: Spillman Technologies, Inc. 4625 Lake Park Blvd. Salt Lake City, Utah 84120		BIDDER:		BIDDER:		BIDDER:		
DESCRIPTION	ITEM	QTY	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
THE FURNISHING OF PUBLIC SAFETY SOFTWARE PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE POLICE DEPARTMENT				\$ 415,508.00							
Options: CONVERSION OF VISIONAIR AND AS400 SYSTEM DATA				\$ 35,000.00							
BRAZOS eCitation and eCrash MOBILE DATA CAPTURE SYSTEM - HARDWARE AND SOTWARE FOR 20 LICENSES				\$ 38,500.00							
TOTAL PRICE				\$ 489,008.00		\$ -		\$ -		\$ -	
TERMS				Net 30							
DELIVERY				3-4 Weeks ARO							
F.O.B.				Oak Ridge							
VIA				Spillman Personnel							
OTHER BIDDERS CONTACTED: Tyler Technologies - Lubbock, TX EmergiTech Public Safety Software - Columbus, Ohio Fatpot, Mission Critical Software - Bountiful, UT Infor Public Sector - New York, NY							BIDS OPENED AND RECORDED BY---  Lyn Majeski Accounting Division Manager				
REASON FOR AWARD			RECOMMEND AWARD BE MADE TO:				BIDS REVIEWED BY---				
ONLY BID RECEIVED <input checked="" type="checkbox"/>			Spillman Technologies, Inc.								
LOW PRICE <input type="checkbox"/>			4625 Lake Park Blvd.				Janice McGinnis				
BETTER OR REQUIRED DESIGN <input type="checkbox"/>			Salt Lake City, Utah 84120				Finance Director				
EARLY DELIVERY <input type="checkbox"/>											
LOWEST TOTAL COST <input type="checkbox"/>											

NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION AWARDING A BID IN THE ESTIMATED AMOUNT OF \$486,808.00 TO SPILLMAN TECHNOLOGIES, INC., SALT LAKE CITY, UTAH, FOR THE FURNISHING OF INTEGRATED HARDWARE, SOFTWARE, AND TECHNICAL SUPPORT SERVICES FOR THE POLICE DEPARTMENT.

WHEREAS, the City of Oak Ridge has issued a request for proposals for integrated hardware, software, and technical support services for the Police Department which includes but is not limited to a computer aided dispatch system, a records management system, mobile and field reporting applications, barcoding and scanner capabilities, electronic ticket capabilities, and conversation of legacy data; and

WHEREAS, proposals were received on December 3, 2013, with Spillman Technologies, Inc., submitting the sole proposal, which proposal the City Manager recommends be accepted.

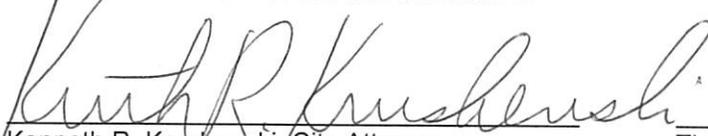
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and award is hereby made to Spillman Technologies, Inc., 4625 Lake Park Blvd, Salt Lake City, Utah 84120, for the furnishing of integrated hardware, software and technical support services for the Police Department; said award in strict accordance with the Request for Proposals and the proposal as submitted on December 3, 2013, and in the estimated amount of \$486,808.00.

BE IT FURTHER RESOLVED that the Mayor and the City Manager are hereby authorized to enter into the appropriate legal instruments to accomplish the same.

This the 10th day of February 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Thomas L. Beehan, Mayor

\_\_\_\_\_  
Diana R. Stanley, City Clerk

PUBLIC HEARINGS  
AND  
FIRST READING OF  
ORDINANCES

LEGAL DEPARTMENT MEMORANDUM  
14-05

DATE: January 31, 2014  
TO: Mark S. Watson, City Manager  
FROM: Kenneth R. Krushenski, City Attorney  
SUBJECT: CREATION OF THE ADMINISTRATIVE HEARING OFFICER

Introduction

An item for the agenda is an ordinance to create an Administrative Hearing Officer position in accordance with the *Not in Our City* conceptual plan approved by Resolution 11-109-11 and Tennessee Code Annotated §6-54-1001 et seq.

Background

By Resolution 11-109-11, City Council approved the *Not in Our City* conceptual plan to address drugs and crime, improve housing, and make Oak Ridge a better place to live and invest. One of the initiatives of the *Not in Our City* conceptual plan approved by this resolution is the creation of an Administrative Hearing Officer position to hear building and property maintenance code violations.

Tennessee Code Annotated §6-54-1001 et seq. authorizes municipalities to create, by ordinance, the office of administrative hearing officer to hear certain building and property maintenance code violations. The enabling legislation requires the authorizing ordinance to contain two provisions at a minimum: specific reference to the municipal code sections subject to administrative jurisdiction and the number of administrative hearing officer positions created. At this time, it is recommended that one (1) administrative hearing officer be created and that the administrative hearing officer have authority to hear all code violations authorized by Tennessee Code Annotated §6-54-1001 et seq. Please see the attached proposed ordinance for a specific list of code provisions.

By State law, the administrative hearing officer position is appointed by City Council for a four (4) year term and serves at the pleasure of City Council. If the ordinance is approved on second reading, a resolution will be presented to City Council to establish the compensation of the Administrative Hearing Officer. After passage of the ordinance and resolution, City Council would then consider applicants for the position that meet the qualification requirements set forth in State law. Those qualification requirements are that the person be a licensed building inspector, plumbing inspector, electrical inspector, attorney, architect, or engineer. Additionally, the person would have to meet training requirements established by State law within six months of appointment as the Administrative Hearing Officer and maintain continuing education every calendar year.

Recommendation

Approval of the attached ordinance is recommended.

  
Kenneth R. Krushenski

Attachment: Proposed Ordinance

**City Manager's Comments:**

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

  
Mark S. Watson

2-3-14  
Date

TITLE

AN ORDINANCE TO AMEND TITLE 3, TITLED "MUNICIPAL COURT," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE," BY CREATING A NEW CHAPTER 6, TITLED "ADMINISTRATIVE HEARING OFFICER," TO CREATE AN ADMINISTRATIVE HEARING OFFICER POSITION IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED §6-54-1001 ET SEQ.

WHEREAS, by Resolution 11-109-11, City Council approved the *Not in Our City* conceptual plan which included an initiatives to establish an administrative hearing officer position to hear building and property maintenance code violations; and

WHEREAS, Tennessee Code Annotated §6-54-1001 et seq. authorizes municipalities to create, by ordinance, the office of administrative hearing officer to hear certain building and property maintenance code violations; and

WHEREAS, in order to promote and protect the health, safety, and welfare of the residents of Oak Ridge, the City of Oak Ridge deems it necessary to create one administrative hearing officer position.

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

Section 1. Title 3, titled "Municipal Court," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by creating a new Chapter 6, titled "Administrative Hearing Officer," which new chapter shall read as follows:

**CHAPTER 6**

**ADMINISTRATIVE HEARING OFFICER**

**Sec. 6-101. Administrative Hearing Officer.**

- (1) In accordance with Tennessee Code Annotated §6-54-1001 et seq., there is hereby created the office of Administrative Hearing Officer to hear violations of any of the provisions codified in the City Code relating to building and property maintenance, including:
  - (a) Locally adopted building codes – City Code Title 12, Chapters 1 and 2
  - (b) Locally adopted residential codes – City Code Title 12, Chapter 11
  - (c) Locally adopted plumbing codes – City Code Title 12, Chapter 7
  - (d) Locally adopted electrical codes – City Code Title 12, Chapter 4
  - (e) Locally adopted mechanical codes – City Code Title 12, Chapter 13
  - (d) Locally adopted energy codes – City Code Title 12, Chapter 12
  - (e) Locally adopted property maintenance codes – City Code Title 13, Chapter 2
  - (f) Ordinances regulating any subject matter commonly found in the codes mentioned above.

The Administrative Hearing Officer is not authorized to hear violations of codes adopted by the state fire marshal pursuant to Tennessee Code Annotated §68-120-101(a) enforced by a deputy building inspector pursuant to Tennessee Code Annotated §68-120-101(f).

- (2) There is hereby created one (1) Administrative Hearing Officer to be appointed by City Council for a four (4) year term pursuant to Tennessee Code Annotated §6-54-1006 and serve at the pleasure of City Council.
- (3) The Administrative Hearing Officer shall be one of the following:
  - (a) Licensed building inspector;
  - (b) Licensed plumbing inspector;
  - (c) Licensed electrical inspector;
  - (d) Licensed attorney;
  - (e) Licensed architect; or
  - (f) Licensed engineer.
- (4) The Administrative Hearing Officer shall comply with the training and education requirements set forth in Tennessee Code Annotated §6-54-1007
- (5) The amount of compensation for the Administrative Hearing Officer shall be approved by City Council.
- (6) Clerical and administrative support for the Administrative Hearing Officer shall be provided as determined by the City Manager.
- (7) The Administrative Hearing Officer shall perform all of the duties and abide by all of the requirements provided in Tennessee Code Annotated §6-54-1001 et seq.

**Sec. 6-102. Jurisdiction and Procedure before the Administrative Hearing Officer.**

The Administrative Hearing Officer's jurisdiction shall be as set forth in Tennessee Code Annotated §6-54-1002, and all matters before the Administrative Hearing Officer shall be conducted in accordance with the provisions of Tennessee Code Annotated §6-54-1001 et seq., which provisions are adopted and incorporated herein by reference.

**Sec. 6-103. Judicial Review of Final Order.**

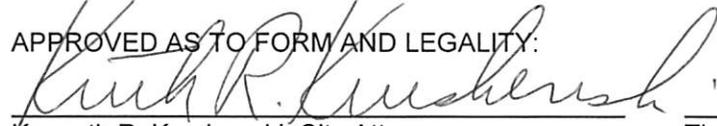
A person who is aggrieved by a final decision in a contested case is entitled to judicial review pursuant to Tennessee Code Annotated §6-54-1017, which shall be the only available method of judicial review.

**Sec. 6-104. Interlocal Agreements.**

As authorized by Tennessee Code Annotated §6-51-1001, the City is hereby authorized to enter into interlocal agreements with one or more municipalities to employ an administrative hearing officer.

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

APPROVED AS TO FORM AND LEGALITY:



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

\_\_\_\_\_  
Thomas L. Beehan, Mayor

\_\_\_\_\_  
Diana R. Stanley, City Clerk

First Reading: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**ELECTIONS**

**&**

**APPOINTMENTS**

**ANNOUNCEMENTS**

**SCHEDULING**

**CITY CLERK MEMORANDUM**  
**14-02**

**DATE:** January 24, 2014  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Diana R. Stanley, City Clerk  
**SUBJECT:** ELECTIONS AND APPOINTMENTS

At the February 10, 2014 City Council meeting, City Council will need to make several appointments for Committees that require City Council participation, as well as appoint a member for a City Board or Commission.

Trade Licensing Board

During the 2013 end-of-year recruitment to fill vacancies for terms of office beginning on January 1, 2014, no residents applied to fill one (1) of the vacancies for the Trade Licensing Board, thus leaving this board without a full membership for the beginning of the calendar year. The City Clerk was advised later in January that Mr. Danny Scott was interested in seeking membership to this board and would meet the special qualification of possessing a current and valid plumber's license. The City Clerk's Office contacted Mr. Scott about completing an application for consideration of this board, as well as published an election notice offering other residents an opportunity to be considered for this board. Mr. Scott was the only applicant.

Since the number of applicants matches the number of vacancies, the City Clerk recommends that Mr. Danny Scott be elected by acclamation to the Trade Licensing Board for a term of office ending on December 31, 2016. This appointment will also give the Trade Licensing Board full membership.

City Attorney and City Manager Evaluation Committees

As outlined in the employment agreements, City Council shall complete performance evaluations for both the City Manager and the City Attorney on an annual basis.

The City Attorney's Evaluation should be completed by May 30<sup>th</sup> of each year, and the City Manager's Evaluation should be completed by July 31<sup>st</sup> of each year.

Resolution No. 11-106-07 established a policy of rotating councilmembers from committees, and that policy has been in practice for the selection of councilmembers for the Evaluation Committees for the City Attorney and City Manager coordinated by the City Clerk. Upon review of the previous year's rotation schedule, the below committee composition is recommended:

City Attorney's Evaluation

Trina Baughn, Chair  
David N. Mosby  
Thomas L. Beehan

City Manager's Evaluation

D. Jane Miller, Chair  
L. Charles Hensley  
Anne Garcia Garland

These recommended appointments are in keeping with the policy which provides that each member of Council will be given the opportunity to serve on all of our regular committees, moving upward until all have served as chair.

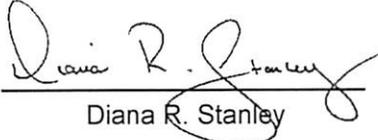
Following the established membership of the Committees, the City Clerk will begin working with the Committees to develop a procedure and a timeline for evaluations.

YAB Screening Panel

City staff will soon be preparing for the planning of the YAB application process to elect new members for the 2014-2015 school year.

Resolution No. 6-54-08, Section 2 states that the "members of the Youth Advisory Board (YAB) shall be appointed by the Oak Ridge City Council upon recommendation by a YAB Screening Panel which shall be composed of one member of City Council, one member of the faculty of the Oak Ridge Schools, and the City staff member assigned to work with the Board."

Last year, Councilman Charles J. Hope served as Council's representative and has expressed an interest in serving once more. In accordance with the abovementioned resolution, City Council will need to appoint a Council representative to this panel.



Diana R. Stanley

Attachments

# Trade Licensing Board

NumVacancies 1 Total # of Members 7

## Term of Office

term of office ending on December 31, 2016

## Qualifications

Shall hold a current and valid plumber's license from the City of Oak Ridge, or if said qualifications are unavailable, City Council may select someone from the public-at-large.

Trade Licensing Board	Special Qualifications	Submitted	Preference	# of Previous Submissions
Mr. Danny Scott	Licensed Plumber	1/21/2014	1	1
Total Number of Applicants: 1				

## Current Members

Member Name	Special Qualifications	Term Expires
Mr. F. Wayne Garber	Mechanical or Public-at-Large	2015
Mr. Brian T Hayden	Plumber position	2014
Mr. Jeff Lewis	Electrician position	2014
Mr. Michael Maddux	Mechanical License (Heating and Air)	2016
Mr. Joe McCarty	Current and valid Class I or II Electrical License (Electrical Contractor)	2016
Mr. Jerry Seiber	(Electrical Contractor; however, currently serving the at-large position)	2016

# City of Oak Ridge Board Application 2014

BoardName: Trade Licensing Board

Application Submitted  
1/21/2014

Applicant: Scott, Danny

Race (Optional):

Number of Times Previously Applied: 1

Preference: 1

Address

128 Nebraska Ave.

Contact Information

Home Phone: (865) 482-9449

Email: dannyplumbin@comcast.net

Oak Ridge, TN 37830

Current Company/Organization

Dannys Plumbing

Current Position / Title

owner

Retired?

N

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

Education, Professional and or Community Activity

high school graduate

master plumber

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

to help insure quality workmanship in the city

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

I served on the plumbing board in previous years

Additional Information

Special Qualifications

Licensed Plumber

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End of Application for

Scott, Danny

For Board:

Trade Licensing Board

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