

OAK RIDGE CITY COUNCIL MEETING

Municipal Building Courtroom

August 8, 2016 —7:00 p.m.

AGENDA

I. INVOCATION

Pastor Derrick Hammond, Oak Valley Baptist Church

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPEARANCE OF CITIZENS

V. PROCLAMATIONS AND PUBLIC RECOGNITIONS

Public Recognition

- a. Public Recognition of the City of Oak Ridge and Finance Director Janice McGinnis for receipt of the Distinguished Budget Presentation Award from the Government Finance Officers Association.

Proclamations

- a. A proclamation recognizing the 40th anniversary of the Oak Ridge Farmers Market.

VI. SPECIAL REPORTS

VII. CONSENT AGENDA

- a. Approval of the July 11, 2016 City Council meeting minutes
- b. A RESOLUTION APPROVING A FY2017 GRANT AGREEMENT WITH PREVENT CHILD ABUSE TENNESSEE FOR USE IN THE HEALTHY START OF ANDERSON COUNTY PROGRAM AND AUTHORIZING THE DISBURSEMENT OF BUDGETED FUNDS IN THE AMOUNT OF \$31,850.00 FOR THIS PURPOSE.
- c. A RESOLUTION TO APPROVE AN AGREEMENT WITH RAY EVANS FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2017 IN THE AMOUNT OF \$54,000.00.
- d. A RESOLUTION TO APPROVE AN AGREEMENT WITH STEVE JONES FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2017 IN THE AMOUNT OF \$54,000.00.

VIII. RESOLUTIONS

- a. A RESOLUTION ACCEPTING A MULTIMODAL ACCESS GRANT FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION IN THE ESTIMATED AMOUNT OF \$927,021.40, WITH AN APPROXIMATE \$48,790.60 LOCAL MATCH, FOR SIDEWALK IMPROVEMENTS INCLUDING NEW SIDEWALKS, ADA-COMPLIANT RAMPS, AND CROSSWALKS ALONG THE SOUTH SIDE OF THE OAK RIDGE TURNPIKE BETWEEN ILLINOIS AVENUE AND FAIRBANKS ROAD.

- b. A RESOLUTION APPROVING THE PURCHASE AND INSTALLATION OF PROGRAMMABLE LOGIC CONTROLS (PLCs) AT THE WASTEWATER TREATMENT PLANT FROM INDUSTRIAL TECHNOLOGIES, LLC, CALHOUN, GEORGIA, IN THE ESTIMATED AMOUNT OF \$198,680.00.
- c. A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., FOR FURNISHING OF MAINTENANCE OF THE 800 MHZ TRUNKED COMMUNICATIONS SYSTEM FOR FISCAL YEAR 2017 IN THE AMOUNT OF \$90,426.96.
- d. A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY AND THE OAK RIDGE CHAMBER OF COMMERCE FOR ECONOMIC DEVELOPMENT ACTIVITIES IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR FY2017.
- e. A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY AND THE OAK RIDGE CONVENTION AND VISITORS BUREAU (CVB) FOR THE PROVISION OF SERVICES AND MATERIALS TO PROMOTE TOURISM IN OAK RIDGE FOR THE PERIOD JULY 1, 2016 THROUGH JUNE 30, 2017 (FISCAL YEAR 2017) IN AN AMOUNT NOT TO EXCEED \$325,000.00.
- f. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, AUTHORIZING THE EXTENSION OF ITS WATERWORKS INTERFUND LOAN CAPITAL OUTLAY NOTE.
- g. A RESOLUTION AWARDED A CONTRACT (FY2017-016) TO FIRST PLACE FINISH, INC., OAK RIDGE, TENNESSEE, FOR THE REMAINING ABATEMENT AND DEMOLITION OF THREE (3) CITY-OWNED 4-PLEX RESIDENTIAL STRUCTURES, IN THE ESTIMATED AMOUNT OF \$37,326.00.

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of Ordinances

- a. AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF AN APPROXIMATE 2.50 ACRE PORTION OF PARCEL 003.00, ANDERSON COUNTY TAX MAP 094E, GROUP A, FROM B-2, GENERAL BUSINESS TO IND-1, INDUSTRIAL, SAID PARCEL BEING LOCATED AT 110 MELTON LAKE DRIVE.
- b. AN ORDINANCE CLOSING THE PORTION OF FAIRBANKS ROAD BETWEEN BRIARCLIFF AVENUE AND EMORY VALLEY ROAD TO PUBLIC TRAVEL.
- c. AN ORDINANCE TO AMEND ORDINANCE NO. 17-98 (AS AMENDED), SECTION 1, TO INCREASE THE MONTHLY RESIDENTIAL REFUSE COLLECTION FEE FROM \$10.50 TO \$14.00 AND TO CLARIFY LANGUAGE REGARDING THE FEE.

X. FINAL ADOPTION OF ORDINANCES

- a. AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," SO AS TO NOT CONFLICT WITH THE NEW STORMWATER MANAGEMENT ORDINANCE AS SET FORTH IN CITY CODE, TITLE 14, CHAPTER 5, ADOPTED BY ORDINANCE NO. 1-2016.
- b. AN ORDINANCE TO AMEND TITLE 8, TITLED "ALCOHOLIC BEVERAGES," CHAPTER 6, TITLED "BEER AND OTHER LIGHT BEVERAGES," AND CHAPTER 7, TITLED "BEER

PERMITS AND MANAGER CERTIFICATES," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, FOR THE PURPOSES OF UPDATING PROVISIONS FOR STATE LAW COMPLIANCE, ALLOWING THE SALE OF GROWLERS (TAP BEER TO GO), CREATING A NEW DUAL ON-AND-OFF PREMISES BEER PERMIT, ALLOWING MANUFACTURERS TO SELL BEER WITH THE PROPER PERMIT, AND TO SET FORTH A TIMEFRAME BETWEEN BEER PERMIT APPROVAL AND OPENING A NEW BUSINESS.

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

a. Elections/Appointments

- i. Confirmation of appointment of Shira McWaters to the Anderson County Regional Solid Waste Planning Board

a. Announcements

b. Scheduling

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. SUMMARY OF CURRENT EVENTS

a. CITY MANAGER'S REPORT

b. CITY ATTORNEY'S REPORT

XIV. ADJOURNMENT

**PROCLAMATIONS
AND
PUBLIC RECOGNITIONS**

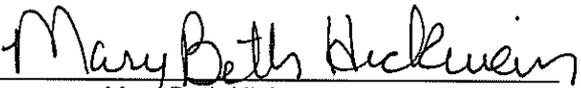
CITY CLERK MEMORANDUM
16-20

DATE: June 27, 2016
TO: Honorable Mayor and Members of City Council
FROM: Mary Beth Hickman, City Clerk
SUBJECT: PROCLAMATION FOR THE AUGUST 8 CITY COUNCIL AGENDA

The following proclamation is presented for the August 8, 2016 City Council meeting for the City Council's consideration:

Recognition of the 40th Anniversary of the Oak Ridge Farmers Market

This request was submitted by Mayor Warren Gooch to recognize the Oak Ridge Farmers Market on its 40th Anniversary. If adopted by City Council, the proclamation will be presented at a ceremony commemorating the anniversary on September 3, 2016.



Mary Beth Hickman

Attachment:
Proclamation recognizing the 40th Anniversary of the Oak Ridge Farmers Market

PROCLAMATION

WHEREAS, there are many fine traditions in Oak Ridge, but few are finer than the Farmers Market which, for four decades, has operated to provide fresh produce, flowers and plants, honey, herbs, and other home-produced products to our community; and

WHEREAS, on Wednesdays and Saturdays during the late spring, summer, and into the fall, many farmers and vendors from all over East Tennessee bring their home-produced horticultural wares to Jackson Square; and

WHEREAS, the Farmers Market has many faithful customers who come regularly to Jackson Square that feel a deep appreciation for the work, the talents and the knowledge on display in the heart of the Oak Ridge community; and

WHEREAS, since 2006, the City of Oak Ridge has shown its support for the Farmers Market by serving as the annual applicant to the Tennessee Department of Agriculture on behalf of its parent organization, East Tennessee FARM, to provide marketing resources increase the visibility of the Farmers Market to the Oak Ridge and surrounding areas; and

WHEREAS, on September 3, 2016 the Oak Ridge Farmers Market will celebrate its 40th Anniversary of operation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that the City joins in celebrating

THE 40TH ANNIVERSARY OF THE OAK RIDGE FARMERS MARKET

in the City of Oak Ridge, Tennessee, and that all citizens be urged to honor this worthy observance in appreciation of the farmers and vendors who have through the years so generously shared with us the fruits of their labors.

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 8th day of August in the year 2016.

WARREN L. GOOCH, MAYOR

CONSENT AGENDA

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

July 11, 2016

Minutes

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on July 11, 2016 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

INVOCATION

Pastor David Allred, High Places Community Church

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was led by Councilmember Chuck Hope.

ROLL CALL

Upon roll call the following councilmembers were present: Councilmember Trina Baughn; Councilmember Kelly Callison; Mayor Warren L. Gooch; Councilmember L. Charles Hensley; Councilmember Charles J. Hope, Jr.; and Mayor Pro Tem Ellen D. Smith. Councilmember Rick Chinn, Jr. was absent.

Also present were Mark S. Watson, City Manager; Mary Beth Hickman, City Clerk; and Kenneth R. Krushenski, City Attorney.

APPEARANCE OF CITIZENS

Joy Henderson, 103 Joyce Lane, Oak Ridge, addressed Council regarding an issue with the traffic signal at Manhattan Avenue, as well as the new traffic signal at Oak Ridge High School. She also requested that the brush pickup schedule be better publicized since several people on her street were unaware of the schedule.

Martin McBride, 954 W. Outer Drive, Oak Ridge, addressed Council regarding DOE housing practices and requested that representatives from DOE headquarters in Washington be invited to a City Council meeting or work session to discuss this issue.

Curtis Rookard, 114 W. Pasadena Lane, Oak Ridge, addressed Council regarding his support for an airport in the City of Oak Ridge.

PROCLAMATIONS

A proclamation recognizing July 15, 2016 as Penelope H. Sissom Day.

Mayor Pro Tem Smith moved for approval, and Councilmember Hensley seconded. The proclamation was approved unanimously by voice vote with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

SPECIAL REPORTS

2015-2016 State of the Youth Address.

Mr. Lewis Wang, Chair of the Youth Advisory Board, gave the 2015-2016 State of the Youth Address. Councilmember Hope thanked Mr. Wang and the other members of the Youth Advisory Board for their service and commented on the outstanding quality of the applicants for the 2016-2017 Board.

Oak Ridge Chamber of Commerce Housing Study Committee Report

Melinda Hillman, Chairman of the Housing Study Committee and Immediate Past Chair of the Oak Ridge Chamber of Commerce, presented the report to City Council. Ms. Hillman stated that data had been acquired and was being analyzed in order to formulate the vision statement, mission statement and strategy for addressing issues surrounding housing. The target date for the final report is December, 2016, and Ms. Hillman will be returning to City Council in October with an update on the status of the report.

Mayor Pro Tem Smith inquired if the data that has been collected will be made available prior to October as there is a great deal of interest in the results. Ms. Hillman stated that the Committee will make a decision as to the timing of the release of the data after its members have had a chance to analyze it.

Councilmember Baughn requested that the Committee release any raw data in addition to an analysis of the data that has been collected.

Councilmember Hensley commented that the number of DOE employees surveyed who live in Oak Ridge was 23 percent, which was a higher number than he had expected.

CONSENT AGENDA

Councilmember Hensley moved for adoption, and Mayor Pro Tem Smith seconded.

The Consent Agenda was unanimously adopted by voice vote with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Approval of the June 6, 2016 City Council meeting minutes

Approval of the June 13, 2016 City Council special meeting minutes

Confirmation of sixteen (16) members to the Youth Advisory Board, as selected by the YAB Screening Panel, for one year terms of office commencing on August 1, 2016

A RESOLUTION AWARDED BIDS IN THE GRAND TOTAL ESTIMATED AMOUNT OF \$1,248,080.00 FOR THE FURNISHING OF VARIOUS MATERIALS AS REQUIRED BY THE CITY DURING FISCAL YEAR 2017.

RESOLUTIONS

A RESOLUTION ACCEPTING EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM SET-ASIDE FUNDS FROM THE TENNESSEE HOUSING DEVELOPMENT AGENCY AND AUTHORIZING A SUBRECIPIENT AGREEMENT WITH TRINITY OUTREACH CENTER OF HOPE (TORCH) TO CONDUCT CERTAIN ESG ACTIVITIES.

Councilmember Hope moved for approval of the resolution, and Councilmember Baughn seconded.

Mayor Pro Tem Ellen Smith removed herself from the dais during consideration of this resolution, citing her membership on the Board of Directors of TORCH.

The resolution was approved by board vote with Councilmembers Baughn, Callison, Hensley, Hope, and Mayor Gooch voting "Aye." Mayor Pro Tem Smith did not vote.

A RESOLUTION MAKING AWARDS TO ALTERNATE STAFFING, INC., AND OTHER QUALIFIED COMPANIES FOR FURNISHING AS NEEDED TEMPORARY EMPLOYMENT SERVICES FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2017 (JULY 1, 2016 THROUGH JUNE 30, 2017) IN THE ESTIMATED AMOUNT OF \$100,000.00.

Councilmember Callison moved for approval of the resolution, and Councilmember Hope seconded. City Manager Mark Watson provided an overview of the resolution and answered questions from Council.

The resolution was approved unanimously by board vote with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO THE BEST PROVIDERS FOR FURNISHING CHEMICALS FOR THE WATER AND WASTEWATER TREATMENT PLANTS FOR FISCAL YEAR 2017 IN THE ESTIMATED AMOUNT OF \$300,000.00.

Councilmember Hensley moved for approval of the resolution, and Mayor Pro Tem Smith seconded.

The resolution was approved unanimously by board vote with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AWARDS TO STOWERS, BOBCAT, CONTRACTORS MACHINERY, UNITED RENTALS, NORTRAX, AND OTHER SUITABLE COMPANIES FOR AS NEEDED HEAVY EQUIPMENT RENTAL FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2017 IN THE ESTIMATED AMOUNT OF \$100,000.00.

Councilmember Chuck Hope moved for approval of the resolution, and Mayor Pro Tem Smith seconded.

The resolution was approved unanimously by board vote with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch, and Mayor Pro Tem Smith voting "Aye."

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO WASTE MANAGEMENT FOR DISPOSAL OF BIOSOLIDS AT THE CHESTNUT RIDGE LANDFILL FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2017 IN THE ESTIMATED AMOUNT OF \$115,000.00.

Councilmember Hope moved for approval of the resolution, and Councilmember Callison seconded.

The resolution was unanimously adopted by board vote with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch, and Mayor Pro Tem Smith voting "Aye."

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO THE BEST PROVIDERS FOR EMERGENCY STREET RESURFACING FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2017 IN THE ESTIMATED AMOUNT OF \$125,000.00.

Mayor Pro Tem Smith moved for approval of the resolution, and Councilmember Callison seconded.

City Manager Mark Watson provided an overview of the resolution and answered questions from Council.

The resolution was approved unanimously by board vote with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch, and Mayor Pro Tem Smith voting "Aye."

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

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," SO AS TO NOT CONFLICT WITH THE NEW STORMWATER MANAGEMENT ORDINANCE AS SET FORTH IN CITY CODE, TITLE 14, CHAPTER 5, ADOPTED BY ORDINANCE NO. 1-2016.

Councilmember Hensley moved for approval of the ordinance, and Councilmember Callison seconded.

Councilmember Hensley moved to open the public hearing, and Councilmember Hope seconded.

Community Development Director Kathryn Baldwin provided a brief overview of the ordinance and answered questions from Council. Seeing no citizens who wished to address Council on this issue, Councilmember Hensley moved that the public hearing be closed, and Councilmember Callison seconded. By unanimous voice vote, the public hearing was closed.

The ordinance was unanimously approved by board vote with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

AN ORDINANCE TO AMEND TITLE 8, TITLED "ALCOHOLIC BEVERAGES," CHAPTER 6, TITLED "BEER AND OTHER LIGHT BEVERAGES," AND CHAPTER 7, TITLED "BEER PERMITS AND MANAGER CERTIFICATES," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, FOR THE PURPOSES OF UPDATING PROVISIONS FOR STATE LAW COMPLIANCE, ALLOWING THE SALE OF GROWLERS (TAP BEER TO GO), CREATING A NEW DUAL ON-AND-OFF PREMISES BEER PERMIT, ALLOWING MANUFACTURERS TO SELL BEER WITH THE PROPER PERMIT, AND TO SET FORTH A TIMEFRAME BETWEEN BEER PERMIT APPROVAL AND OPENING A NEW BUSINESS.

Mayor Pro Tem Smith moved for approval of the ordinance, and Councilmember Callison seconded.

City Attorney Kenneth Krushenski provided a brief overview of the ordinance.

The ordinance was unanimously approved by board vote with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

FINAL ADOPTION OF ORDINANCES

AN ORDINANCE TO AMEND TITLE 10, TITLED "ANIMAL CONTROL," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY ADDING A NEW CHAPTER 4, TITLED "KEEPING OF HENS," FOR THE PURPOSE OF SETTING FORTH REGULATIONS FOR THE KEEPING AND POSSESSING OF FEMALE DOMESTICATED CHICKENS (HENS) IN RESIDENTIAL AREAS EXCEPT FOR RG-1.

Councilmember Hensley moved for adoption of the ordinance, and Mayor Pro Tem Smith seconded.

City Manager Mark Watson and Assistant to the City Manager Bruce Applegate answered questions from Council.

Mayor Pro Tem Smith moved to amend section 10-405 of the ordinance to read "the slaughtering of chickens" rather than "the slaughtering of hens," and Councilmember Hensley seconded.

The amendment was adopted by board vote with Councilmembers Callison, Hensley, Mayor Gooch and Mayor Pro Tem Smith voting "Aye" and Councilmember Hope voting "No." Councilmember Baughn abstained.

Councilmember Baughn moved to amend the ordinance by lowering the building permit fee from \$50 to \$25, and Councilmember Hope seconded.

David Kitzmiller, 144 Wellington Circle, Oak Ridge, requested that undue hardship not be placed on residents through excessive fees.

Kayla Wyatt, 121 Revere Circle, also addressed Council regarding the fairness of the building permit fee.

The amendment was adopted by board vote with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch, and Mayor Pro Tem Smith voting "Aye."

Mayor Gooch stated that he appreciated the persistence and professionalism of those who have supported this ordinance, but his opinion has not changed and he will be voting against the ordinance.

The ordinance as amended was adopted by Board vote with Councilmembers Baughn, Callison, Hensley, Hope and Mayor Pro Tem Smith voting "Aye," and Mayor Gooch voting "No."

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

- i. Elect one representative to the Anderson County Economic Development Association board for the balance of an unexpired term ending on December 31, 2017.

Mr. Terry McGhee was elected on first ballot.

- ii. Elect one representative to the Environmental Quality Advisory Board for the balance of an unexpired term ending on December 31, 2016 or the balance of an unexpired term ending on December 31, 2018.

City Attorney Ken Krushenski stated that since there is only one candidate, Mr. Anthony Flores, that the Council may choose to elect him by acclamation. He also stated that Mr. Flores be elected to serve the longer of the two terms.

Mayor Pro Tem Smith moved to elect Anthony Flores to the Environmental Quality Advisory Board by acclamation, and Councilmember Hensley seconded. Mr. Flores was elected by acclamation with a voice vote.

Councilmember Hope moved that Anthony Flores be elected to the unexpired term ending on December 31, 2018, and Councilmember Callison seconded. The motion passed unanimously by voice vote.

- iii. Elect one high school representative to the Environmental Quality Advisory Board for a two-year term ending on May 31, 2018 and one high school representative to fill the balance of an unexpired term ending on May 31, 2017.

City Clerk Mary Beth Hickman clarified that there are actually two vacancies for the high school representatives due to the graduation of the person who was elected last year upon recommendation of the Youth Advisory Board Screening Panel. City Attorney Ken Krushenski stated that since there are two vacancies and two candidates that both could be elected by acclamation.

Councilmember Hensley moved that Mr. Tripp Chinn and Mr. Adithyan Sujithkumar be elected by acclamation, and Councilmember Hope seconded. Both applicants were elected by acclamation on a voice vote.

Councilmember Hensley moved that Mr. Sujithkumar be elected to the two-year term ending on May 31, 2018, and Mr. Chinn be elected to fill the balance of the unexpired term ending on May 31, 2017. Mayor Pro Tem Smith seconded, and the motion was approved unanimously by voice vote.

- iv. Elect one high school representative to the Traffic Safety Advisory Board for a one-year term ending on May 31, 2017.

Ms. Hannah Oran was elected on the first ballot.

v. Appointment of City Manager Evaluation Committee

Mayor Gooch recommended in accordance with a prior resolution passed by City Council pertaining to the rotation of members on and off the committee that the City Manager Evaluation Committee be comprised of Councilman Callison, Chair; Mayor Pro Tem Smith; and Councilmember Baughn.

Councilman Hope moved to accept the Mayor's recommendation, and Mayor Pro Tem Smith seconded.

The motion was approved by voice vote with Councilmembers Baughn, Callison, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye," and Councilmember Hensley voting "No."

vi. Appointment of City Attorney Evaluation Committee

Mayor Gooch recommended in accordance with a prior resolution passed by City Council pertaining to the rotation of members on and off the committee that the City Attorney Evaluation Committee be comprised of Councilmember Rick Chinn, Chair; Mayor Gooch and Councilmember Hensley.

Councilmember Hope moved to accept the Mayor's recommendation, and Councilmember Callison seconded. The motion was approved by voice vote with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch, and Mayor Pro Tem Smith voting "Aye."

vii. Appointment of Budget and Finance Committee

Mayor Gooch recommended that the Budget and Finance Committee be comprised of Councilmember Kelly Callison, Mayor Pro Tem Smith and Mayor Gooch.

Councilmember Hope moved to accept the Mayor's recommendation, and Councilmember Callison seconded. The motion was approved by voice vote with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

viii. Confirmation of Mayoral Appointment of Councilmember Trina Baughn to the Anderson County Tourism Council.

Mayor Gooch moved that Councilmember Baughn be reappointed to the Anderson County Tourism Council, and Councilmember Hope seconded. The motion was approved by voice vote with Councilmembers Baughn, Callison, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

Announcements

City Manager Mark Watson announced that the groundbreaking for Main Street Oak Ridge would be held on July 20 at 2:00 p.m., and more information would be forthcoming. He also announced that the City is eligible for blighted housing funds that have become available through the United States Treasury, and the City has received a sidewalk completion grant through the Tennessee Department of Transportation.

Due to Penny Sissom's retirement, City Manager Mark Watson has asked Bruce Applegate to serve as Interim Personnel Director.

The City Manager also thanked Jack Suggs and the Electric Department for their work during three storms that hit the City in a row, as well as the Police, Fire, and Public Works Departments for their assistance.

The City has received another design from Barge Waggoner on the 8th Lane project, so that project will be re-bid.

Scheduling

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Councilmember Hope asked if there will be anything proposed pertaining to connectivity as the county Clinton Highway road project progresses. Community Development Director Kathryn Baldwin stated that the project is not actually an upgrade, so there would be no opportunity for sidewalk additions. Councilmember Hensley clarified that the Clinton Highway project is not a widening but intends to cut the highway down to two lanes and adding a turning lane.

Councilmember Callison asked if anything was happening with the Rails to Trails program. Community Development Director Kathryn Baldwin stated there is a unified planning work program on the agenda for technical staff on July 12 and then the TPO board the end of July which includes money for two projects. This will enable the City to hire consultants to create a master plan.

Mayor Pro Tem Smith asked for follow-up regarding the registration of vacant property with a registration fee and would like to know if that is something that is allowed under Tennessee law.

Councilmember Hope inquired if the sensitivity training for the Police and Fire Departments are at the highest level, in the light of recent developments across the country.

Councilmember Hensley announced that on August 2 at 8:00 a.m., the Land Bank is going to meet at the Chamber office to continue their visioning exercise.

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

ADJOURNMENT: 8:53 p.m.

CITY CLERK MEMORANDUM
16-21

DATE: July 29, 2016

TO: Honorable Mayor and Members of City Council

FROM: Mary Beth Hickman, City Clerk

SUBJECT: PREVENT CHILD ABUSE TENNESSEE, HEALTHY START OF ANDERSON COUNTY

Introduction

An item for City Council's consideration is a resolution approving a grant agreement and authorizing the disbursement of \$31,850.00 to Prevent Child Abuse Tennessee for use in the Healthy Start of Anderson County Program.

Funding

City Council approved funding of \$31,850 for the grant with the adoption of the FY2017 budget. This is the 16th year that a grant for the Healthy Start Program has been included in the City's budget.

Background

Originally, Healthy Start was a program of the Anderson County Health Council which served as its 501(c)(3) umbrella agency. The Health Council dissolved on June 30, 2010, due to loss of funding. However, Healthy Start survived by becoming a program under Prevent Child Abuse Tennessee on July 1, 2010.

Prevent Child Abuse Tennessee has 501(c)(3) status and has agreed to provide oversight of financial matters, including yearly audits, as required by the City's guidelines. A funding request was submitted to the City on July 29, 2016 for inclusion in the FY2017 budget and is attached in its entirety.

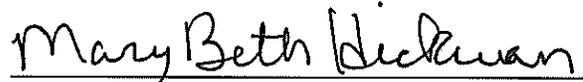
Consideration

Healthy Start has received a grant of \$31,850 as awarded in FY2016 budget deliberations. This amount has remained at \$31,850 in recent years. This is the grant amount contained in the FY2017 budget approved by Council.

A copy of the organizations' financial statements and independent auditors' report ending June 30, 2015 is on file in the City Clerk's office and are available for the Council's review. Financial statements and the independent auditors' report ending June 30, 2016 are forthcoming. Recent documentation must be received from the organization prior to the disbursement of funds under the grant agreement for FY2017.

Recommendation

Staff recommends approval of the attached resolution to disburse \$31,850 to Prevent Child Abuse Tennessee, Healthy Start of Anderson County, as included in the FY2017 budget, upon completion of all terms listed in the FY2016 grant agreement.



Mary Beth Hickman

Attachments:

Funding Request
Resolution

**City of Oak Ridge
Not-for-profit Organization
Funding Request**

July 28, 2016

Agency Making Request: Prevent Child Abuse Tennessee- Healthy Families Tennessee Program

Address: PO Box 6245
Oak Ridge, TN 37831-6245

Telephone: (865) 483-7377

Fax: (865) 220-5632

Contact Person: Susan Moore
Susan.moore@pcat.org

Healthy Families Tennessee of Anderson County Funding Request

Funding Request:

Healthy Families Tennessee in Anderson County is requesting \$31,850 from Oak Ridge City Council to provide weekly home visitation services to at risk first time parents.

Purpose of Funding Request:

Nurturing relationships and safe environments in infancy and early childhood build strong physical, cognitive, and emotional foundations for children. Traumatic experiences resulting from unsafe adult behavior and environments weaken any child's foundation and can lead to life-long health and social problems. Adverse Childhood Experiences, or ACEs, are defined as overwhelmingly stressful or traumatic experiences that disrupt normal development in children and youth and include sexual, physical and emotional abuse, a parent/caregiver with mental illness, addiction and/or a history of incarceration, witnessing family and/or community violence, bullying by peers or family members, and chronic poverty or homelessness. Exposure to ACEs can lead children, youth, and adults to adopt unhealthy coping skills and habits with corresponding long-term health, economic, and social problems. Twenty years of evidence-based national research has illuminated a "dose response" relationship between ACEs and early morbidity and mortality, health disparities, severe/persistent mental illness, addiction, and incarceration -- all of which contribute to poverty and homelessness -- across all regions of the country.

Twenty years of evidence-based research also has illustrated the power of safe, stable, and nurturing relationships early in life to buffer the damaging effects of childhood adversity. Nurturing, adult protective behaviors and safe environments promote healthy coping skills and resiliency in children, reducing the likelihood that childhood trauma will have lifelong impact. Individualized support and education for parents who are at risk for maltreating or neglecting their children is effective in reducing and/or preventing generational transmission of ACEs. Prevent Child Abuse Tennessee (PCAT) utilizes two nationally recognized programs, Healthy Families Tennessee and Nurturing Parenting, to provide in-home education that is individualized to each family's needs and delivered within the context of a working relationship between a professional parent and child advocate. Both program models are proven to prevent child abuse and neglect by building parental and family capacity and replacing harmful parenting practices with healthy ones. We work with vulnerable first time parents through Healthy Families Tennessee. Home visitors teach parents how to keep their infants safe, nurturing parenting skills and connect families to services in their community; all through regular weekly visits in clients' homes. Both programs are delivered voluntarily to parents and caregivers who choose to participate. Individuals are referred to our programs through community partners, some self-refer. The majority of participants face multiple challenges including single parenting, low income, mental health issues, substance abuse problems and domestic violence.

According to the 2016 Kids Count Report, Anderson County has the 11th highest number of substantiated child abuse cases reported in 95 counties. Thirty percent of children are living in poverty. Child abuse and neglect is a problem in Anderson County. Healthy Families TN is the only service offering free, evidence based comprehensive home visiting services in Oak Ridge and Anderson County. Healthy Families Tennessee is designed to build protective factors in families thereby reducing the likelihood of child abuse and preventing its devastating effects on child development.

By focusing on family strengths we empower parents to solve their own problems and improve outcomes for their children. The first years of a child's life lay the foundation for future success in life. Children that are nurtured and loved in the first years of life, grow up ready to learn and succeed in school. Every child is assessed every 6 months to make sure that they are developing appropriately along five areas: gross motor, communication, fine motor, problem solving and personal-social. Any cut in funding to our programs in Anderson County would directly impact the number of families we are able to serve. Reducing availability of our programs in Oak Ridge would adversely impact children and families. Without coaching and knowledge of how to effectively parent and foster healthy child development, parents may default to unhealthy observed behaviors that adversely impact child development. As incidents of adverse childhood experiences increase for children, their brain development is impacted. Children without strong foundations in the early years (0-5) are proven to have difficulty academically, socially and emotionally throughout their life. PCAT is committed to offering high quality, intensive, evidence based programs for vulnerable families in Oak Ridge and Anderson County.

Description of Agency:

Prevent Child Abuse Tennessee (PCAT) was founded in 1984 as Parents Anonymous, providing support groups and a 24/7 helpline for families struggling with child rearing issues. In 1998 we became the Tennessee Chapter of Prevent Child Abuse America, changing our name to Prevent Child Abuse Tennessee. Today our mission is to prevent child abuse and neglect across all 95 counties in Tennessee. PCAT's programs in Anderson County are provided directly or in collaboration with community partners from our office in Oak Ridge to strengthen families and reduce the risks of child abuse and neglect. Evidenced based, home visiting programs to vulnerable families, parent to parent empowerment and community based public education about the value of prevention are the touchstones of our organization.

In 2010, Healthy Start of Anderson County was almost forced to shut its doors due to budget deficits. Instead of suspending much needed services to new moms in Anderson County, the program was absorbed by PCAT's Healthy Families Tennessee program. PCAT's home visitation program is the largest in the state of the Tennessee, providing home visitation services in 20 counties. The transition to becoming a program of PCAT strengthened the program sustainability and quality of services for caregivers and children in Oak Ridge.

Services Offered:

Our continuum of services for families in Oak Ridge includes many different access points for families depending on their level of need. Each program focuses on empowering parents and adults to build safe, stable and nurturing environments for children, laying the foundation for

lifelong health and a productive life. **The Nurturing Parenting** program builds parental and family capacity, replacing harmful parenting practices with healthy ones. Our target population for this program is caregivers of children 8 and younger and who do not have an open DCS investigation. In our largest program, Health Families Tennessee, we work with vulnerable first time parents. Home visitors teach parents how to keep their infants safe, nurturing parenting skills and connect families to services in their community; all through regular weekly visits in clients' homes. Caregivers can enroll in the program prenatally or before their child is three months old. We served 38 families in Anderson County in the last fiscal year in this program.

Our **Parent Leadership** initiative involves parents in program planning and gives parents the essential tools to advocate for their own children. Any parent who has been touched by the child welfare system can be involved. Each parent leader is nominated and their application reviewed by a group of peer leaders. PCAT disseminates Shaken Baby Syndrome intervention materials to every birthing hospital in Tennessee. Hospitals use the materials to talk to parents of newborns about the stress of parenting, what to do if you become stressed in caring for their baby and how to communicate the danger of shaking a baby with others. The pilot project demonstrated that hospitals who implemented the program saw a 57 percent decrease in the number of incidents of abusive head trauma in infants.

PCAT uses **Darkness to Light's Stewards of Children** training to teach adults how to prevent, recognize and react responsibly to child sexual abuse. PCAT facilitates Stewards of Children training opportunities for nonprofit organizations, schools, businesses, congregations and parents in the Oak Ridge area. Last year the Oak Ridge office provided child sexual abuse prevention training for over 200 individuals in the East Region. Trainings were provided for faculty at Oak Ridge High School, Oak Ridge Preschool, Staff of Girls Inc., Choices Resource Center in Oak Ridge, faculty and staff of Anderson County Schools and Anderson County Head Start.

Helpline PCAT operates two statewide helplines, one for domestic violence and the other for parents. PCAT collaborates with eight domestic violence shelters. PCAT's helpline counselors answer after-hours and weekend calls for smaller local shelters including two in East Tennessee. Our partnership allows shelters to leverage their resources while maintaining quality services for victims of domestic violence.

PCAT is requesting support for our **Healthy Families Tennessee** program which is a home visitation program for vulnerable first-time parents. This voluntary program brings a team of caring people to assist families so they can learn the necessary skills to parent more effectively. The program uses an evidenced-based curriculum for pregnancy through the first five years of a child's life to teach parents how to parent successfully and increase bonding and attachment with their baby. Through Healthy Families Tennessee, the home visitor identifies parents in need, supports families with weekly home visits, teaches parents primary care-giving and basic life skills, models parent-child bonding behaviors, provides group support so parents can interact and learn from peers, coordinates community services to strengthen families, and intervenes in the event of a crisis. Healthy Families Tennessee's vision is to ensure that all of its children have a safe, secure, and healthy childhood. Our goals in Anderson County and the City of Oak Ridge are to:

- Build and sustain community partnerships to systematically engage overburdened families in home visiting services prenatally or at birth
- Cultivate and strengthen nurturing parent-child relationships
- Promote healthy childhood growth and development
- Enhance family functioning by reducing risk and building protective factors.

The program enrolls first time parents that are pregnant or have an infant who is under 3 months of age. Parents that are 21 years old or younger with more than one child may also enroll in the program if their child is three months or younger. New parents are highly receptive to learning how to care for their newborns. Our target population is based on research that demonstrates that parenting styles are set within the first three months of parenthood.

The evidenced based Healthy Families TN program model is built upon 12 critical elements derived from more than 30 years of research. This program measures success through a number of tools that assess parent knowledge of child development, health indicators, child development, and ongoing goal planning. There are 12 Benchmarks designated by the TN Dept. of Health that we measure on an annual basis.

Healthy Families is proven to:

- Reduce child maltreatment
- Increase utilization of prenatal care and decrease pre-term, low weight babies
- Improve parent-child interaction and school readiness
- Decrease dependency on welfare, or TANF (Temporary Assistance to Needy Families) and other social services
- Increase access to primary care medical services; and
- Increase immunization rates.

Audit Requirements:

Current funding requirements mandate that Prevent Child Abuse Tennessee undergoes an annual full compliance audit.

Prevent Child Abuse Tennessee agrees to provide future audit reports to the City of Oak Ridge before December 31 of each year.



Signature of Authorized Official

Reporting Requirements:

Prevent Child Abuse Tennessee agrees to provide quarterly reports describing program activities and other reasonably required report(s) when requested by the City of Oak Ridge.



Signature of Authorized Official

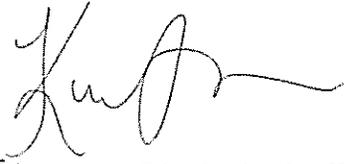
Prevent Child Abuse Tennessee agrees to make available for inspection all of its books and records to the City Manager or his designated representative at all reasonable times.



Signature of Authorized Official

Prevent Child Abuse Tennessee agrees to submit with its annual audit a statement which reflects a

comparison of services rendered to residents of Oak Ridge and all other persons served.

A handwritten signature in cursive script, appearing to read "Kurt", written in black ink.

Signature of Authorized Official

PROGRAM HISTORY

Since the inception of the Healthy Families Tennessee program in Anderson County 17 years ago, about half of the program recipients reside in Oak Ridge. The program began in Anderson County under the vision and leadership of two Oak Ridge residents, Janie Hiserote and Virginia Coleman. After learning about the success of the program in Hawaii, where a five year study demonstrated an 80% decrease in severe child abuse rates among families enrolled in the program, they worked hard to bring the program to Oak Ridge. Since the program's inception, approximately 500 families have been served by the program which is over 900 individuals. In 18 years, only seven children have been removed from the home for neglect, and to date no children have been removed for abuse. This statistic is phenomenal since Anderson County has the 11th highest number of child abuse cases reported by county in the state.

The program is steered by a local Advisory Board. The Advisory Board hosts fundraisers, sends an annual appeal for funding and provides feedback on program improvement. The Advisory Board and program staff work collaboratively with other organizations in Anderson County to leverage local resources, improve services for families and remove barriers to access programs. Healthy Families in Anderson County works with a variety of community services to help meet the needs of the high risk families its serves. From monitoring prenatal visits with the OB to recording well-child visits with the pediatricians, the health needs of the child are being met. We also work with community food banks and housing programs for families in crisis. Referring parents and/or children for mental health services is also a priority.

Healthy Families Tennessee collaborates with a host of community organizations to assure that all residents' basic needs are met. Memorandums of Understanding are in place with Anderson County Health Department, Co-Parenting Solutions, Cherokee Health Systems, Clinton, TN, Helen Ross McNabb, OB/GYN Associates of Oak Ridge, Trinity Outreach Center of Hope (TORCH), AGAPE House, Ridgeview, Crossroads Ministry, Grace Covenant Church, Methodist Medical Center, Anderson Community Action Commission. Each MOU encourages knowledge of community resources and allows for cross referring among agency programs to better serve each family.

In the Healthy Families TN program in Anderson County, 78% of participants graduated from high school, 67% earn less than \$10,000 a year and 63% are single parents. 30% of the parents are 19 or younger. Last year, 76 family members received regular visits from their home visitor. This year, our goal is to serve 45 families in the program and do a greater number of family assessments which identify family strengths, coping skills, family and community supports and stressors.

The majority of the families enrolled in the program come from generational poverty. Participants in the program often have learned abusive parenting patterns from their own caregivers. Nearly half of the parents/caregivers served through PCAT report experiencing abuse by a person within their family, and 78% of participants in Anderson County had three or more Adverse Childhood Experiences, putting them at higher risk for long-term health, economic and social problems. Twenty years of national research has identified a clear link between child adversity and early morbidity and mortality in adulthood as well as a leading cause of severe/persistent mental illness, addiction, incarceration, poverty and homelessness.

Current Statistics supporting Healthy Families TN for Oak Ridge families.

The 2016 Kids Count Annual Report on child well-being breaks state information down by county. According to 2016 Kid's Count Report :

- Anderson County ranks in the state's top 15 for substantiated Child Abuse and Neglect cases (85 out of 95 counties).

Healthy Families TN is accredited by Healthy Families America and utilizes an evidence based curriculum with families designed to specifically address and reduce risk of child abuse. Healthy Families home visiting has been identified by the Center for Disease Control as one of the most effective and long term cost efficient preventive strategies available to reduce child abuse and maltreatment.

- Anderson County ranks in the bottom half (56 out of 95 counties) of Tennessee's 95 counties for infant mortality (in the first year of life) and 72nd in child deaths per 100,000.

Healthy Families TN home visitors observe infant sleeping environments first hand while visiting in homes. This provides Healthy Families the unique opportunity to save infant lives by providing in home education on safe sleep environments. In situations where families do not have or cannot afford a safe sleeping environment, Healthy Families can provide one. Prevent Child Abuse was recently selected by Dr. Michael Warren, Director of Tennessee Department of Health, to pilot a safe sleep initiative in which participants in Healthy Families TN will be provided a "Newborn Nest" safe sleep environment through the age of 6 months. Oak Ridge and Anderson County newborns will be included in this initiative based on saving infant lives.

The best thing we can do in response to overcoming these issues is to work hard to prevent child abuse and neglect in the next generation of children. Parents need more information about how their baby's brain develops and how to build a safe, stable, nurturing environment for their child. Every parent in Tennessee needs access to a Healthy Families Tennessee home visitor. In fact, *Kids Count State of the Child in Tennessee*, released 2016 recommends the expansion and delivery of evidence based home visiting programs as one of four key strategies to improve early childhood outcomes. Evidence based home visiting, provided by Healthy Families Tennessee, provides the essential information and support to parents to make sure children get a great start with the skills needed to learn. The program enhances family functioning by reducing risk and building protective factors.

PROGRAM RESULTS

The following data are for all Healthy Families Tennessee clients: (using the national guidelines for evidenced based programs set up by the federal Maternal, Infant, and Early Childhood Home Visitation Program) Benchmarks are used to define short and long-term outcomes.

Benchmark # 1 – Improved maternal, newborn, and child health

PROGRESS MADE TOWARD ACHIEVING BENCHMARK

Current Report Period: (2016)

This year all families were given the following evaluation tools to measure this benchmark: Life Skills Progression, Edinburgh Postnatal Depression Scale, and Healthier Beginnings Intake and Assessment. By using these tools, such things as prenatal care, prenatal use of illicit drugs, maternal depression, well child visits and insurance health status was determined.

- Total number of referrals received for the program: 19 referrals.
- Total Target Population screened: 19 families.
- Number of Positive screens receiving parent survey: 7 families.
- Number of Families that enrolled in the program: 10 families.
- Total of 76 individuals participated in the program.

NARRATIVE.

Current Report Period: (2015)

1. 85% of babies had regular contact with their medical provider.
2. Four of our mothers scored positive for depression. Three mothers received a referral for mental health services.
3. 95% of our babies had health insurance.
4. 90% of mothers who enrolled prenatally received regular prenatal care.
5. 96% of primary caregivers had health insurance.

Benchmark # 2 – Reductions in child maltreatment

PROGRESS MADE TOWARD ACHIEVING BENCHMARK

Current Report Period: (2016)

Tennessee state law requires anyone with knowledge of possible child abuse/neglect must report it to DCS. All families are made aware of this law when they enroll in the program.

- CPS reports were made for two families in Oak Ridge by Healthy Families. Both of these reports involved environmental and medical neglect. No children were removed from the homes as a result of these reports.

Since the program began in April 1998, there have been less than 15 reports of child abuse and neglect for families participating in the program. Of the approximately 500 families involved in the program, only 7 children have been removed from the home due to neglect; none have been removed for severe abuse.

Benchmark # 3 – Improved child development and school readiness.

PROGRESS MADE TOWARD ACHIEVING BENCHMARK

Current Report Period: (2016)

We use two tools to measure this benchmark. The Ages and Stages Questionnaire evaluates a child's communication, language and emergent literacy at six month intervals. The Home Inventory tool evaluates the parent's knowledge of child development, parent child interaction and parenting skills. Both tools are evidenced based.

• **Ages and Stages Questionnaire Data.**

- At six months, 100% of children scored above the cutoff score in all areas of development measured (communication, gross motor, fine motor, problem solving, and personal social).
 - One child scored close to the cutoff in one or more areas of development measured. This child received a referral for early intervention services.
- At 12 months, 100% of children scored above the cutoff score in all areas of development measured (communication, gross motor, fine motor, problem solving, and personal social).
- At 18 months and beyond, 80% of children scored above the cutoff score in all areas of development measured (communication, gross motor, fine motor, problem solving, and personal social).
 - Two children scored close to the cutoff in one or more areas of development measured. Both children received a referral for early intervention services.
 - Two children scored below the cutoff in one or more areas of development measured. Both children received a referral for early intervention services.

• **HOME Inventory Data**

- 56% of parents scored at or above the median score in Responsivity, demonstrating appropriate levels of interaction and response to their child.
- 44% of parents scored at or above the median score in Acceptance, demonstrating use of non-violent parenting and appropriate expectations of child
- 67% of parents scored at or above the median score in learning, demonstrating use of toys and materials that encourage and assist in brain and muscle development
- 78% of parents scored at or above the median score in involvement, demonstrating sufficient levels of parental involvement in child's time.

Parents are provided with appropriate activities to help their infant develop age appropriate skills. Every month the parents receive age appropriate books to read to their babies. On home visits, new parents are taught and encouraged to bond with their babies. At each stage of the baby's development, appropriate methods of interaction are modeled by the home visitor, and then taught to the parent. The parents are monitored weekly on the quality and quantity of interactions between the parent and their baby.

Benchmark # 4 – Improved family economic self sufficiency

PROGRESS MADE TOWARD ACHIEVING GOAL(S).

Current Report Period:

Using the intake/assessment tool, the assessment worker determines a family's economic situation at the time of the referral. Employment, education, and health insurance are used to measure the family's ability to be self sufficient. Use of community resources also indicates how much the family relies on outside help. Family Support Workers annually review these indicators.

- 83% of the families in Healthy Families Tennessee this year had at least one parent who was working or in school.
- 43% of families served had stable housing, many as a result of Healthy Families Tennessee referrals and guidance
- 57% of families are enrolled in WIC which provides supplemental nutrition to women, infant and children.

Healthy Families Tennessee in Anderson County always assesses the needs and strengths of each family with an initial assessment. Our initial assessment gives the worker a good understanding of what background problems the parents have experienced (i.e. abuse, lack of family support, unfinished education, no knowledge of child development). The home visitor assists each family in setting and working toward goals, gain problem solving skills and benefit by having appropriate role models.

We saw many positive outcomes and accomplishments in Healthy Families TN in 2016. Retention rates have increased dramatically over the previous year indicating families perceive inherent worth in the services they receive (since services are totally voluntary). In January, 2014 Healthy Families Tennessee reinstated regular Parent Parties as a means for young parents to connect with other parents and receive educational information in a group format.

This year Parent Parties brought in speakers on the following topics:

Car Seat Safety – provided carseat inspections and replacement for those which did not meet safety standards with local fire department representatives who spoke and provided the inspections

Water Safety – local health department official spoke on keeping children safe near water. This discussion was combined with demonstrations of age appropriate parent child interactions and activities for water.

Dealing with harmful Pests – Education on safe protection from outdoor and indoor pests ranging from spiders and mosquitoes to indoor pests such as bedbugs.

Brain building Play – the importance of play. How play and interaction influences brain development.

Becoming self sufficient is a constant struggle for the high risk families served by Healthy Families TN. Over the course of 17 years of working with Anderson county families, the basic barriers to self-sufficiency remain fairly constant. These barriers become more difficult and seemingly insurmountable when a baby arrives. Trained Healthy Families Tennessee home visitors offer child development and parenting information along with encouragement and knowledge of resources. Additionally, parent visitors deliver services to families in their homes avoiding the extra transportation stressor faced by our families.

- **Mental health issues:** The majority of mothers in the program have been sexually abused at some point which often leads to mental health issues. A majority of parents have high ACE scores indicating increased incidence of mental health issues.
- **Education:** 78% of our primary caregivers have completed a high school education.
- **Childcare:** Access to child care is always an issue with the mothers in the program. Anderson County Early Head Start is a tremendous resource for them.
- **Housing:** Access to stable and affordable housing - Mothers who are over 18 years of age struggle to live on their own. Many are eligible for public housing but have no experience managing a household and little knowledge of available housing resources. Healthy Families Home Visitors provide local housing information and referrals.
- **Transportation:** A few of our families have cars but struggle with cost of gas and maintenance.
- **Employment:** 39% of our families have at least part time employment. Most are employed in the fast food sector.

The staff of Healthy Families Tennessee continues to be amazed with the fortitude and perseverance that our families exhibit to overcome the above barriers.

PROGRAM BUDGET/REVENUE

Annual Healthy Families Tennessee projected program budget is: **\$146,833**

(Includes 1.5 full time staff)

Revenue:

United Way of Anderson County	\$ 16,000
City of Oak Ridge request	\$ 31,850
Government Grants	\$76,167
PCAT unrestricted funds	\$ 22,816

TOTAL REVENUE **\$ 146,833**

Request from City of Oak Ridge, **\$31,850**

CLIENTS BY LOCATIONS

Over the past year, just under one third of Healthy Families Tennessee families resided in Oak Ridge.

- Oak Ridge, 27%
- Anderson County 73%

ADDITIONAL ACTIVITIES

Board/Committee membership

Healthy Families Tennessee is represented on a number of boards and committees in Anderson County.

- Anderson County Community Action Commission Board of Directors
- Community Action Board (supported by TN Dept of Children's Services)
- Anderson County Chamber of Commerce, member
- Oak Ridge Chamber of Commerce, member
- Interagency Coalition of Anderson County Non-Profits
- Domestic Violence Task Force
- East Tennessee Home Visitation Coalition
- East Tennessee Safe Sleep Initiative (ETSI)
- Cribs for Kids Safe Sleep Partnership
- Anderson County Head Start/Early Head Start Policy Council
- Tennessee Fetal Infant Mortality Review Board, East Region
- Anderson County Schools AWARE Consortium
- Community Coalition to Protect Children, East Tennessee

RESOLUTION

A RESOLUTION APPROVING A FY2017 GRANT AGREEMENT WITH PREVENT CHILD ABUSE TENNESSEE FOR USE IN THE HEALTHY START OF ANDERSON COUNTY PROGRAM AND AUTHORIZING THE DISBURSEMENT OF BUDGETED FUNDS IN THE AMOUNT OF \$31,850.00 FOR THIS PURPOSE.

WHEREAS, Tennessee Code Annotated § 6-54-111 authorizes municipalities to appropriate funds for the financial aid of nonprofit charitable or civic organizations provided such organizations meet the requirements of the law; and

WHEREAS, pursuant to said statute, on June 4, 1979, City Council adopted *Guidelines for Disbursement of Funds to Charitable Not-for-Profit Organizations* which incorporate the requirements to be met by the organizations to qualify for such funds; and

WHEREAS, City Council adopted the Fiscal Year 2017 budget for the City of Oak Ridge, which budget contains an appropriation of \$31,850.00 as a grant for the Prevent Child Abuse Tennessee, Healthy Start of Anderson County; and

WHEREAS, Prevent Child Abuse Tennessee has met the City's *Guidelines for Disbursement of Funds to Charitable Not-for-Profit Organizations*.

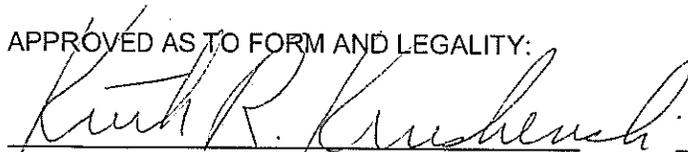
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the grant agreement is approved and the City Manager is hereby authorized and directed to disburse budgeted funds in the amount of \$31,850.00 to Prevent Child Abuse Tennessee for use in the Healthy Start of Anderson County Program, contingent upon submitting the required final expenditure report as required by the grant agreement.

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

This the 8th day of August 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

CITY COUNCIL MEMORANDUM
16-19

DATE: July 27, 2016
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: ECONOMIC DEVELOPMENT SERVICES AGREEMENTS WITH
RAY EVANS AND STEVE JONES

Introduction

An item for City Council's consideration are two resolutions approving agreements with Ray Evans and Steve Jones for economic development services in an annual estimated amount of \$54,000.00 per contract for Fiscal Year 2017.

Funding

Funding is included in the FY2017 Budget under Economic Development Activity for these services.

Consideration

Ray Evans

Since July 2012, City Council has approved one-year agreements (Resolutions 7-59-2012, 8-79-2013, 6-49-2014 and 6-64-2015) with Ray Evans to provide economic development support services to the City for projects assigned to Mr. Evans by the City Manager.

The contractual relationship with Mr. Evans has been essential in completing the implementation of such large projects as Main Street Oak Ridge. For example, this project has entailed coordination of contractors and engineers with appropriate city departments and processes. The availability of Mr. Evans to assist in the technical details of the project has assisted in finding optimum locations for facilities like the hotel, while avoiding costs associated with utility interfaces and subdividing. New projects are in the works and increasing. Mr. Evans services will be needed to ensure continuous flow of city processes and problem solving as projects develop.

In the coming year, Mr. Evans will be focused on implementation of Main Street Oak Ridge as well as technical coordination of matters associated with the National Park Visitors Center. Additionally, detail work will be required on projects in Horizon Center Industrial Park and the Heritage Industrial Park.

The City Manager recommends continuing the contractual services with Mr. Evans for FY2017 for \$54,000.00, which represents no compensation increase over last year's agreement.

Steve Jones

Since October 2013, City Council has approved agreements (Resolutions 10-101-2013, 6-50-2014, and 6-65-2015) with Steve Jones to provide economic development support services to the City for projects assigned to Mr. Jones by the City Manager specifically with a focus on industrial services and recruitment. Given the pace of city business, it has been advantageous to contract for additional help for economic development, not only for the City Manager, but also for Ray Evans.

Again, the contractual arrangement with Mr. Jones has been helpful to the City Manager's Office and the City Manager has also been able to rely on Mr. Jones to timely respond to developers.

As with downtown redevelopment, industrial recruitment coordination takes considerable time and immediate availability to respond to State of Tennessee recruitment proposals. Additionally, the efforts of Mr. Jones with respect to local retention and expansion is also active. As the country gets out of the prior recession, activity is extremely active and Oak Ridge is now considered for most prospects if looking at the East Tennessee region. Last year's announcement of CVMR was the culmination of two years of prior working relationships. With a change in corporate philosophy, CVMR continues to target Oak Ridge as their preferred location as noted in recent articles and we will continue to work with them.

Mr. Jones serves as the prime City contact person for industrial inquiries and assists with coordinated expansions of local businesses such as Protomet. His contacts have put Oak Ridge back in the game, coordinating with state and regional contacts for industrial locations to this region. Working with CROET, Roane Alliance, and Anderson County Economic Development Agency (ACEDA), Mr. Jones continues to engage us in competing for jobs and economic diversification from DOE centered activities.

The City Manager recommends continuing the contractual services with Mr. Jones for FY2017 for \$54,000.00, which represents no compensation increase over last year's agreement.

Recommendation

Approval of the attached resolutions is recommended.



Mark S. Watson

Attachments: Resolution and Proposed Agreement for Ray Evans
Resolution and Proposed Agreement for Steve Jones

RESOLUTION

A RESOLUTION TO APPROVE AN AGREEMENT WITH RAY EVANS FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2017 IN THE AMOUNT OF \$54,000.00.

WHEREAS, by Resolution 06-64-2015, City Council authorized an agreement with Ray Evans for economic development services in the amount of \$54,000.00 for Fiscal Year 2016; and

WHEREAS, this agreement expired on June 30, 2016; and

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

WHEREAS, the City Manager recommends entering into an agreement with Mr. Evans for Fiscal Year 2017 for various economic development services, with particular focus on Main Street Oak Ridge and technical coordination of matters associated with the National Park Visitors Center.

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

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into the attached agreement for Fiscal Year 2017 with Ray Evans for economic development services in the amount of \$54,000.00.

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

This the 8th day of August 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

AGREEMENT
(Economic Development Support Services)

This Agreement entered into this _____ day of _____ 2016, between the City of Oak Ridge, Tennessee, P.O. Box 1, Oak Ridge, Tennessee 37831, hereinafter referred to as the "City," and Ray Evans, 107 Amanda Place, Oak Ridge, Tennessee 37830, hereinafter referred to as "Mr. Evans."

WITNESSETH:

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

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

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

1. **SCOPE OF SERVICES**

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

- A. To assist and advise the City Manager on City-related details of proposed economic development projects in Oak Ridge, particularly retail and public projects.
- B. Coordinate construction issues to implement the 8th Lane Melton Lake Rowing Venue Project State of Tennessee grant allocation as needed by the Recreation and Parks Director.
- C. Assist in the completion and development of the Main Street-Oak Ridge project as required.
- D. Coordinate and respond to out of town developers with necessary community information and with assistance to City contractor Steve Jones and the Oak Ridge Chamber of Commerce.
- E. Serve and assist the City Manager as City point person for Phase II and III project implementation issues with Main Street Oak Ridge properties and progressive analysis of TIF Program.
- F. Advise the City Manager on strategic approaches for developing further retail activity in Oak Ridge, encouraging sustainability of small businesses, and coordination with City departments.
- G. Implement necessary site preparation improvements to Horizon Center Industrial Park Developments in support of the Industrial Development Board (IDB) as requested.
- H. Assist the City Manager on riverfront development projects.
- I. Conduct meetings with the City Manager at least monthly and participate in Diamond team meetings.

All services, including but not limited to, work product and documents prepared or produced under this Agreement shall become the property of the City upon payment of compensation for the services.

2. COMMENCEMENT

The services under this Agreement shall commence on July 1, 2016 and shall terminate on June 30, 2017, unless terminated earlier by the City under Section 13.

3. COMPENSATION

The total compensation to be paid to Mr. Evans by the City is estimated to not exceed \$54,000.00, which is based upon the City compensating Mr. Evans at a rate of \$4,500.00 per month for services rendered. Mr. Evans shall provide monthly summaries to the City Manager by email for services completed, which services must be completed to the City's satisfaction. Mr. Evans shall also meet in person with the City Manager no less than once every two weeks to discuss projects and services.

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

4. ASSISTANCE FROM CITY

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

5. NO DISCRIMINATION

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

6. INSURANCE

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

7. INDEMNIFICATION

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

8. AMENDMENTS

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

9. ASSIGNMENT

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

10. COMPLIANCE WITH APPLICABLE LAWS

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

11. INDEPENDENT CONTRACTORS

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

12. NOTICE

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

To Mr. Evans:
Ray Evans
107 Amanda Place
Oak Ridge, Tennessee 37830

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

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

13. TERMINATION

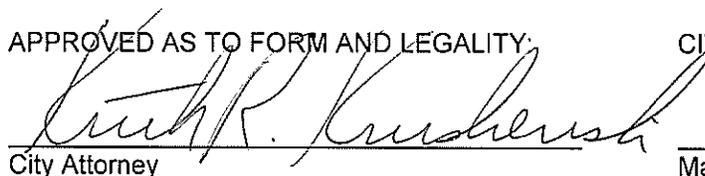
The City may terminate this Agreement at any time for any reason or no reason by giving written notice to Mr. Evans. In such event, the termination will be effective immediately. In the event of termination, the City shall compensate Mr. Evans as provided in Section 3 through the termination date.

14. GOVERNING LAW

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

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE



City Attorney

Mayor

RAY EVANS

Signature

Approved by Resolution _____

RESOLUTION

A RESOLUTION TO APPROVE AN AGREEMENT WITH STEVE JONES FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2017 IN THE AMOUNT OF \$54,000.00.

WHEREAS, by Resolution 06-65-2015, City Council authorized an agreement with Steve Jones for economic development services in the amount of \$54,000.00 for Fiscal Year 2016; and

WHEREAS, this agreement expired on June 30, 2016; and

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

WHEREAS, the City Manager recommends entering into an agreement with Mr. Jones for Fiscal Year 2017 for various economic development services, including serving as the City's point-of-contract for industrial projects.

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

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into the attached agreement for Fiscal Year 2017 with Steve Jones for economic development services in the amount of \$54,000.00.

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

This the 8th day of August 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

AGREEMENT
(Economic Development Support Services)

This Agreement entered into this _____ day of _____ 2016, between the City of Oak Ridge, Tennessee, P.O. Box 1, Oak Ridge, Tennessee 37831, hereinafter referred to as the "City," and James S. (Steve) Jones, 320 Maple Street, Clinton, Tennessee 37716, hereinafter referred to as "Mr. Jones."

WITNESSETH:

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

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

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

1. **SCOPE OF SERVICES**

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

- A. To assist and advise the City Manager on recruitment and solicitation of proposed economic development projects and those related to UPF, SMRs and industrial related logistics and support entities.
- B. Engage in implementation of new industry to Oak Ridge.
- C. Serve as a City point-of-contact for industrial and commercial projects in Oak Ridge.
- D. Recruit and visit potential clients when necessary and coordinated with the City Manager.
- E. Serve as a City liaison and contact point to State agencies and regional economic development officials engaged in East Tennessee/Oak Ridge economic recruitment.
- F. Support continued buildout development of Horizon and Heritage Centers through assessments of infrastructure needs, financial impact modeling, and identifying eligible grant programs.
- G. Coordinate with the City's Government Affairs Information Services Director about any necessary programs or regulatory assistance and.
- H. Coordinate any successful recruitments with Ray Evans, a consultant for the City, on future details required by the recruited company to construct and locate on particular sites in Oak Ridge.
- I. Strategize with the City Manager on future ways to enhance City industrial capacities, stimulate job creation, and diversify industrial/commercial capacities.
- J. Submit RFPs to State economic inquiries.

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

2. COMMENCEMENT

The services under this Agreement shall commence on July 1, 2016 and shall terminate on June 30, 2017, unless terminated earlier by the City under Section 13.

3. COMPENSATION

The total compensation to be paid to Mr. Jones by the City is estimated to not exceed \$54,000.00, which is based upon the City compensating Mr. Jones at a rate of \$4,500.00 per month for services rendered. Mr. Jones shall provide monthly summaries to the City Manager by email for services completed, which services must be completed to the City's satisfaction. Mr. Jones shall also meet in person with the City Manager no less than once every two weeks to discuss projects and services.

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

4. ASSISTANCE FROM CITY

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

5. NO DISCRIMINATION

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

6. INSURANCE

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

7. INDEMNIFICATION

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

8. AMENDMENTS

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

9. ASSIGNMENT

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

10. COMPLIANCE WITH APPLICABLE LAWS

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

11. INDEPENDENT CONTRACTORS

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

12. NOTICE

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

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

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

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

13. TERMINATION

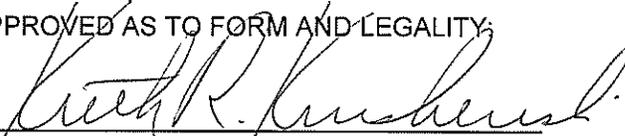
The City may terminate this Agreement at any time for any reason or no reason by giving written notice to Mr. Jones. In such event, the termination will be effective immediately. In the event of termination, the City shall compensate Mr. Jones as provided in Section 3 through the termination date.

14. GOVERNING LAW

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

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE



City Attorney

Mayor

JAMES S. (STEVE) JONES

Signature

Approved by Resolution _____

RESOLUTIONS

COMMUNITY DEVELOPMENT MEMORANDUM

PLANNING DIVISION

16-29

DATE: July 21, 2016
TO: Mark Watson, City Manager
FROM: Kathryn G. Baldwin, Community Development Director
SUBJECT: Multimodal Access Grant



Introduction

An item for City Council's approval is acceptance of an award from the Tennessee Department of Transportation (TDOT) in the amount of \$927,021.40 from the Multimodal Access Grant. The grant will fund over one mile of new sidewalk, 43 ADA accessible ramps and 30 crosswalks along the south side of the Oak Ridge Turnpike between Illinois Ave and Fairbanks Road. The new sidewalk segments will create nearly three miles of continuous sidewalk to enhance walkability and improve pedestrian safety for the City's residents along this heavily traveled road. Improvements to another 800 linear feet of existing curb on Oak Ridge Turnpike are also proposed. No additional ROW needs to be purchased to complete this project.

Funding

TDOT has awarded Multimodal Access Funds in the amount of \$927,021.40 which is 95% of the total cost of the project. A local match of 5% for the project is required which is \$48,790.60.

Consideration

The proposed sidewalk, ramp and crosswalk improvements will provide and increased level of safety for residents by separating pedestrian and vehicular traffic. Due to the connection between I-40 and I-75 the road sustains heavy traffic volumes and speeds including semi-truck traffic. It is critical to have an accessible, ADA compliant sidewalk allowing residents to walk safely along the road. This is especially true given consideration of the number of community facilities and commercial businesses located along the OR Turnpike including ORHS, Methodist Medical Center and Main Street OR.

Recommendation

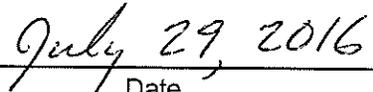
City staff recommends acceptance of the receipt of \$927,021.40 in Multimodal Access Funds from the Tennessee Department of Transportation for new and improved ADA compliant sidewalks along the Oak Ridge Turnpike from Illinois Ave to Fairbanks Road.

City Manager's Comments:

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



Mark S. Watson



Date

RESOLUTION

A RESOLUTION ACCEPTING A MULTIMODAL ACCESS GRANT FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION IN THE ESTIMATED AMOUNT OF \$927,021.40, WITH AN APPROXIMATE \$48,790.60 LOCAL MATCH, FOR SIDEWALK IMPROVEMENTS INCLUDING NEW SIDEWALKS, ADA-COMPLIANT RAMPS, AND CROSSWALKS ALONG THE SOUTH SIDE OF THE OAK RIDGE TURNPIKE BETWEEN ILLINOIS AVENUE AND FAIRBANKS ROAD.

WHEREAS, the State of Tennessee Department of Transportation (TDOT) has grant funds available as part of the Multimodal Access Grant program for activities that support multimodal transportation choices, with said grant requiring a five percent (5%) local match; and

WHEREAS, the City has applied for a TDOT Multimodal Access Grant for sidewalk improvements along the south side of the Oak Ridge Turnpike between Illinois Avenue and Fairbanks Road, including new sidewalks, Americans with Disabilities Act (ADA) compliant ramps, and crosswalks; and

WHEREAS, TDOT has awarded the City a Multimodal Access Grant for this project in the amount of \$927,021.40; and

WHEREAS, the City will be responsible for the required five percent (5%) local match of approximately \$48,790.60; and

WHEREAS, the City Manager recommends acceptance of the grant.

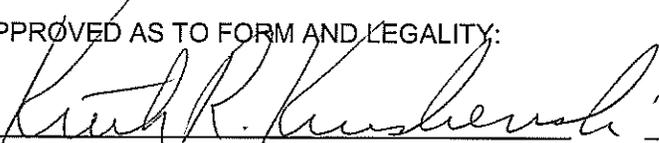
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City hereby accepts a Multimodal Access Grant from the State of Tennessee Department of Transportation in the estimated amount of \$927,021.40 for sidewalk, ADA-compliant ramps, and crosswalk improvements to the south side of the Oak Ridge Turnpike between Illinois Avenue and Fairbanks Road, with a local required match of approximately \$48,790.60.

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

This the 8th day of August 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

PUBLIC WORKS DEPARTMENT MEMORANDUM
16-21

DATE: July 25, 2016
TO: Mark S. Watson, City Manager
FROM: Shira A. McWaters, P.E., Public Works Director
SUBJECT: PROGRAMMABLE LOGIC CONTROLS (PLCs) – WASTEWATER TREATMENT PLANT

Introduction

An item for City Council consideration is a resolution authorizing the purchase and installation of Programmable Logic Controls (PLCs) at the Wastewater Treatment Plant on Monterey Road by Industrial Technologies, LLC, Calhoun, Georgia, in the estimated amount of \$198,680.

Funding

Funding for this project is available in the FY2017 Waterworks budget.

Background

The Programmable Logic Controls (PLCs) are a major component of the Supervisory Control and Data Acquisition (SCADA) System at the Wastewater Treatment Plant (WWTP). The PLCs are over eighteen (18) years old and have become unreliable and difficult to repair. The system is no longer supported by the manufacturer and what parts can be found for repairs have to be purchased through aftermarket vendors and EBay. These parts typically have no warranty and are very difficult to locate.

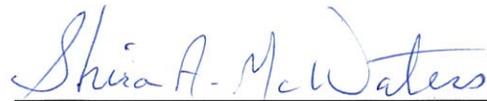
The SCADA System is the control and operator interface to all plant operations and functions. This system monitors all the flows from the main influent pump station (Turtle Park) to the Ultraviolet (UV) disinfection on the outfall of the plant. All of the well levels, flow rates, valve positions and pumping operations are monitored and controlled via this system and it is critical for proper plant operations.

The new PLCs are based on the Schneider Electric M-340 platform which has been on the market for several years and will be supported for a minimum of ten (10) more years. The PLCs have a proven track record and are known for their stability and reliability. Also included in this purchase is a new Rotork Masterstation to replace the existing Rotork equipment that is twenty-one (21) years old and difficult to maintain and find replacement parts. Industrial Technologies, LLC has agreed to provide this equipment at cost to the City.

The replacement SCADA System will provide the required monitoring and control of the WWTP as well as all of the required record keeping. This system will provide data in a file format which will allow analysis via programs such as Excel. The WWTP personnel are well versed in this type of system and will have the ability to keep it operating and make changes to it as the demands on the plant change.

Recommendation

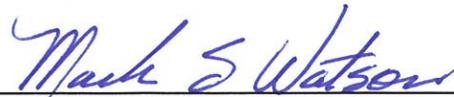
Sealed proposals were solicited from several vendors for the PLCs with two proposals received and Industrial Technologies, LLC submitting the lowest priced proposal, with Staff negotiating the addition of the Rotork equipment. Staff recommends approval of the accompanying resolution.



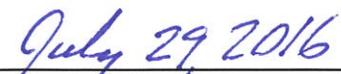
Shira A. McWaters

City Manager's Comments:

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



Mark S. Watson



Date

RESOLUTION

A RESOLUTION APPROVING THE PURCHASE AND INSTALLATION OF PROGRAMMABLE LOGIC CONTROLS (PLCs) AT THE WASTEWATER TREATMENT PLANT FROM INDUSTRIAL TECHNOLOGIES, LLC, CALHOUN, GEORGIA, IN THE ESTIMATED AMOUNT OF \$198,680.00.

WHEREAS, the City issued a request for proposals for the purchase and installation of Programmable Logic Controls (PLCs) which are a major component of the Supervisory Control and Data Acquisition (SCADA) System at the Wastewater Treatment Plant; and

WHEREAS, the current PLCs are over eighteen (18) years old and have become unreliable and difficult to repair, with the system no longer supported by the manufacturer and replacement parts difficult to locate and typically with no warranty available; and

WHEREAS, proposals were received and publicly opened on June 16, 2016, with Industrial Technologies, LLC, Calhoun, Georgia, 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 Industrial Technologies, LLC, P.O. Box 2048, Calhoun, Georgia 30703, for the purchase and installation of Programmable Logic Controls (PLCs) at the Wastewater Treatment Plant; said award in strict accordance with the Request for Proposals, the required specifications, and the proposal as publicly opened on June 16, 2016, and in the estimated amount of \$198,680.00.

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

This the 8th day of August 2016

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

RESOLUTION

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., FOR FURNISHING OF MAINTENANCE OF THE 800 MHZ TRUNKED COMMUNICATIONS SYSTEM FOR FISCAL YEAR 2017 IN THE AMOUNT OF \$90,426.96.

WHEREAS, the City of Oak Ridge has a need for certain routine materials, equipment and services during Fiscal Year 2017 (July 1, 2016 through June 30, 2017) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, Motorola is the current supplier of and provides maintenance for all infrastructure, including the tower site, and all individual radios and equipment for Police, Fire, and other City departments; and

WHEREAS, it is critical that maintenance of the 800 MHz Trunked Communications System remain with Motorola for compatibility purposes, local 24/7 service, and it is critical to not have a lapse in service due to higher costs if an incident were to occur outside of a maintenance contract; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to Motorola Communications and Electronics, Inc., for maintenance of the 800 MHz Trunked Communication System.

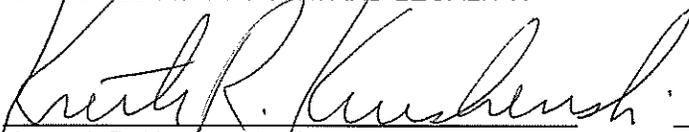
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to Motorola Communications and Electronics, Inc., for the furnishing of maintenance of the 800 MHz Trunked Communications System for Fiscal Year 2016 (July 1, 2015 through June 30, 2017), in the estimated amount of \$90,426.96.

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

This the 8th day of August 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

CITY COUNCIL MEMORANDUM
16-21

DATE: August 2, 2016
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: CONTRACT WITH OAK RIDGE CHAMBER OF COMMERCE

Introduction

An item for City Council's consideration is a resolution approving a contract between the City of Oak Ridge and the Oak Ridge Chamber of Commerce for economic development activities beginning July 1, 2016 and ending June 30, 2019; in an amount not to exceed \$175,000 for FY 2017.

Funding

The City Council has authorized \$175,000 in the FY 2017 budget for economic development services. These funds would be used for specific economic development activities, including small business development center services, consultant assistance, professional administrative support to economic projects and job retention efforts. Funds would be focused toward direct costs associated with supporting travel, marketing, studies, data collection, printing, prospect services and fees.

Background

The City Council has budgeted City funds for tangible, identifiable activities associated with economic development. The Council has approved the allocation of \$175,000 for FY 2017.

The City Manager has met with the Chamber of Commerce President to discuss implementation through use of a "Diamond Team" concept. With the use of two part-time consultants for Oak Ridge (Ray Evans and Steve Jones), the City and the Chamber are coordinating responses to an exponential increase in industrial proposals/inquiries in a professional manner for Oak Ridge.

The proposed contract will provide for the City to transfer funding to the Oak Ridge Economic Partnership, a 501C3 entity governed by a four-member steering committee. The committee is comprised of the City Manager; the Chamber President; the Chairman of the Chamber Board, or his designee; and the Mayor, or his designee. These individuals will oversee the use of funding for economic development in accordance with the needs of this initiative. Funding will be allocated on a quarterly basis, not to exceed the authorized \$175,000. Unused funds during the fiscal year will be reserved for future years and future economic development needs. Due to the volume of recruitment activity and interest in Oak Ridge, funds are needed to defray these expenses and ensure that Oak Ridge sites are ready and competitive for development. In return, the Chamber of Commerce is providing corporate assistance, facilities and servicing of economic development prospects, with a focus on retail sectors and industrial retention/expansion.

Recommendation

Approval of the attached resolution is recommended.


Mark S. Watson

Attachments

RESOLUTION

A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY AND THE OAK RIDGE CHAMBER OF COMMERCE FOR ECONOMIC DEVELOPMENT ACTIVITIES IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR FY2017.

WHEREAS, the Oak Ridge Chamber of Commerce has contracted with the City for economic development services for several years to market industrial, office, research and development, commercial, retail, and residential development in order to expand and enhance the economy and to maintain and expand the City's current economic base; and

WHEREAS, the most recent contract between the parties expired on June 30, 2016; and

WHEREAS, the parties mutually desire to enter into a three-year contract, subject to available funding after FY2017, for economic development activities in an amount not to exceed \$175,000.00 for FY2017.

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

That the attached contract between the City of Oak Ridge and the Oak Ridge Chamber of Commerce for economic development activities beginning on July 1, 2016 and ending on June 30, 2019, provided funds are allocated in the City's budget each fiscal year, is hereby approved.

BE IT FURTHER RESOLVED that funds for FY2017 shall not exceed \$175,000.00.

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

This the 8th day of August 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

CONTRACT

This Contract entered into this the 8th day of August, 2016, by and between the City of Oak Ridge, Tennessee, hereinafter referred to as the "City," and the Oak Ridge Chamber of Commerce, hereinafter referred to as the "Chamber."

WITNESSETH:

WHEREAS, the City and the Chamber have had a longstanding relationship in matters associated with economic development; and

WHEREAS, the parties desire to enter into a three-year contract to continue this relationship to build upon past successes, reduce costs, and jointly determine priorities, strategies, tactics, and actions.

NOW, THEREFORE, in consideration of the mutual covenants and conditions hereinafter contained, the City and the Chamber hereby agree as follows:

1. Term

This Contract shall be for a term of three (3) years commencing July 1, 2016 through June 30, 2019, subject to the provisions of Section XII, Termination.

2. Oak Ridge Economic Development Initiative

The parties hereby agree to continue the Oak Ridge Economic Development Initiative, hereinafter referred to as the Initiative, as a three-year joint economic development program subject to annual appropriation. The priorities of the Initiative are to attract new capital investment, new jobs, building the City's tax base, generate retail sales, and grow the City and its economy.

3. Initiative's Steering Committee

The Initiative will be governed by a four (4) member Steering Committee comprised of the following members: the City Manager, the President/CEO of the Chamber, the Chairman of the Chamber Board or the Chairman's designee, and the Mayor or the Mayor's designee. The chairperson of the Steering Committee will rotate annually between the Chairman of the Chamber Board (or the Chairman's designee) and the Mayor (or the Mayor's designee), starting with the Chairman of the Chamber Board (or the Chairman's designee). The Steering Committee will determine appropriate and reasonable economic development priorities, strategies, tactics, and actions. The Steering Committee will appropriately communicate matters with the Initiative to City Council, the Chamber Board, and other agreed upon stakeholders when necessary. The Steering Committee will provide general guidance in the management of economic development prospects, projects, and associated expenditures when necessary.

4. Chamber Responsibilities

The Chamber will allocate resources in staff time and other personnel costs, indirect costs including but not limited to telephone, computer services, internet access, office supplies, utilities, etc. toward the following:

- A. Marketing Oak Ridge as a location for new and expanding business using Steering Committee approved methods, messages, and financial resources, particularly retail;

- B. Identifying prospective new and expanding business prospects from Steering Committee approved sectors, clusters, and/or target markets;
- C. Providing customer services for call-in or walk-in business or expansion inquiries, will assist the City with Requests for Proposals/Information/Qualifications brought to its attention, coordinating the responsible response to such opportunities with appropriate key City staff and consultants made available by the City Manager or the City Manager's designee; and
- D. Paying indirect costs associated with the Oak Ridge office of the Tennessee Small Business Development Center.

The Chamber shall determine the fair market value of its services for the purposes of this Contract, and confirm annually with the City Manager.

5. City Responsibilities

The City will annually provide an allocation of funding under this Contract in the amount of \$175,000.00.

6. Funding

Funds provided under this Contract will be transferred to the Oak Ridge Economic Partnership (or its successor in interest), which is a 501(c)(3) organization, for use by the Initiative. The Chamber will make reasonable amendments to the charter and/or bylaws of the Oak Ridge Economic Partnership (or its successor in interest) to meet the needs of the Initiative. Funds will be used for Initiative marketing hard costs to include, but not be limited to, the following Steering Committee approved:

- A. Prospect servicing and marketing costs;
- B. Collateral materials, website presences, and other materials;
- C. Collection and dissemination data;
- D. Conduct of feasibility study or other projects requiring the use of third-party experts, consultants, etc.;
- E. Appropriate travel and actual lodging, dining, conference and convention fees and/or per diem allowances, as determined and approved by the Steering Committee;
- F. \$6,000.00 toward funding operations of the Oak Ridge office of the Tennessee Small Business Development Center, which amount will be reviewed and subject to adjustment by the Steering Committee on an annual basis; and
- G. Funds may be used to acquire administrative and support services for economic development.

7. Economic Development Contacts

The President/CEO of the Chamber and the City Manager (or designees) will jointly function as economic development contacts for regional and state economic allies including but not limited to the Tennessee Valley Authority, Tennessee Department of Economic and Community Development, East Tennessee Economic Development Agency, Innovation Valley, Roane Alliance, and Anderson County Economic Development Association.

8. City Representatives Membership on Chamber Board

During the term of this Contract, the Mayor or the Mayor's designee serving on the Steering Committee will be designated a voting ex-officio member of the Chamber's Board of Directors and the City Manager will be designated as a non-voting ex-officio member of the Chamber's Board of Directors.

9. Amendments

The parties may submit any proposed amendments to the other party for review. The other party will consider such proposal(s) in good faith and respond within sixty (60) days. This Contract may be amended by mutual agreement at any time in writing signed by the duly authorized representatives of each party. The approval of City Council and the Chamber Board is required for any amendments to this Contract.

10. Anti-Discrimination

In the performance of this Contract, the parties shall not discriminate against any person because of race, creed, color, national origin, age, sex, sexual orientation, disability, religion or other legally protected status.

11. Indemnification

- A. *Generally.* To the extent allowable by Tennessee law, the parties hereby agree to protect, indemnify and hold harmless the other party from and against any and all loss, expense, damage, charges and costs (including court costs and counsel fees) for injury to or death of persons and injury to or destruction of property suffered or alleged to have been suffered as a result of any negligent or willful act or omission or violations of law on the part of the indemnifying party in the course of the performance of the services provided for in this Contract.
- B. *City Limitation.* The City is governed by the provisions of the Tennessee Governmental Tort Liability Act for causes of action sounding in tort. Further, no contract provision requiring the City to indemnify or hold harmless any other entity beyond the liability imposed by law is enforceable because it appropriates public money and nullifies governmental immunity without the authorization of the General Assembly.

12. Termination

- A. *For Cause.* If either party shall fail to fulfill in a timely and proper manner its obligations under this Contract, or shall violate any of the covenants, agreements or stipulations of this Contract, and not cure said breach within thirty (30) days, after written notice from the other party specifying the obligations or violations which said party has failed to perform, the other party shall thereupon have the right to terminate this Contract by giving sixty (60) days written notice to the offending party of such termination. Provided however, that if the nature of the obligation is such that more than thirty (30) days are required for its performance and cure, then said party shall not be deemed to be in default if it shall commence such performance to cure within such thirty (30) day period and thereafter diligently prosecute the same to completion, subject to force majeure in either case. References to "force majeure" hereinabove shall refer to delays due to strikes, riots, acts of God, governmental intervention or any other causes beyond the control of the Parties. Delays directly caused by the foregoing shall be excluded from the computations of deadlines in this Contract.
- B. *Without Cause.* The parties may mutually agree to terminate this Contract by written

agreement signed by the duly authorized representatives of each party after approval of City Council and the Chamber Board.

- C. *Available Funds.* Funds have been allocated by City Council in the FY2017 Budget (July 1, 2016 through June 30, 2017). Continuation of this Contract past June 30, 2017 is subject to the appropriation and availability of City funds. In the event that funds are not appropriated or are otherwise unavailable, the City reserves the right to terminate this Contract upon written notice to the Chamber. Said termination shall not be deemed a breach of contract by the City. Upon such termination, the Chamber shall have no right to recover from the City any actual, general, special, incidental, consequential, or any other damages whatsoever of any description or amount.

13. Independent Contractors

The parties acknowledge that the relationship created under this Contract is that of independent contracting parties and this Contract does not create a general agency, joint venture, partnership, employment relationship, or franchise between the parties.

The parties will publically acknowledge each other as a collaborative participant in economic development matters.

14. Entire Agreement

This Contract constitutes the entire agreement of the parties and may not be amended or modified orally, but only by written instrument executed by both parties after approval pursuant to Section IX, Amendments.

15. Governing Law

This Contract shall be construed under the laws of the State of Tennessee and shall be binding upon and inure to the benefit of the parties thereto, their respective successors, and to the extent permitted herein, assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Contract as of the day and year first above written.

APPROVED AS TO FORM AND LEGALITY

CITY OF OAK RIDGE, TENNESSEE



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

OAK RIDGE CHAMBER OF COMMERCE

Parker Hardy, President/CEO

Attachments: None
Approved by Resolution _____

CITY COUNCIL MEMORANDUM
16-20

DATE: July 27, 2016
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: OAK RIDGE CONVENTION AND VISITORS BUREAU CONTRACT FOR FY 2017

Introduction

An item for City Council's consideration is a resolution approving a contract between the City and the Oak Ridge Convention and Visitors Bureau (CVB), aka Explore Oak Ridge, for the provision of services and materials to promote tourism in Oak Ridge for the period July 1, 2016 through June 30, 2017 (Fiscal Year 2017) in an amount not to exceed \$325,000.00.

Funding

The funding source for the contract is hotel/motel occupancy tax collects.

Background

By Resolution No. 06-66-2015 City Council approved a one-year contract between the City and the CVB for the provision of services and materials to promote tourism in Oak Ridge for the period July 1, 2015 through June 30, 2016 in an amount not to exceed \$325,000.00.

The City Manager and the CVB Executive Director met and reviewed the Fiscal Year 2016 contract. We agreed that that the attached proposed contract for Fiscal Year 2017 be presented to the Council for approval, which contains the same term, compensation and conditions as the Fiscal Year 2016 contract.

Recommendation

Approval of the attached resolution is recommended.



Mark S. Watson

Attachments: Resolution and Proposed Contract

RESOLUTION

A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY AND THE OAK RIDGE CONVENTION AND VISITORS BUREAU (CVB) FOR THE PROVISION OF SERVICES AND MATERIALS TO PROMOTE TOURISM IN OAK RIDGE FOR THE PERIOD JULY 1, 2016 THROUGH JUNE 30, 2017 (FISCAL YEAR 2017) IN AN AMOUNT NOT TO EXCEED \$325,000.00.

WHEREAS, the City of Oak Ridge has appropriated funds for Fiscal Year 2017 for a contract with the Oak Ridge Convention and Visitors Bureau to promote tourism in Oak Ridge; and

WHEREAS, the City and the Oak Ridge Convention and Visitors Bureau desire to enter into a contract to set forth the responsibilities and obligations of the parties and to provide measures of performance and accountability for the funds so appropriated.

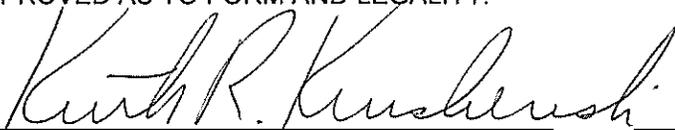
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the attached contract between the City of Oak Ridge and the Oak Ridge Convention and Visitors Bureau for the provision of services and materials to promote tourism in Oak Ridge for the period July 1, 2016 through June 30, 2017, is hereby approved; said contract in an amount not to exceed \$325,000.00.

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

This the 8th day of August 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

CONTRACT

This Contract entered into this 8th day of August, 2016 by and between the City of Oak Ridge, Tennessee, hereinafter referred to as the "City," and the Oak Ridge Convention and Visitors Bureau, hereinafter referred to as the "CVB."

WITNESSETH:

WHEREAS, the City and the CVB have had a longstanding relationship in matters associated with tourism; and

WHEREAS, the parties desire to enter into a contract to continue this relationship.

NOW, THEREFORE, in consideration of the mutual covenants and conditions hereinafter contained, the City and the CVB hereby agree as follows:

1. Term

This Contract shall be for a term commencing July 1, 2016 through June 30, 2017.

2. CVB Objectives

A. The CVB shall meet the objectives listed below:

1. Show at least a one percent (1%) increase in collected city hotel tax revenue by the end of the contract term compared to that collected for the previous fiscal year.
2. Determine separate occupancy rates for tourism, government and business visitors, respectively. Additionally, the CVB shall determine occupancy rates during weekdays compared to weekends.
3. Generate revenue in addition to and exclusive of any funds provided by the City as described herein by the end of the contract term. These funds shall be equal to or greater than three percent (3%) of the total amount of funds allocated by the City.
4. Develop tactics as part of the CVB's strategic plan that will be used to achieve CVB goals as needed. To achieve objective 2.4, the CVB Executive Director will plan and execute at least two (2) working meetings with the City Manager by September 1, 2016 and February 1, 2017.
5. Implement one (1) other measure of economic activity related to tourism in Oak Ridge.

B. The CVB shall emphasize and prioritize the following actions to achieve the above objectives:

1. Develop a unique brand and marketing position for Oak Ridge that will aim to unite Oak Ridge's various messages and news into one common format. The CVB will create a "voice" for Oak Ridge to promote its positive attributes to visitors.

2. Prioritize promotion of local events that increases the number of overnight visitors to Oak Ridge's hotels/motels.
3. Provide advice and assistance with coordination of events conducted by businesses, non-profit organizations and governmental agencies within Oak Ridge and Anderson-Roane Counties.
4. Identify, develop and use multimedia and social networking facilities to maximize and promote Oak Ridge as a venue for premier events and activities including but not limited to those identified in the UT-MBA study prepared for the City in 2013.
5. Identify and budget (less than \$10,000.00) for minor but impactful improvements that will enhance business and hotel/motel industry and their associated promotions.
6. Shall develop projects within its strategic plan to exploit the SMERF (Social, Military, Educational, Religious, and Fraternal) market both locally and regionally.
7. Shall coordinate with local sports programs to promote events that draw in out-of-town visitors.

3. Monitoring and Reporting Requirements

- A. For the purposes of monitoring and reporting, the CVB shall provide to the City periodic reports addressing progress toward strategic goals on September 15, 2015; December 15, 2016; March 15, 2017 and June 15, 2017.
- B. The CVB shall submit an annual financial report, which will be audited by the City, to summarize expenditure of City funds and a statement of cash position, by July 31, 2017.

4. Availability of Documents for Inspection

- A. All CVB documents and reports pertaining to this Contract shall be available for inspection by the City Manager or the City Manager's duly authorized designee and shall be made available for inspection following written request. The CVB shall allow the inspection within a reasonable timeframe, but no later than seven (7) business days from receipt of the request.
- B. The CVB shall maintain records in such a manner as to enable the City and/or the City's auditors to audit the expenditures for compliance with this Contract during regular City business hours.

5. Compensation to CVB for Services Rendered

- A. The City shall pay the CVB \$325,000.00 in exchange the services specifically defined in Section 2 of this Contract. The City will pay the CVB in installments as follows provided the periodic reports required by Section 3 above have been submitted: \$81,250.00 on or about September 30, 2016; \$81,250.00 on or about December 31, 2016; \$81,250.00 on or about March 31, 2017; and \$81,250.00 on or about June 30, 2017. For purposes of cash flow and business management, the CVB shall have a goal of a thirty-day reserve for payroll and expenses.

B. Conditions:

1. The City may provide cash advances, not to exceed the total amount indicated in Section 5.A. to the CVB through a written request procedure and approval from the City Manager, at the City Manager's discretion, with concurrence by the City Council.
2. The CVB may request budget revisions in writing. Any City approval of budget revisions shall be made in writing.
3. CVB Staff: The CVB shall pay its employees under this Contract, not including volunteers, at least the federal minimum wage. The CVB shall not increase its employees' salaries to an extent greater than the salary increases allowed by the City for its employees during the same fiscal year.
4. Anti-Discrimination: In carrying out the work of this Contract, the CVB shall not discriminate against any employee or applicant for employment because race, color, religion, creed, sex, sexual orientation, national origin, age, disability or any other legally protected status.
5. If, through any cause, the CVB shall fail to fulfill in a timely and proper manner the obligations under this Contract, or if the CVB shall violate any of the covenants, agreements, or stipulations of this Contract, the CVB shall provide satisfactory explanation to the City Manager before the next partial payment is made.
6. Any expenditure desired to be made that is outside of the scope of this Contract shall receive prior concurrence of the City Manager in writing.

6. Termination

- A. If, through any cause, the CVB shall fail to fulfill the obligations under this Contract, or if the CVB shall violate any of the covenants, agreements, or stipulations of this Contract, the City shall thereupon have the right to terminate this Contract by giving written notice to the CVB of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination.
- B. In that event, all finished and unfinished documents and other materials prepared by the CVB under this Contract shall, at the option of the City, become its property and the CVB shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials, any such amount not to exceed the City's budgeted amount under this Contract.
- C. Notwithstanding the above, the CVB shall not be relieved of liability by the City by virtue of any breach of the Contract by the CVB, and the City may withhold any payments to the CVB for the purpose of off-set until such time as the exact amount of damages due the City from the CVB is determined.

7. Contract Representatives

- A. The CVB's contact person for this Contract shall be the CVB's Executive Director and/or the Executive Director's duly authorized designee.
- B. The City's contact person for this Contract shall be the City Manager and/or the City Manager's duly authorized designee.

8. Communications

- A. Any suggested changes in the CVB's scope of work shall be presented to the CVB's Board of Directors, in writing, for consideration and approval.
- B. The CVB Executive Director and the City Manager shall schedule a joint meeting with the CVB Board of Directors and City Council before January 30, 2017 to provide a mid-year performance report and discussion.
- C. If the CVB has any requested changes in scope of services and/or compensation for the subsequent fiscal year's contract, the CVB shall inform the City Manager of such requests no later than March 30, 2017. Nothing herein shall be construed to imply or promise a contract for any subsequent fiscal year.

9. Assignment

The CVB may utilize the services of specialty subcontractors for those services which, under normal contracting practices, are performed by specialty subcontractors. Except as set forth for specialty subcontractors, the CVB's obligations under this Contract may not be assigned in whole or in part without the prior written consent of the City Manager, which consent shall not be unreasonably withheld. Nothing contained in this Contract shall create any contractual relation between any subcontractor and the City.

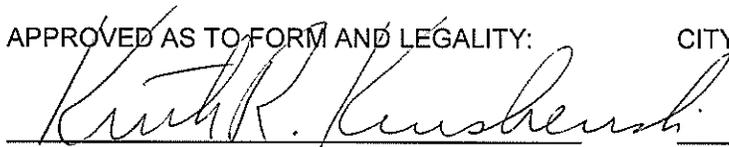
10. Governing Law

This Contract is governed by the laws of the State of Tennessee.

IN WITNESS WHEREOF, the parties hereto have executed this Contract as of the day and year first above written, the City of Oak Ridge, by its Mayor, by authority duly given.

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE



City Attorney

Mayor

OAK RIDGE CONVENTION AND VISITORS
BUREAU (AKA EXPLORE OAK RIDGE)

Executive Director

Board of Directors Chairperson

Attachments: None

Approved by Resolution _____

FINANCE DEPARTMENT MEMORANDUM

16-13

DATE: July 28, 2016
TO: Mark S. Watson, City Manager
FROM: Janice E. McGinnis, Finance Director
SUBJECT: CAPITAL OUTLAY NOTE EXTENSION

Introduction

An item for City Council's consideration is a resolution to extend the maturity date on the outstanding \$952,380.94 interfund capital outlay note payable from the Waterworks Fund to the General Fund from November 1, 2016 to November 1, 2019.

Background

On July 11, 2011, City Council approved resolution number 7-71-11 which authorized the issuance of \$5,000,000 in interfund capital outlay notes, which was basically a loan from the City's General Fund to the Waterworks Fund. On June 10, 2013, City Council approved resolution number 6-44-2013 which authorized the extension of the City's waterworks interfund loan capital outlay note with a final maturity of November 1, 2019.

The Director of State and Local Finance of the State Comptroller's Office approved a three-year note extension to November 1, 2016. TCA 9-21-604 states that "Capital outlay notes issued pursuant to this section may be issued for a period not to exceed the end of the third fiscal year following the fiscal year in which the notes were issued; provided, that, with the approval of the comptroller of the treasury or the comptroller's designee, the maturity date of such notes may be extended or renewed for not more than two (2) additional periods not exceeding three (3) years each. The attached resolution and required Note form (Exhibit A) will be submitted to the Director of State and Local Finance of the State Comptroller's Office for approval of the final 3 year extension of the Capital Outlay Notes.

Funding

The original note was scheduled to be repaid over a three year period. The first two annual payments totaling \$3,333,333 were repaid to the General Fund, leaving an outstanding note balance of \$1,666,667 which was due on November 1, 2013. The State approved 3-year note extension allowed annual principal payments of \$238,095 on November 1, 2013 through November 1, 2015 and a balloon payment of \$952,381 on November 1, 2016.

The attached resolution shows City Council's continued approval of repaying the outstanding \$952,381 over 4 annual installments of \$238,095 from November 1 2016 through November 1, 2019, the maximum time allowed by the State. The attached amortization schedule outlines the payment structure. Monthly principal payments on the \$20,600,000 in State Revolving Loans will begin during fiscal 2017. The remaining outstanding note will be repaid through the sewer rates. The note extension will help to alleviate some of the cash pressures on the Waterworks Fund over this 4-year period.

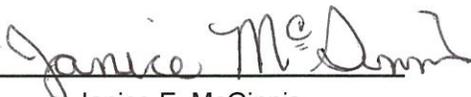
The General Fund has sufficient fund balance to allow for the extended note repayment amortization. The Waterworks Fund will continue to pay the General Fund 1% in interest on the outstanding note balance.

Recommendation

Adoption of the attached resolution is recommended in order to alleviate some of the cash flow pressures of the Waterworks Fund. After adoption of the resolution by City Council, the resolution will be submitted to the Director of State and Local Finance for her required approval of the capital outlay note amortization extension.

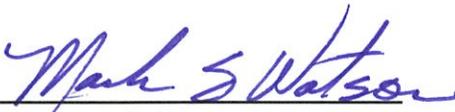
Attachment(s)

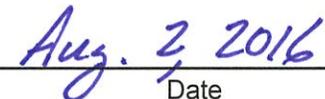
Resolution Authorizing Extension of the Waterworks Interfund Capital Outlay Note
Waterworks Interfund Loan Capital Outlay Note Form, Series 2016
Interfund Capital Outlay Note, Series 2010 Revised Amortization


Janice E. McGinnis

City Manager's Comments:

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


Mark S. Watson


Date

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, AUTHORIZING THE EXTENSION OF ITS WATERWORKS INTERFUND LOAN CAPITAL OUTLAY NOTE.

WHEREAS, pursuant to a Resolution adopted on July 11, 2011 (the "Resolution"), by the City Council of the City of Oak Ridge, Tennessee (the "Municipality"), the Municipality authorized the issuance of its \$5,000,000 Waterworks Interfund Loan Capital Outlay Note (the "Outstanding Note"); and

WHEREAS, the Outstanding Note was issued to evidence an interfund loan from the Municipality's General Fund to the Municipality's Waterworks Fund; and

WHEREAS, the Outstanding Note matured on November 1, 2013, and with the approval of the Director of State and Local Finance, the Municipality extended the maturity date of the Outstanding Note to November 1, 2016; and

WHEREAS, in connection with the extension of the maturity date, and with the approval of the Director of State and Local Finance, the Municipality agreed to repay the outstanding principal balance of the Outstanding Note in six equal annual principal installments; and

WHEREAS, the Municipality desires to extend the maturity of the Outstanding Note for an additional three-year period and to continue to make the same annual principal payments on the outstanding Note that were previously approved by the Director of State and Local Finance; and

WHEREAS, the Municipality will obtain the approval of the Director of State and Local Finance for the extension of its Outstanding Note by sending a copy of this resolution and requesting the Director's approval for the extension; and

WHEREAS, the form of the Outstanding Note as renewed shall be in substantially the form attached hereto as Exhibit A.

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

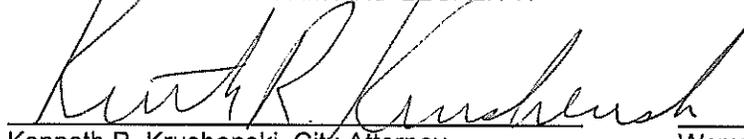
That, provided the required approval referenced herein is received, the maturity date of the Outstanding Note shall be extended by three years.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized, upon receipt of the approval of the Director of State and Local Finance, to execute and deliver a renewal note evidencing such extension in substantially the form attached hereto as Exhibit A and that such renewal note shall require the Municipality to retire not less than one-third of the remaining outstanding principal balance of the Outstanding Note in each year that the renewal note is outstanding or such greater amount as may be required by the Director of State and Local Finance in connection with the Director's approval of the extension of the Outstanding Note.

BE IT FURTHER RESOLVED that the renewal note shall otherwise be issued upon the same terms as the original Outstanding Note as provided in the Resolution.

This the 8th day of August 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

EXHIBIT A

NOTE FORM

Registered
Note #: 1

City of Oak Ridge
Of the
State of Tennessee
Waterworks Interfund Loan Capital Outlay Note,
Series 2016

Registered
\$ _____

DATED

INTEREST RATE

MATURITY DATE

November 1, 2016

1%

November 1, 2019

Registered Owner: General Fund of the City of Oak Ridge
Principal Sum: \$ 714,285.70

The Waterworks Fund (the "Fund") of the City of Oak Ridge, Tennessee (the "Local Government") hereby acknowledges itself indebted, and for value received hereby promises to pay to the Registered Owner hereof (named above), or registered assigns, the Principal Sum specified above in principal installments of \$238,095.24 on November 1, 2017 and November 1, 2018, with the remaining principal balance being due on the Maturity Date specified above (unless this note shall have been duly called for prior redemption and payment of the redemption price shall have been duly made or provided for), upon presentation and surrender to the Local Government or its agent, and to pay interest on the Principal Sum on November 1, 2017, and thereafter on November 1 of each year at the Interest Rate per annum specified above by check, draft, or warrant mailed to the Registered Owner at the address of the Registered Owner as it appears on the fifteenth (15th) calendar day of the month next preceding the applicable payment date in the note register maintained by or on behalf of the Local Government. Both principal of and interest on this note are payable at the office of the Finance Department of the Local Government or a paying agent duly appointed by the Local Government in lawful money of the United States of America.

This note is a direct obligation of the Local Government for the payment of which as to both principal and interest the full faith and credit of the Local Government is pledged.

This note is subject to redemption prior to its stated maturity in whole or in part at any time at the option of the Local Government upon payment of the principal amount of the note together with the interest accrued thereon to the date of redemption with no premium.

This note is issued under the authority of Parts I, IV, and VI of Title 9, Chapter 21, Tennessee Code Annotated, and a Resolution duly adopted by the Governing Body of the Local Government meeting in session on the 8th day of August, 2016.

This note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the Registered Owner of the note in person or by the Registered Owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent of the note together with a written instrument of transfer satisfactory to the Local Government duly executed by the Registered Owner or the Registered Owner's duly authorized attorney but only in the manner as provided in the resolutions of the Local Government authorizing the issuance of this note and upon surrender hereof for cancellation. Upon the transfer of any such note, the Local Government or its agent shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered note. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15)

days next preceding an interest payment date on the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Title 9, Chapter 21, Section 117, Tennessee Code Annotated provides that this note and interest thereon are exempt from taxation by the State of Tennessee or by any county, municipality or taxing district of the State, except for inheritance, transfer and estate taxes and except as otherwise provided under the laws of the State of Tennessee.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this note exist, have happened and have been performed in due time, form and manner as required by the Constitution and laws of the State of Tennessee, and that the amount of this note, together with all other indebtedness of the Local Government, does not exceed any constitutional or statutory limitation therein, and that this note is within every constitutional and statutory limitation.

IN WITNESS WHEREOF, the Governing Body of the Local Government has caused this note to be executed in the name of the Local Government by the manual signature of the Mayor, and countersigned and attested by the manual signature of the City Clerk with the Seal of the Local Government affixed hereto or imprinted hereon, and this note to be dated as of the November 1, 2016.

(Mayor)

ATTESTED: _____
(City Clerk)

SEAL



DEBT SERVICE

City of Oak Ridge, Tennessee
\$5,000,000 Interfund Capital Outlay Note, Series 2010
\$3,500,000 Allocated to Sewer System

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
11/01/2016	238,095.24	1.000%	4,761.90	242,857.14	
05/01/2017			3,571.43	3,571.43	246,428.57
11/01/2017	238,095.24	1.000%	3,571.43	241,666.67	
05/01/2018			2,380.95	2,380.95	244,047.62
11/01/2018	238,095.24	1.000%	2,380.95	240,476.19	
05/01/2019			1,190.48	1,190.48	241,666.67
11/01/2019	238,095.22	1.000%	1,190.48	239,285.70	
05/01/2020					239,285.70
	952,380.94		19,047.62	971,428.56	

Note: Sewer Fund

DEPARTMENT OF COMMUNITY DEVELOPMENT MEMORANDUM

16-31

DATE: July 26, 2016

TO: Mark S. Watson, City Manager

THROUGH: Kathryn Baldwin, Community Development Director

FROM: Matthew Widner, Housing Specialist

SUBJECT: **AWARDING A CONTRACT TO FIRST PLACE FINISH, INC. FOR REMAINING ABATEMENT AND DEMOLITION OF THREE CITY-OWNED 4-PLEX RESIDENTIAL STRUCTURES (355 W. OUTER DR., 101 WADE LN., AND 117 WADE LN.)**

Introduction

An item for City Council's consideration is a resolution awarding a contract to First Place Finish, Inc. Oak Ridge, Tennessee for the remaining abatement and demolition of three City-owned 4-plex residential structures located at 355 W. Outer Dr., 101 Wade Ln., and 117 Wade Ln. in the estimated amount of \$37,326.00.

Funding

Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) funding will be utilized for this project

Background/Analysis/Review/Consideration

355 W. Outer Dr., 101 Wade Ln., and 117 Wade Ln. were previously owned by Carden Rentals, LLC and purchased by the City of Oak Ridge on February 24, 2015 using HUD's CDBG Voluntary Acquisition Program. The Board of Building and Housing Code Appeals declared these dwellings Unfit for Human Occupation and Use and ordered the 4-plexes to be demolished. After purchase, these residential structures were used multiple times for training by both the City of Oak Ridge Police and Fire Department.

On October 12, 2015 City Council approved abatement and demolition of these three structures in addition to one other structure located on 157 Wade Ln. On October 30, 2015 the "Notice to Proceed" was issued to Service One, Inc., Knoxville, TN. On November 16, 2015 during the abatement process, unreported environmental issues were discovered in these three of the four structures under contract. As a result of the discovery, the contract was amended on February 17, 2016 to halt further abatement and demolition for 101 Wade Ln., 117 Wade Ln., and 355 W. Outer Dr and allow demolition to continue on 157 Wade Ln where no discoveries occurred. On January 4, 2016 the City settled with the original contractor for abatement work completed on these three structures per original scope of work for the amount of \$22,973.25.

An invitation to bid was distributed via email by the City of Oak Ridge Finance Department to fourteen (14) known qualified contractors. A follow-up invitation letter was also sent by the City of Oak Ridge Community Development Department in an effort to encourage more bidder participation. After a nineteen (19) day advertisement period, three (3) qualified bids were received on July 12, 2016 with First Place Finish, Inc. being the lowest responsible bidder in the amount of \$37,326.00.

It is imperative that these unsafe nuisance residential structures be demolished as soon as possible to protect the health and welfare of the public. First Place Finish, Inc. has successfully performed several prior abatements and demolitions for the City.

Recommendation

Approval of the attached resolution is recommended

Attachment(s)

Resolution authorizing contract to be awarded to First Place Finish, Inc. and copy of Community Development Department's "Request for Bid Invitation" letter.

M. Wisner
Name

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

July 29, 2016
Date

City of
OAK RIDGE



Community Development Dept. (865) 425-3584

Post Office Box 1 • Oak Ridge, Tennessee 37831-0001

Request for Bid (RFB) Invitation

Date: June 24, 2016

Name of Project: Abatement & Demolition of three 4plex Residential Structures

Bid Document #: FY 2016 - 065

Contractors / Bidders,

We are excited to be offering another project for the betterment of our community. You are receiving this request for bid invitation in hopes you will take the time to go online and review the currently posted RFB for this project. You may find this and other City projects at: <http://www.oakridgetn.gov/department/Finance/content.aspx?article=1964>. You may also access online bid requests by going to our city's home page looking to the right hand columns under the heading of "work". You simply click on "Online Bid Requests" which will open currently advertised projects.

Sealed Bids will be received by the City of Oak Ridge, Finance Department, until 2:00pm (local time), on Tuesday, August 12, 2016, and then publicly opened at the City of Oak Ridge, Central Services Complex, Materials Management Conference Room, located at 100 Woodbury Lane, Oak Ridge, TN 37830

This specific project is a vital part of our Community Development Department's mission which is: "To guide and coordinate the development of our community to attain a level of quality, efficiency, attractiveness, safety, health and economic vitality that makes Oak Ridge widely admired in the Southeast as a progressive, vibrant and wholesome place in with to live and work."

Please be assured that we are happy to work with you in preparing your responsible bid. If you have questions, you may contact our purchasing office at (865) 425-1819 Monday-Friday 8:30am-3:30pm.

Respectfully,

A handwritten signature in black ink that reads "M. Widner".

Matthew Widner
Community Development

CITY OF OAK RIDGE, TENNESSEE
Abstract of Bids

CONTRACT FY2017-016
OPENING DATE: July 12, 2016 2:00 P.M.

FOR --- Abatement and Demolition for Three (3) Residential Structures (Fourplex Buildings) Located at: 101 Wade Lane, 117 Wade Lane, and 355 W. Outer Drive			BIDDER: First Place Finish, Inc. 127 Rockbridge Greens Blvd. Oak Ridge, TN 37830		BIDDER: DH Griffin Wrecking Company, Inc. 125 A Sweeten Creek Road Asheville, TN 28803		BIDDER: Service One, Inc. 7808 Asheville Hwy Knoxville, TN 37924		BIDDER:		
DESCRIPTION	ITEM*	UNIT**	UNIT COST	SUBTOTAL	UNIT COST	SUBTOTAL	UNIT COST	SUBTOTAL	UNIT COST	SUBTOTAL	
FURNISH ALL LABOR, MATERIALS, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES FOR ABATEMENT AND DEMOLITION FOR 4 (FOUR) RESIDENTIAL STRUCTURES: 101 WADE LANE 117 WADE LANE, AND 355 W. OUTER DRIVE PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE COMMUNITY DEVELOPMENT DEPARTMENT	1	A	\$ 1,981.00		\$ 5,000.00		\$ 12,166.67				
		D	\$ 10,900.00	\$ 12,881.00	\$ 19,000.00	\$ 24,000.00	\$ 14,760.00	\$ 26,926.67			
	2	A	\$ 1,090.00		\$ 5,000.00		\$ 12,166.67				
		D	\$ 10,965.00	\$ 12,055.00	\$ 19,000.00	\$ 24,000.00	\$ 14,760.00	\$ 26,926.67			
	3	A	\$ 1,190.00		\$ 5,000.00		\$ 12,166.66				
		D	\$ 11,200.00	\$ 12,390.00	\$ 19,000.00	\$ 24,000.00	\$ 14,760.00	\$ 26,926.66			
* 1 = 101 WADE LANE 2 = 117 WADE LANE 3 = 355 W. OUTER DRIVE											
** A = ABATEMENT OF ENVIRONMENTAL ISSUES D = DEMOLITION AND CLEAN-UP											
TOTAL PRICE				\$ 37,326.00		\$ 72,000.00		\$ 80,780.00		\$ -	
TERMS				NET 30		NET 30		NET 30			
DELIVERY				PER CONTRACT		PER CONTRACT		PER CONTRACT			
F.O.B.				JOBSITE		JOBSITE		JOBSITE			
VIA				CONTRACTOR		CONTRACTOR		CONTRACTOR			
OTHER BIDDERS CONTACTED:								BIDS OPENED AND RECORDED BY---			
Keith Powell Heating and Cooling - Oak Ridge, TN		Adkins Excavating Contractors - Oliver Springs, TN		Tetra Tech - Powell, TN				<i>Lyn Majeski</i> Lyn Majeski Accounting Division Manager			
ES&H, Inc. - Knoxville, TN		Eastern Environmental, Inc. - Hampstead, NC		Enviro Master, Inc. - Carrollton, GA							
Claiborne Hauling Contractors, LLC - Knoxville, TN		AAA Affordable Demolition - Knoxville, TN		Cozy Excavation - Clinton, TN							
S & F Environmental Consulting, LLC 37863		E Luke Greene Co., Inc. - Knoxville, TN		Wright Contracting - Knoxville, TN							
B & A Construction - Caryville, TN		Cannon Sline/K2 Industrial Services - Pensacola, FL									
REASON FOR AWARD				RECOMMEND AWARD BE MADE TO:							
ONLY BID RECEIVED <input type="checkbox"/>				First Place Finish, Inc. 127 Rockbridge Greens Blvd. Oak Ridge, TN 37830							
LOW PRICE <input type="checkbox"/>											
BETTER OR REQUIRED DESIGN <input type="checkbox"/>											
EARLY DELIVERY <input type="checkbox"/>											
LOWEST TOTAL COST <input checked="" type="checkbox"/>											
								BIDS REVIEWED BY---			
								<i>Janice McGinnis</i> Janice McGinnis Finance Director			

BID PROCESS FORM

BID NAME

Abatement and Demolition for Three (3) Residential Structures
(Fourplex Buildings) Located at: 101 Wade Lane, 117 Wade Lane,
and 355 W. Outer Drive

DESCRIPTION

Furnish all labor, materials, tools, and equipment necessary to perform all work and services for abatement and demolition for three (3) residential structures at 101 Wade Lane, 117 Wade Lane, and 355 W. Outer Drive per the specifications provided by the City of Oak Ridge Community Development Department.

CITY COUNCIL MEETING

July 12, 2016

BIDDERS CONTACTED (CONTACT INFORMATION)

<u>Company</u>	<u>Name</u>	<u>Address</u>	<u>City, State ZIP</u>	<u>Phone</u>	<u>Email</u>	<u>Contacted Via</u>
First Place Finish, Inc.	Laurel Patrick	1020 Commerce Park Drive Suite G	Oak Ridge, TN 37830	865-482-1959	lpatrick@firstplacefinish.us	[e-mail]
B & A Construction	Bobby Adkins	390 Lake Lane	Caryville, TN 37714	423-562-4628	adkinsdemoliton@bellsouth.net	[e-mail]
E Luke Greene Co., Inc.	Todd	10909 McBride Ln	Knoxville, TN 37932	865-675-4161	todd@elukegreene.com	[e-mail]
	Josephine				josephine@elukegreene.com	[e-mail]
	Victor				victor@elukegreene.com	[e-mail]
ES&H, Inc.	Erik Cuerto	944 Sanctuary Lane	Knoxville, TN 37932	865-671-2374	ecueto@eshinc.com	[e-mail]
	Bill Gariby				wgaribay@eshinc.com	[e-mail]
Claiborne Hauling Contractors, LLC	Herb Anders	6210 Rutledge Pike	Knoxville, TN 37924	865-540-4409	herb@claibornehauling.com	[e-mail]
	Jay Proulx				jay@claibornehauling.com	[e-mail]
Service One Inc.	Joy Brandon Vaulton	7808 Asheville Hwy	Knoxville, TN 37924	865-932-0020	jvaulton@s1inc.co	[e-mail]
	C. Trotter				ctrotter@s1inc.co	[e-mail]
Adkins Excavating Contractors	Mike Adkins	149 Lively Ln	Oliver Springs, TN 37840	865-385-5302	mikeadkins149@gmail.com	[e-mail]
Eastern Environmental, Inc.	Daniel Broadhead	25224 US Hwy 17N	Hampstead, NC 28443	910-329-1129	db92461@aol.com	[e-mail]
Wright Contracting	Bill Gardner	1116 Farrington Dr.	Knoxville, TN 37923	865-388-2067	bgardner@wrighttn.com	[e-mail]
	Rachel Gardner				rgardner@wrighttn.com	[e-mail]
	Michelle Driggers				mdriggers@wrighttn.com	[e-mail]
Tetra Tech	Mikael Spangberg	7608 La Barrington Blvd	Powell, TN 37849	865-938-6912	mikael.spangberg@tetrattech.com	[e-mail]
Keith Powell Heating and Cooling	Keith Powell	585 Oak Ridge Turnpike	Oak Ridge, TN 37830	865-483-9223	Keithpowell3@comcast.net	[e-mail]
Enviro Master, Inc.	Bobby	2790 N US Hwy 27	Carrollton, GA 30117	770-834-8160	Leadoff@bellsouth.net	[e-mail]
S & F Environmental Consulting, LLC	Ralph Flynn	190 Community Center Dr., Ste. 104	Pigeon Forge, TN 37863	865-908-1097	nlikeflynn1@yahoo.com	[e-mail]
	Dixie Bettis				Dixieb.sandf@gmail.com	[e-mail]
Cozy Excavation	Alan Glessner	768 Old Emory Road	Clinton, TN 37716	865-457-2699	cozyland90@aol.com	[e-mail]
Cannon Sline/K2 Industrial Services	David Sweeney	1325 W. Detroit Blvd	Pensacola, FL 32534	865-386-4532	davidsweeney@k2industrial.com	[e-mail]
	Thomas Schmidt				thomasschmidt@k2industrial.com	[e-mail]
AAA Affordable Demolition	Jess Letner	3003 Delrose Dr.	Knoxville, TN 37914	865-973-6757	jessletner@gmail.com	[e-mail]

BIDS RECEIVED FROM BIDDERS CONTACTED DIRECTLY BY THE CITY

Service One, Inc. and First Place Finish, Inc.

BIDS RECEIVED FROM BIDDERS NOT DIRECTLY CONTACTED BY THE CITY

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

DH Griffin Wrecking Company, Inc.

ADVERTISEMENT

The City of Oak Ridge advertised this bid on the Finance Department's Departmental Webpage for a duration of 14 days.

RESOLUTION

A RESOLUTION AWARDING A CONTRACT (FY2017-016) TO FIRST PLACE FINISH, INC., OAK RIDGE, TENNESSEE, FOR THE REMAINING ABATEMENT AND DEMOLITION OF THREE (3) CITY-OWNED 4-PLEX RESIDENTIAL STRUCTURES, IN THE ESTIMATED AMOUNT OF \$37,326.00.

WHEREAS, by Resolution 10-116-2015, City Council authorized a contract in the estimated amount of \$82,000.00 with Service One, Inc., Knoxville, Tennessee, for the abatement and demolition of four (4) City-owned 4-plex residential structures located at 101 Wade Lane, 117 Wade Lane, 157 Wade Lane, and 355 West Outer Drive, which were declared unfit for human occupation or use by the Board of Building and Housing Code Appeals; and

WHEREAS, during the abatement process, unreported environmental issues were discovered which halted the project on all but one of the properties (157 Wade Lane); and

WHEREAS, additional environmental inspections were conducted on the three remaining properties and the project was re-bid with the additional inspection report for the remaining abatement and demolition; and

WHEREAS, bids were received and publicly opened on July 12, 2016, with First Place Finish, Inc., submitting the lowest and best bid, which bid the City Manager recommends be accepted.

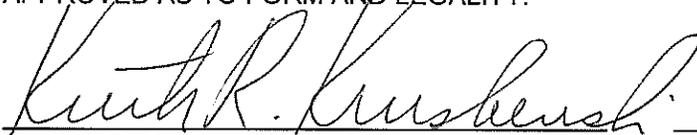
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and award is hereby made to First Place Finish, Inc., 127 Rockbridge Greens Blvd, Oak Ridge, Tennessee 37830, for the furnishing of all labor, tools, materials, equipment and supplies necessary to abate and demolish the City-owned residential structures located at 101 Wade Lane, 117 Wade Lane, and 355 West Outer Drive; said award in strict accordance with FY2017-016, the required specifications, and the bid as publicly opened on July 12, 2016, and the estimated amount of \$37,326.00.

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

This the 8th day of August 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

**PUBLIC HEARINGS
AND
FIRST READING OF
ORDINANCES**

**COMMUNITY DEVELOPMENT MEMORANDUM
PLANNING DIVISION
16-30**

DATE: July 20, 2016
TO: Mark Watson, City Manager
FROM: Andrea Kupfer, Community Development Specialist 
THROUGH: Kathryn Baldwin, Community Development Director 
SUBJECT: PROPOSED REZONING OF PARCEL 003.00, MAP 094E, GROUP A, LOCATED AT 110 MELTON LAKE DRIVE

Introduction

An item for City Council's consideration is a request to approve the rezoning of a portion of Parcel 003.00, Map 094E, Group A from B-2, General Business District to IND-1, Industrial District. The parcel is located at 110 Melton Lake Drive and totals approximately 7.42 acres. The rezoning request is for approximately 2.5 acres in the center of the property.

Funding

No funding is necessary for this item.

Analysis

The proposed rezoning does not require a Land Use Plan Map Amendment. The proposed zoning district is consistent with the industrial land use designation and is consistent with Comprehensive Plan policies to allow new industrial and office areas.

The property currently has split zoning. The portion extending from roughly the center east to Melton Lake Drive is zoned B-2, General Business District. The intent of this zone designation is to permit the sale of new merchandise in an enclosed building. The remainder of the property is zoned IND-1, Industrial District. The intent of this current zone designation is to provide areas in which the principal use of land is for light manufacturing and assembly plants, storage, warehousing, wholesaling and distribution. Permitted commercial uses, excluding retail stores, include yard equipment and supply dealers as well as rental establishments.

The proposed IND-1, Industrial District zoning designation is already designated to a portion of the subject property and adjacent properties. Approximately 3.42 acres of the subject property is currently zoned IND-1, Industrial District and the property is currently located adjacent to other industrial zoned properties. The Melton Lake Industrial Park is located to the south and a self-storage facility is located to the north; these properties are zoned for industrial uses.

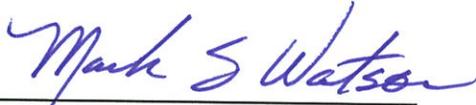
Approximately 4.0 acres of the subject property is also zoned B-2, General Business District. Surrounding properties currently zoned General Business includes an auto repair facility and retail flooring sales. The proposed B-2 zoning is consistent with the character of the surrounding area.

Recommendation

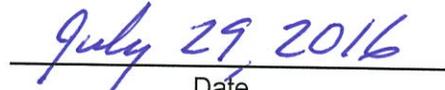
The rezoning request was reviewed and discussed by the Oak Ridge Planning Commission and unanimously recommended for approval to City Council during the regularly scheduled meeting on July 28, 2016.

City Manager's Comments:

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

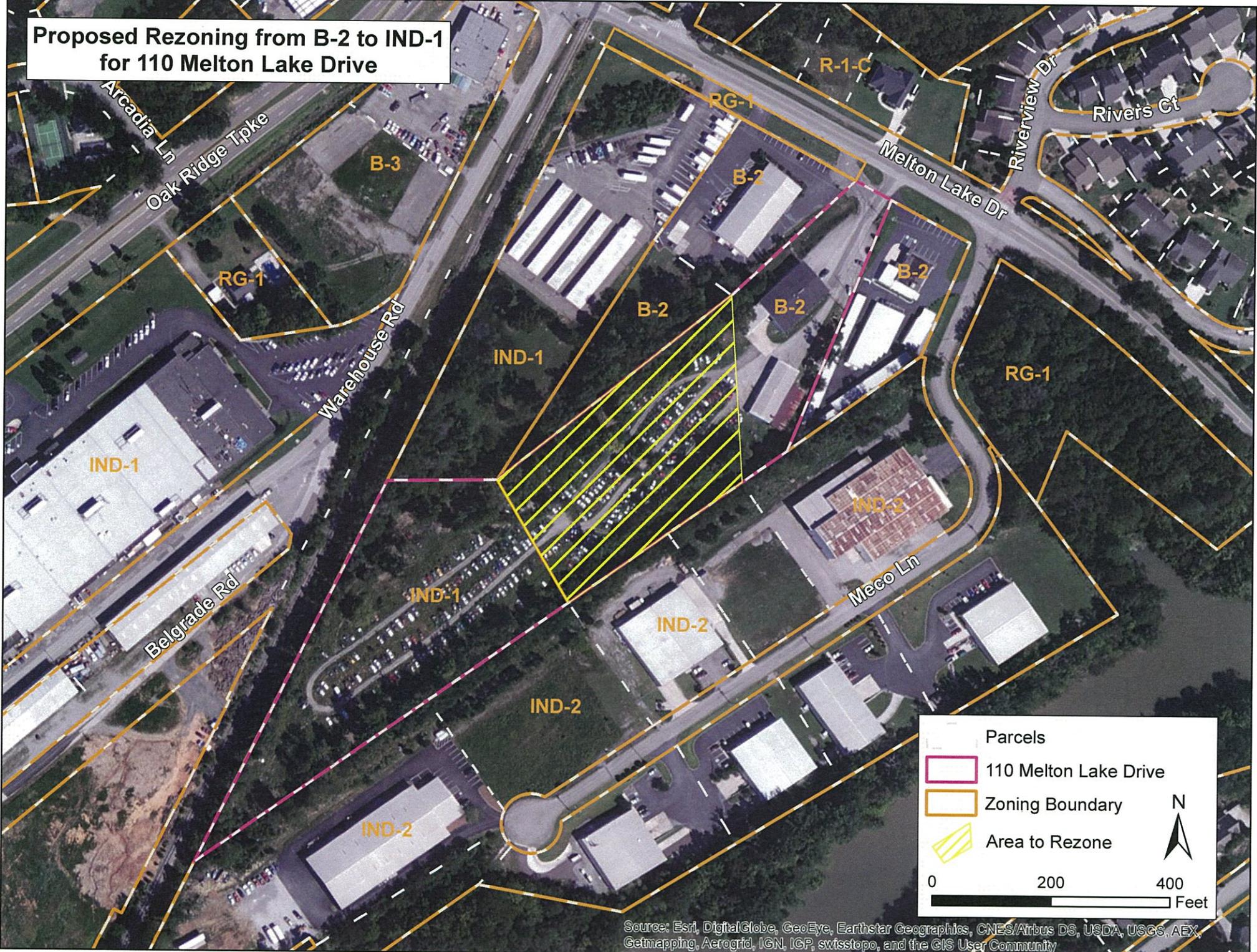


Mark S. Watson



Date

**Proposed Rezoning from B-2 to IND-1
for 110 Melton Lake Drive**



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF AN APPROXIMATE 2.50 ACRE PORTION OF PARCEL 003.00, ANDERSON COUNTY TAX MAP 094E, GROUP A, FROM B-2, GENERAL BUSINESS TO IND-1, INDUSTRIAL, SAID PARCEL BEING LOCATED AT 110 MELTON LAKE DRIVE.

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:

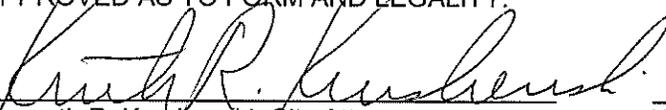
Section 1. The district boundaries of the zoning map attached to and made a part of Ordinance No. 2, as amended, are revised in the following particulars:

<u>Property Description</u>	<u>Location</u>	<u>Present Zoning District</u>	<u>New Zoning District</u>
An approximate 2.50 acre portion of Parcel 003.00 Map 94E, Group A (as shown on the attached map)	110 Melton Lake Drive	B-2, General Business	IND-1, Industrial

Section 2. The change 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

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

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

PUBLIC WORKS DEPARTMENT MEMORANDUM
16-22

DATE: July 15, 2016
TO: Mark S. Watson, City Manager
THROUGH: Shira McWaters, P.E., Public Works Director *SAM*
FROM: Roger Flynn, P.E., City Engineer
SUBJECT: FAIRBANKS ROAD EXTENSION CLOSURE

Introduction

An item for City Council consideration is the recommendation to permanently close the Fairbanks Road extension from the intersection of Fairbanks Road and Briarcliff Road to Emory Valley Road.

Funding

Funding for this road closure is estimated at \$2,000. It is planned to remove and install new pavement markings to allow for the best flow of traffic at the affected intersections. The cost for the pavement marking work is available in the FY2017 State Street Aid Fund.

Analysis

On Monday, March 14, 2016, Morgan Contracting, Inc., the contractor building the wastewater equalization basin on Emory Valley Road, closed the Fairbanks Road extension to accommodate construction of three (3) underground valve pits.

The original design plans for these valve vaults were based on the utility drawings provided by the City, which showed adequate separation between the 16" and 12" sewer force main lines, allowing for the installation of a large valve vault between the 12" sewer force main line and an 8" waterline at the edge of the roadway and to install a 5' manhole with a valve in it.

During excavation for the valve vaults and manhole, it was discovered that the actual location of the sewer force mains were closer together than reflected on the drawings and closer to the roadway and waterline. Once the sewer mains and waterline were exposed, the placement of the valve vaults was required to be shifted to the south and the manhole constructed in the existing roadway.

To reopen this portion of Fairbanks Road for safe travel and security of the valves, the roadway would have to be shifted requiring approximately 1,000 square feet of new roadway, guard rail with end treatments, pavement striping and a new street light at an estimated cost of \$20,000. The installation of guardrail would make it extremely difficult for the maintenance staff to reach the vaults and manhole.

The permanent road closure has been reviewed and approved by the Traffic Safety Advisory Board (April 19, 2016) and the Planning Commission (May 19, 2016).

Recommendation

Staff recommends approval of the ordinance as submitted to permanently close the Fairbanks Road extension.



Roger Flynn, P.E.

Attachment(s)

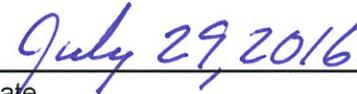
- Location map
- Photographs of vaults and manhole as constructed.
- Photocopy of a portion of page 23 of the construction plans for the EQ basins entitled, *Emory Valley Road Yard Piping*, showing anticipated separation between underground piping and Fairbanks Road.
- Photograph taken during construction showing the two (2) force main lines only a few feet apart.
- TSAB and Planning Commission minutes with approval for the permanent road closure.
- New pavement marking and lane configuration at intersection of Briarcliff and Emory Valley Roads.

City Manager's Comments:

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

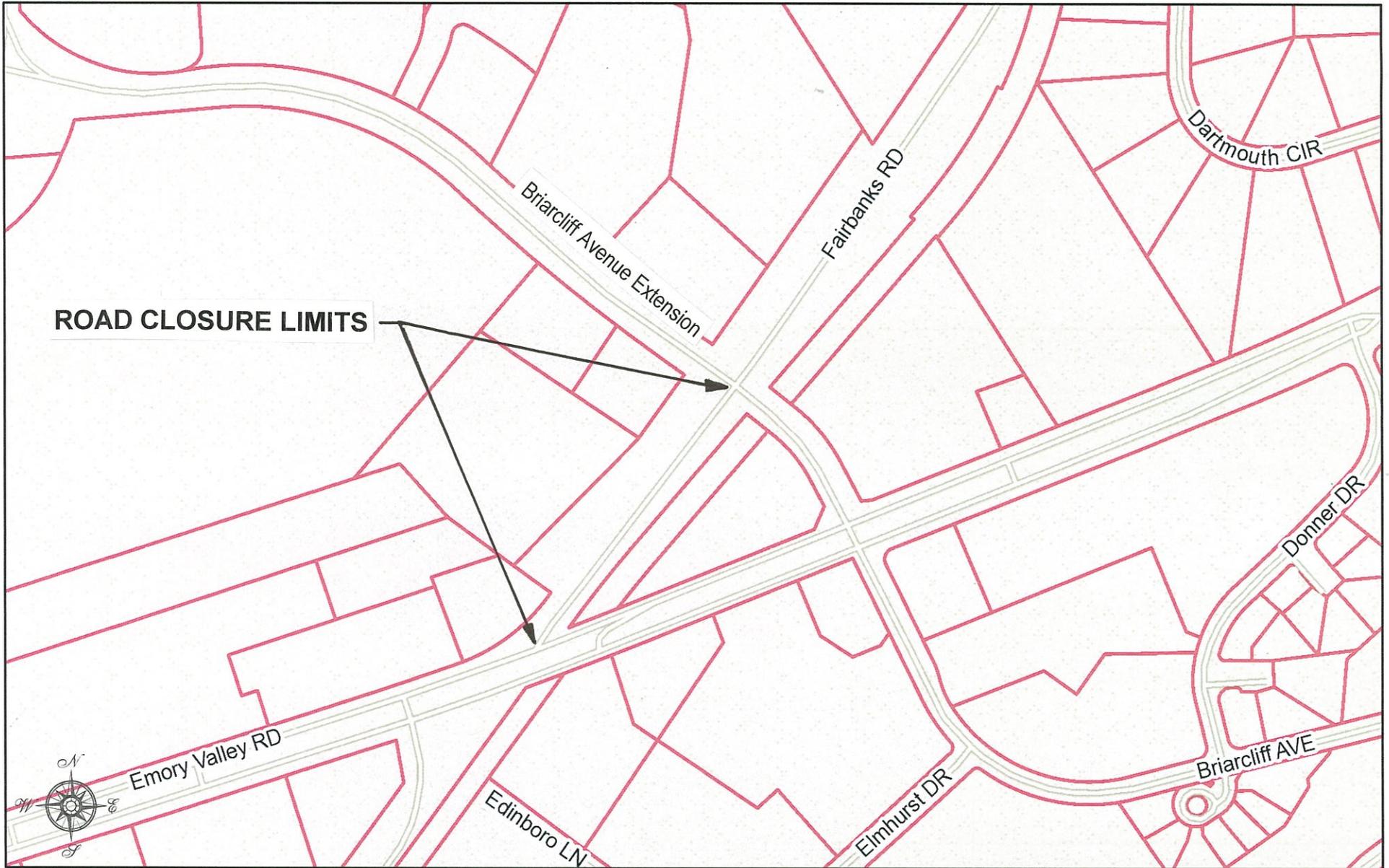


Mark S. Watson



Date

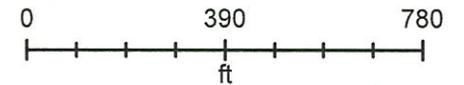
FAIRBANKS ROAD CLOSURE



City of Oak Ridge, Tennessee

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP.

MAP DATE: July 15, 2016



VAULTS AND MANHOLE AS CONSTRUCTED

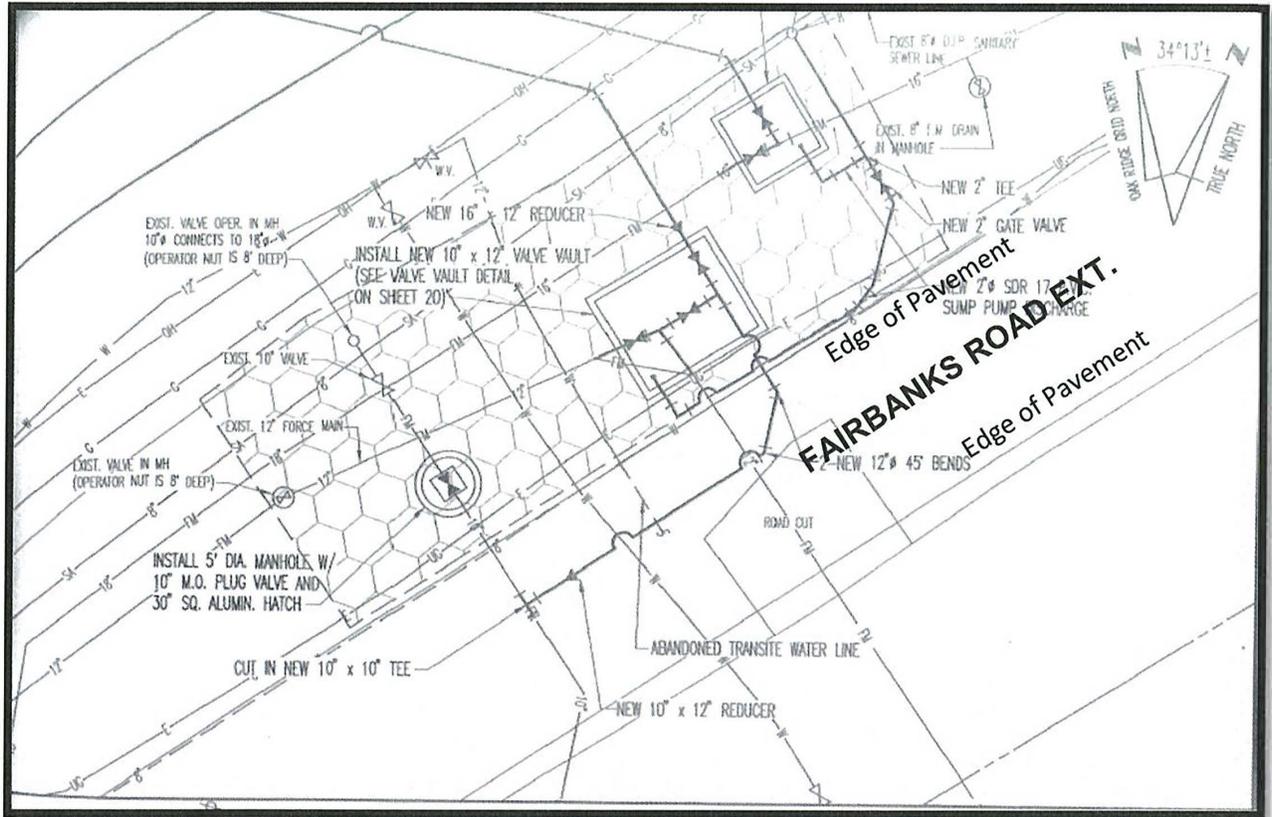
Vaults



Manhole



EMORY VALLEY EQUALIZATION BASIN YARD PIPING PLAN & PHOTO



OAK RIDGE MUNICIPAL PLANNING COMMISSION
MINUTES

APPROVE!

Meeting Date: May 19, 2016

Call to Order: The regular meeting of the Oak Ridge Municipal Planning Commission (Planning Commission) was held in the Municipal Building, Oak Ridge, TN on May 19, 2016. The meeting convened at 5:32 p.m. with Mr. Whitson presiding.

Members in Attendance: Charlie Hensley, Sharon Kohler, Austin Lance, Claudia Lever, Jane Shelton, Stephen Whitson, Hans Vogel, Patrick McMillan, and Todd Wilson. Zabrina Minor arrived after Business Item a.1 was approved. Staff Representatives – Kathryn Baldwin and Andrea Kupfer.

Members not in Attendance: None

Visitors/Others: See attached sign in sheet.

Approval of Agenda: Unanimous vote (9 – 0) to approve the agenda as presented.

Approval of Minutes: Motion by Ms. Lever to approve the April 21, 2016 minutes as corrected. Seconded by Mr. Wilson and followed by unanimous vote (9 – 0) to approve.

Consent Agenda:

- a. Motion made by Ms. Lever to approve the May Bond Report. Seconded by Mr. Vogel and followed by unanimous vote (9-0) to approve.

Business Items:

- a. Zoning Items

1. Fitness and Recreational Sports Centers

Ms. Baldwin reviewed the proposed text amendments to Article VII (Parking and Business Districts) of the Zoning Ordinance, which includes adding fitness and recreational centers as a permitted principal use to zoning districts B-2, UB-2 and IND-1. Additionally, the proposed zoning amendments establish a definition for the fitness and recreational centers.

Ms. Baldwin stated the new definition provides greater detail and specifics pertaining to the nature of fitness and recreational centers. As many of these facilities require large indoor open space with clear upper stories, staff recommends allowing this principal use in the UB-2 and IND-1 in addition to B-2, which currently allows similar activities.

Motion made by Mr. Hensley to approve the proposed text amendments. Seconded by Ms. Kohler and followed by a unanimous vote (9-0) to approve.

- b. Subdivision Items

1. Revision of Briarwood Subdivision

Ms. Baldwin reviewed the proposed amendment to the Briarwood subdivision, which will include a reduction of the required setbacks for the property at 104 Comet Lane. This property is located in the R-1-C zone district. The setbacks established at the time the Briarwood subdivision Final Plat was approved were more restrictive than the current setbacks, which were reduced in 2008 to allow greater flexibility for residential development. Due to the shape of the lot, placement of a structure is difficult within the existing restrictive setbacks. The property owner is requesting approval of the current R-1-C setbacks for this property in the Briarwood subdivision.

Mr. Vogel inquired if the building footprint will fit within the reduced setbacks; the property owner, Mr. Meredith, confirmed the site plan will be in compliance when formally submitted.

Motion made by Mr. Hensley to approve the proposed subdivision amendment to reduce the setbacks. Seconded by Mr. McMillian and followed by a unanimous vote (10-0) to approve.

c. Other Items

1. Fairbanks Road Extension

Ms. Baldwin stated the construction of the wastewater equalization basin on Emory Valley Road, which required Fairbanks Road extension to be temporarily closed, has encroached upon the travel lane more than anticipated. Consequently, the City's Public Works Department has proposed permanently closing the Fairbanks Road extension, but retaining the right-of-way. The closure will be less costly than shifting this section of the roadway so it can be reopened. The closure will improve traffic safety by eliminating a difficult turning movement onto Emory Valley Road. Ms. Baldwin added the retention of the right-of-way will provide a long term opportunities for the proposed Rails to Trails project.

Motion made by Ms. Lever to approve the closing of the Fairbanks Road extension. Seconded by Ms. Kohler and followed by a unanimous vote (10-0) to approve.

Ms. Baldwin noted the Public Works Department is recommending renaming a portion of Fairbanks Road, extending from the existing Hendrix Drive to Emory Valley Road, to Hendrix Drive. This section of roadway does not connect to the other portion of Fairbanks Road, additionally there are no properties addressed on this roadway that would need to be renumbered. Renaming the roadway would create a consistency for emergency response vehicles.

Motion made by Mr. Hensley to change the name of the Fairbanks Road extension remnant to Hendrix Drive. Seconded by Ms. Minor and followed by a unanimous vote (10-0) to approve.

Reports

- a. City Council Actions – Mr. Hensley reported City Council is continuing to discuss the allowance of chickens in residential zoning districts. There is a particular concern about heavily wooded lots where it might be difficult to determine the property boundary.

Mr. Hensley reported City Council is reviewing a list of schools, with roofs and air-conditioning units in need of repair, compiled and being considered as part of the Capital Improvements Program.

Mr. Hensley stated City Council is looking at options for the management of the Centennial Golf Course, which include buying out the existing contract or waiting until the contract is near its expiration date to advertise a new RFQ. Council does not want to turn over management of the golf course.

Mr. Hensley reported the Anderson County Commission is considering upgrading the current building they utilize for Sessions Court in Oak Ridge or relocating to a new building. He added depending on this move, the City's Recreation and Parks Department may relocate from the Civic Center, which would allow the senior center to move into the Civic Center. Despite previous opposition, this idea looks move promising as the center could potentially be expanded to accommodate the seniors' needs.

Mr. Hensley noted TDEC will be installing signs along East Fork Popular Creek to warn residents of the creek's water quality. TDEC initially proposed a press release for this activity, but Council has requested the press release not be held.

Mr. Hensley added a meeting with the Energy Communities Alliance, DOE and various communities was held to discuss the opportunity for DOE to provide additional support to the communities in which it is located.

Ms. Lever inquired if the proposed preschool upgrades were on the Capital Improvements Program and Mr. Hensley stated these plans were likely to be financed.

Mr. Wilson questioned if the city was at risk for losing the rowing venue grant. Mr. Hensley replied no; however, the current cost estimate has increase beyond the grant funding.

- b. Staff Report – Ms. Baldwin noted the Transportation Planning Organization, as part of its 2040 Mobility Plan update, formally requested Knox County look into methods to reduce traffic congestion on the Solway Bridge.
- c. TSAB (J. Shelton) – No Report
- d. Anderson and Roane County Regional Planning Commissions (Staff) – No Report

Adjournment: The meeting was adjourned at 6:18 p.m.

Chairman
Oak Ridge Municipal Planning Commission

Date of Approval

APPROVED

Minutes
April 19, 2016

The April meeting of the TSAB was held at 7 pm on Tuesday, April 19, 2016 in the training room of the municipal building (room 104). Meeting was called to order at 8:00 pm.

Present were:

Marty Adler-Jasny, Jeremy Hunt, Andrew Howe, Jana Humphrey, Melissa McMahan, Ilona Kazocha, Halfen Hoyt, William Polfus, Jane Shelton, Roger Flynn

Absent were:

Ben Redmond

1) Minutes from the March 15, 2016 meeting were approved unanimously.

2 - 4) Issues and Concerns / Comments on Road Work / Additional Business

Jeremy asked about the fencing near Hardees. Roger informed us that there are some errors in a 1976 easement that are causing a dispute. A site plan has been submitted for a Dairy Queen and the owner has put up fencing to make a statement of "don't park here."

Bill asked when the city will begin work on the intersection at Division and the Turnpike. Roger informed us that an engineering contract will be submitted to council next month. It will have a start date of Sept 2016. Due to the nature of the grant being used to fund the work it may take up to three years to actually complete the job. The main hardship of the work will be moving the mast arm of the signal at that location.

--

Andy asked if there's been a solution to the problems with the new ORHS / Turnpike traffic signal caused by the way people are parking during the Saturday flea market in the ORHS parking lot. Roger said the flea market will barricade off that area to prohibit parking and halt the problem.

Jane informed us that a light is out at 1023 West Outer.

Roger updated us on the progress of the mall. The drainage issues have been worked out as have been the electrical and financing. The sale may close in three weeks if all goes well.

Roger informed us about the situation at the last leg of Fairbanks, the one-way section between Briarcliff and Emory Valley Rd. It is presently blocked off due to construction needs related to the new retention tanks being put in. The infrastructure is so close to Fairbanks that the road needs to be torn up to work on it. So far it's been closed off for weeks and nobody has yet called the city to complain. Roger requested that the board vote to approve a permanent closure of the road, for the following reasons:

A) Due to the sharp angle where Fairbanks joins Emory Valley Rd, looking left to check for oncoming traffic for merging is difficult and can pose a hazard.

B) If the road remains, guardrails will be needed to provide safety for vehicles since the road is so close to the new structure, which is costly.

C) There's not a true need for that road, since Briarcliff itself intersects with Emory Valley Rd.

D) Since railroad tracks run adjacent to this last leg of Fairbanks on one side, and the Roane State CC run-off and new retention tank are on the opposite side of the road, no buildings will likely ever be put there requiring street access to them.

Melissa said that the existence of this last leg of Fairbanks can often actually cause problems at the intersection of Fairbanks and Briarcliff. Drivers moving SW down Fairbanks will stop before crossing Briarcliff to continue on Fairbanks, but impatient drivers behind them will at times think the car in front of them has simply forgotten to use their left turn signal. The impatient second car will then go around the first driver to cross the intersection, essentially leap-frogging the first driver. Is a safety concern, since both cars could then end heading across the intersection at the same time. She stated that since the last leg of Fairbanks has been blocked off, this problem no longer exists.

Jane made a motion "To approve the recommendation of City Public Works Department to close the one way segment of Fairbanks Road between Briarcliff Avenue and Emory Valley Road".

The board unanimously passed this motion.

Jeremy said he saw on line a comment that someone blew a tire due to a pothole near Rutgers Ave. Melissa found the comment on line and was able to confirm the pothole is actually on private property and beyond the city's scope.

Andy asked if the striping on Rutgers at the location of the new entrance to the new ORNL FCU building has been corrected to allow for left turns entering and exiting the parking lot. Roger informed us that it has been – the double strips have been painted over at that location.

5) Request of new business items of future briefings

Andy noted that we may see the issue of Red Light Cameras come by our board at some time. It was one of the items on the agenda of the City Council's meeting on April 19.

6) A motion to adjourn was made and passed unanimously.

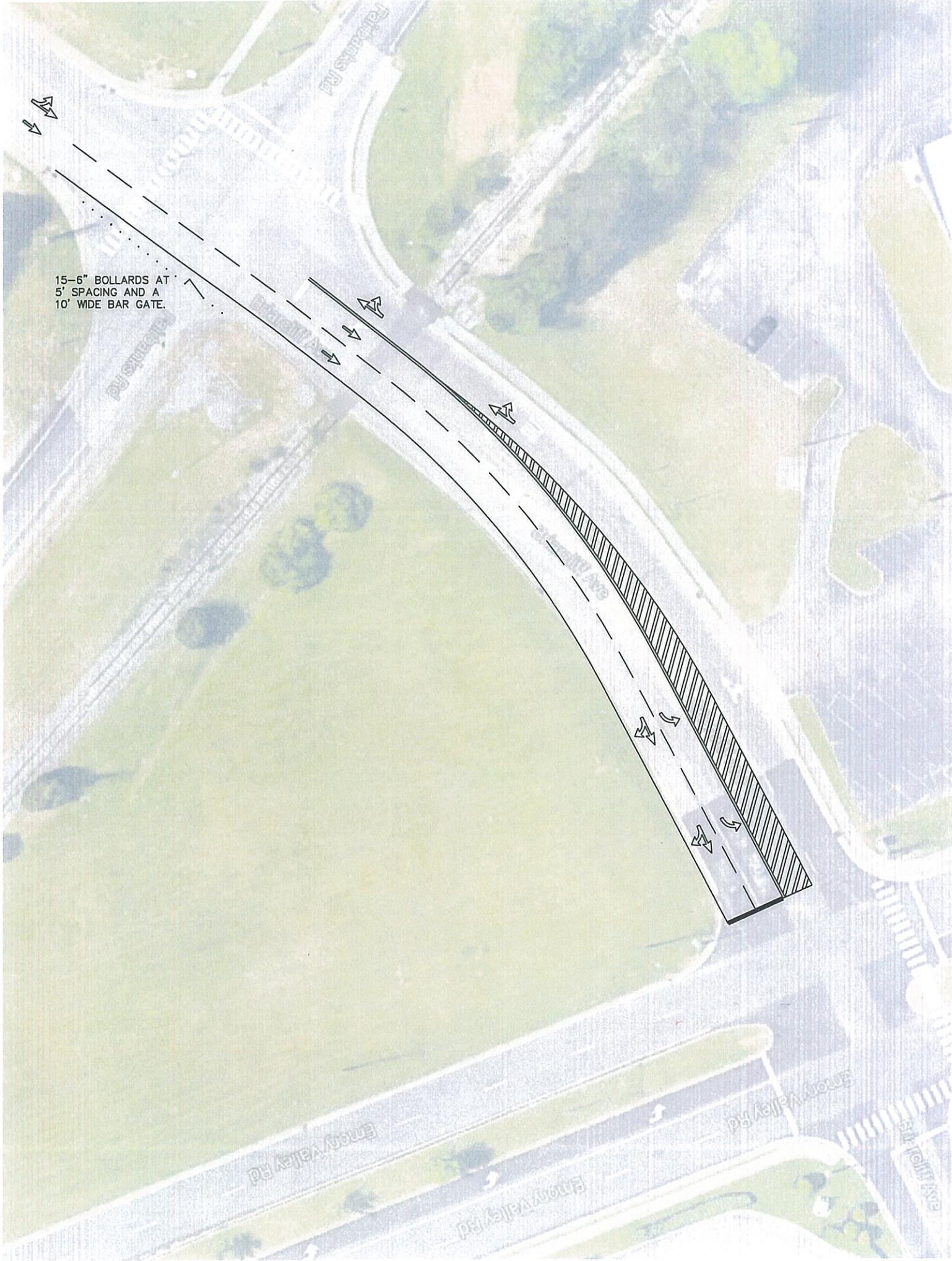
The meeting was adjourned at 8:02 pm.

Andrew Howe
TSAB Secretary

Martha C. Miller, Mayor

Approved with amendments: Jane Shelton reported that the Planning Commission was interested in connecting the sidewalks between frequently visited areas. Roger Flynn will check on previous sidewalk studies.

15-6" BOLLARDS AT
5' SPACING AND A
10' WIDE BAR GATE.



TITLE

AN ORDINANCE CLOSING THE PORTION OF FAIRBANKS ROAD BETWEEN BRIARCLIFF AVENUE AND EMORY VALLEY ROAD TO PUBLIC TRAVEL.

WHEREAS, during excavation for valve vaults and a manhole as part of the construction of the Wastewater Equalization (EQ) Basin on Emory Valley Road, it was discovered that the actual location of existing utilities under Fairbanks Road were not exactly as shown on the drawings provided to the contractor; and

WHEREAS, this resulted in the contractor having to place the valve vaults closer to the roadway with the manhole constructed in the roadway; and

WHEREAS, to re-open this portion of the roadway for safe public travel and security of the valves would require shifting the roadway, as well as installing a new guardrail, new pavement striping, and a new street light; and

WHEREAS, closure of the portion of Fairbanks Road between Briarcliff Avenue and Emory Valley Road was reviewed and approved by the Traffic Safety Advisory Board and the Oak Ridge Municipal Planning Commission; and

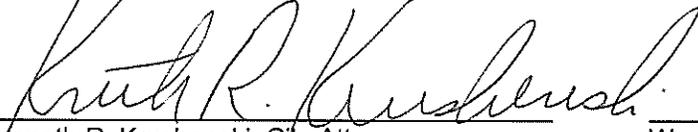
WHEREAS, it is recommended that this portion of the roadway only be closed to public travel and that the City retain the right-of-way for future opportunities including the proposed Rails to Trails project.

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

Section 1. The portion of Fairbanks Road between Briarcliff Avenue and Emory Valley Road is hereby closed to public travel.

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

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

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

**ELECTRIC DEPARTMENT MEMORANDUM
16-18**

DATE: July 25, 2016
TO: Mark S. Watson, City Manager
FROM: Jack L. Suggs, Electric Director
SUBJECT: INCREASE IN REFUSE FEE AND LANGUAGE MODIFICATION

Introduction

An item for City Council's consideration is the modification of ordinance number 17-98. The proposed change increases the refuse fee for residential customers by \$3.50 to \$14.00 as well as making a text modification for housekeeping reasons.

Funding

Adoption of this ordinance will increase funding to the City by approximately \$375,000 for fiscal year 2017.

Review

As a part of its consideration of the FY2017 budget, City Council expressed its desire to increase the residential refuse fee from its current level of \$10.50 to \$14.00. The attached ordinance implements that intent of Council.

In the process of examining the ordinance, staff became concerned that some language, since deemed superfluous, could negatively impact the intent of Council. As such, staff is recommending further modification to the ordinance language to make it clear that all residential customer for whom refuse service is made available by the City of Oak Ridge are required to pay the fee. As written, certain users who might not have a water meter in their name (e.g. residents in a duplex where water is provided by the landlord through a common water meter) might assert that the refuse fee does not apply to them even though City refuse service is available.

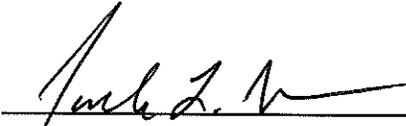
The modification proposed both enacts the expressed intent of Council and resolves this issue.

Recommendation

Staff recommends approval of the attached ordinance.

Attachment

Redline version indicating proposed changes to ordinance.

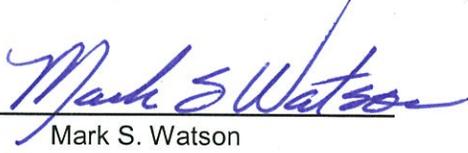


Jack L. Suggs

Cc: Janice McGinnis, Finance Director
Marlene Witt, Business Office Manger

City Manager's Comments:

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


Mark S. Watson


Date

Language from Ordinance 17-98 (as amended)

Section 1. That a monthly residential refuse collection fee is hereby established and adopted. The residential refuse collection fee is hereby set at \$10.50 per month per residential unit. The monthly residential refuse collection fee shall be billed and collected by the Utility Business Office of the City of Oak Ridge as part of an integrated monthly utility bill and shall be included on all utility bills for water meters read on or after November 1, 2015.

Language from Ordinance 17-98 (as amended) red line version

Section 1. That a monthly residential refuse collection fee is hereby established and adopted. The residential refuse collection fee is hereby set at ~~\$10.50~~ **\$14.00** per month per residential unit. The monthly residential refuse collection fee shall be billed and collected by the Utility Business Office of the City of Oak Ridge as part of an integrated monthly utility bill and shall be included on all utility bills ~~for water meters read on or after November 1, 2015-~~ **for residential units where the City of Oak Ridge makes available refuse collection on or after October 1, 2016. Regular penalty provisions apply for nonpayment.**

Proposed Language for Ordinance 17-98 Section 1

Section 1. That a monthly residential refuse collection fee is hereby established and adopted. The residential refuse collection fee is hereby set at \$14.00 per month per residential unit. The monthly residential refuse collection fee shall be billed and collected by the Utility Business Office of the City of Oak Ridge as part of an integrated monthly utility bill and shall be included on all utility bills for residential units where the City of Oak Ridge makes available refuse collection on or after October 1, 2016. Regular penalty provisions apply for nonpayment.

ORDINANCE NO. _____

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 17-98 (AS AMENDED), SECTION 1, TO INCREASE THE MONTHLY RESIDENTIAL REFUSE COLLECTION FEE FROM \$10.50 TO \$14.00 AND TO CLARIFY LANGUAGE REGARDING THE FEE.

WHEREAS, the City of Oak Ridge provides residential refuse collection with the corporate limits of the City; and

WHEREAS, in an effort to offset the property tax rate and to recover a portion of the residential refuse collection costs from the residents of Oak Ridge, Ordinance No. 17-98 established a monthly residential refuse fee to be collected as part of each residential customer's utility bill; and

WHEREAS, the monthly residential refuse fee was originally established at \$5.00 and was later increased to \$7.00 effective with the February 2009 billing cycle and then to \$10.50 effective with the November 2015 billing cycle; and

WHEREAS, as part of the FY2017 budget as approved by Ordinance No. 3-2016, City Council discussed increasing the monthly residential refuse fee from \$10.50 to \$14.00; and

WHEREAS, city staff recommends a modification to the language in Ordinance No. 17-98 to clarify that all residential customers for whom refuse service is available are required to pay the fee and that regular penalties do apply for nonpayment.

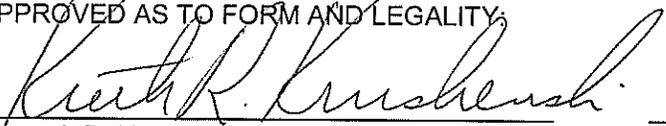
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1: Ordinance No. 17-98 (as amended), is hereby amended by deleting Section 1 in its entirety and substituting therefor a new Section 1 which new section shall read as follows:

Section 1: That a monthly residential refuse collection fee is hereby established and adopted. The residential refuse collection fee is hereby set at \$14.00 per month per residential unit. The monthly residential refuse collection fee shall be billed and collected by the Utility Business Office of the City of Oak Ridge as part of an integrated monthly utility bill and shall be included on all utility bills for residential units where the City of Oak Ridge makes available refuse collection on or after October 1, 2016. Regular penalty provisions apply for nonpayment.

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

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

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

**FINAL ADOPTION
OF ORDINANCES**

COMMUNITY DEVELOPMENT MEMORANDUM

16-24

DATE: June 22, 2016
TO: Mark Watson, City Manager
FROM: Kathryn G. Baldwin, Community Development Director
SUBJECT: Stormwater Management Zoning Amendments



Introduction

An item for City Councils consideration is an Ordinance to amend the Zoning Ordinance as it pertains to Stormwater Management practices. The Oak Ridge City Council adopted an amendment to the City Code of Ordinances titled Stormwater Management to insure compliance with the Tennessee Department of Environment and Conservation (TDEC) MS4 program on March 14th 2016.

Funding

No funding is required for implementation of these Zoning Amendments.

Background/Analysis/Review/Consideration

In an effort to maintain concurrence between the newly adopted Article 14, Chapter 5, Stormwater Management and various sections of the Zoning Ordinance the revisions below are recommended. Aside from maintaining concurrence of cross-references with regard to technical terminology no substantive amendments are proposed for the Zoning Ordinance. Proposed amendments are referenced below:

Section 1: All references to the “Erosion Control and Storm Water Management Ordinance” are replaced with the phrase “Storm Water Management Ordinance”.

All references to the phrase “Grading Permit” is replaced with the phrase “Land Disturbance Permit”.

Section 2: Section 9.08 F, Floodway Districts; Floodway Fringe Area (b) 1. Strike the existing introductory paragraph and replace with the following:

Permitted Principal Uses

The following permitted principal uses are allowed provided compliance with the Stormwater Management Ordinance and provisions contained in Section 9.07 are met:

Section 3: Section 11.03. Off-Street Parking Lot Layout, Construction and Maintenance;

(B) Permit for Parking Lot Construction:

Insert the phrase: “Land Disturbance” in the paragraph heading.

Delete the word “grading” in the first sentence and insert “land disturbance” prior to the word “permit.”

Section 4.

Section 16.11 Site Review: (a) Purpose. Delete and replace with the following:

Section 16.11 Site Review

(a) Purpose

In order to promote careful and systematic review of future development within the community, to ensure compliance with all applicable zoning ordinance requirements, Stormwater Management Ordinance and other engineering and development related criteria and to promote the general health, safety and welfare of the community, the following site plan review regulations shall apply. The Site Development Plan shall include, but is not limited to, the items referenced below. A current Site Development checklist may be obtained from the Community Development Department or from the Oak Ridge Website.

(Ord. No. 25-93 Revised Effective 9/30/93)

Section 5.

Section 16.11 (b) Grading Plans and Grading Permits: Delete and replace with the following:

(b) Site Development Plans and Land Disturbance Permits

1. Site Development Plans

Site Development Plans shall include the following information:

- a. Existing Contours
- b. Finished Contours
- c. Erosion Control/Stormwater Management Plan
- d. Proposed Detention
- e. Proposed Location of Structures
- f. Proposed Location of Parking
- g. Proposed Location of Storage/Loading Areas
- h. Proposed Street Location and Street Access
- i. Location of Existing Utilities and Associated Easements
- j. Proposed Location of Utilities and Associated Easements
- k. Width of Existing and Proposed Easements
- l. Landscaping Plan with Location, Species and Size of Plantings
- m. Reclamation Plan
- n. Location of Adjacent Streams
- o. Location and Width of Riparian Buffer Zones

2. Land Disturbance Permits

A Land Disturbance Permit is required of all properties prior to initiating movement of any material as referenced in the Stormwater Management Ordinance.

- a. For residential uses, including single-family detached or up to four (4) attached housing units, a Land Disturbance Permit may be approved by staff.
- b. For all non-residential uses which meet the following criteria, staff may issue a Land Disturbance Permit following submittal and approval of a Land disturbance Plan:
 - i. The lot is located within a platted subdivision recorded in the appropriate Register of Deeds Office.
 - ii. The lot is ten (10) acres or less.
 - iii. The lot meets all applicable provisions of the Stormwater Management Ordinance.
- c. For all other properties, an approved site plan shall be required prior to initiating any grading on a site for any non-residential use or residential use with more than four (4) attached housing units. A Land Disturbance Permit will be issued only after submittal and approval of a site plan as referenced in Section 16.12 or 16.13 of this ordinance. Following approval of a Site Plan, a Land Disturbance Permit may be obtained simultaneously with a building permit or singly without a building permit.

The Planning Commission, on a case-by-case basis, may make exceptions to this provision in the event a lot is designated for removal of fill material or placement of fill material associated with the construction of a road within the public right-of-way. The applicant shall submit a letter requesting exception to this provision. The Planning Commission may authorize the City Manager or the City Manager's authorized designee to review and approve a grading plan and issue a grading permit.

(Ord. No. 18-04 Revised Effective 10/14/04)

Section 6.

Section 16.14. Exemptions from Site Plan Review: (a)

Insert the phrase "the Stormwater Management Ordinance and" after the word "with" in the third sentence of this paragraph.

Recommendation:

The Oak Ridge Planning Commission reviewed the proposed amendments and unanimously recommended adoption to the City Council on April 21, 2016. Community Development recommends that City Council approve the proposed amendments a stated above.

City Manager's Comments:

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



Mark S. Watson



Date

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," SO AS TO NOT CONFLICT WITH THE NEW STORMWATER MANAGEMENT ORDINANCE AS SET FORTH IN CITY CODE, TITLE 14, CHAPTER 5, ADOPTED BY ORDINANCE NO. 1-2016.

WHEREAS, City Council recently adopted a new Stormwater Management ordinance (Ordinance No. 1-2016) as set forth in City Code Title 14, Chapter 5, which new ordinance requires certain amendments to the Zoning Ordinance so that the two ordinances do not conflict; and

WHEREAS, the following changes have 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. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," is hereby amended by replacing all references to the Erosion Control and Storm Water Management Ordinance with reference to the Stormwater Management Ordinance, and by replacing all references to grading permit with reference to land disturbance permit.

Section 2. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article IX, titled "Special Districts," Section 9.08, titled "F, Floodway Districts; Floodway Fringe Area," Subsection (b), titled "Floodway District Designation," Subpart 1, titled "Permitted Principal Uses," is hereby amended by inserting the phrase "the Stormwater Management Ordinance and" in between the phrases "provided compliance with" and "the provisions contained" in the introductory language.

Section 3. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article XI, titled "Off Street Parking and Loading Requirements," Section 11.03, titled "Off-Street Parking Lot Layout, Construction and Maintenance," Subsection (b), titled "Permit for Parking Lot Construction," is hereby amended by changing the title of the subsection to "Land Disturbance Permit for Parking Lot Construction."

Section 4. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article XVI, titled "Administration and Enforcement," Section 16.11, titled "Site Review," Subsection (a), titled "Purpose," is hereby amended by inserting the phrase "Stormwater Management Ordinance" in between the phrases "applicable zoning ordinance requirements" and "and other engineering and development related ordinances."

Section 5. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article XVI, titled "Administration and Enforcement," Section 16.11, titled "Site Review," is hereby amended by deleting Subsection (b), titled "Grading Plans and Grading Permits," in its entirety and substituting therefor a new Subsection (b), titled "Site Development Plans and Land Disturbance Permits," which new subsection shall read as follows:

Section 16.11 Site Review

(b) Site Development Plans and Land Disturbance Permits

1. Site Development Plans

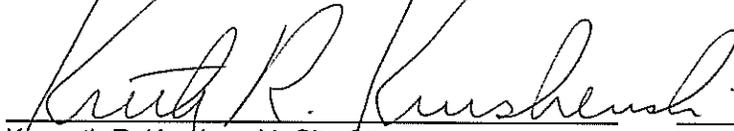
Site Development Plans shall include the following information:

- a. Existing Contours
- b. Finished Contours
- c. Erosion Control/Stormwater Management Plan
- d. Proposed Detention
- e. Proposed Location of Structures
- f. Proposed Location of Parking
- g. Proposed Location of Storage/Loading Areas
- h. Proposed Street Location and Street Access
- i. Location of Existing Utilities and Associated Easements
- j. Proposed Location of Utilities and Associated Easements
- k. Width of Existing and Proposed Easements
- l. Landscaping Plan with Location, Species and Size of Plantings
- m. Reclamation Plan
- n. Location of Adjacent Streams
- o. Location and Width of Riparian Buffer Zones

Section 6. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article XVI, titled "Administration and Enforcement," Section 16.14, titled "Exemptions from Site Plan Review," Subsection (a), is hereby amended by inserting the phrase "the Stormwater Management Ordinance and" between the phrases "comply fully with" and "any site requirements."

Section 7. 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

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

Public Hearing: 07/11/2016

First Reading: 07/11/2016

Publication Date: 07/14/2016

Second Reading: 08/08/2016

Publication Date: _____

Effective Date: _____

LEGAL DEPARTMENT MEMORANDUM
16-08

DATE: June 22, 2016
TO: Honorable Mayor and Members of City Council
FROM: Tammy M. Dunn, Senior Staff Attorney
Kenneth R. Krushenski, City Attorney
SUBJECT: CITY CODE AMENDMENTS – BEER ORDINANCE UPDATES

Introduction

An item for the agenda is an ordinance to update the City's beer ordinances for state law compliance as well as provide for new provisions or modifications to existing provisions.

Funding

No additional funding is required for implementation or administration of this ordinance.

Background

The Oak Ridge Beer Permit Board and the Legal Department have recently been in discussions about necessary and needed updates to the beer ordinances from the standpoint of state law compliance and from the standpoint of seeking to make the process more business friendly while still maintaining necessary regulations. The attached ordinance is the result of those discussions and the proposed amendments were unanimously approved by the Board on June 1, 2016.

A bold-strikethrough document is attached to show the specific text changes that are recommended to the City Code and it is organized in sequential format to match the ordinance. It also provides the rationale for the proposed amendment. Please see the attachment for a quick reference; however, below is an outline of the changes grouped by category:

State Law Compliance Provisions

City Code §8-601(1): Definition of Beer

Effective January 1, 2017, the definition of "beer" will change to a beverage with an alcoholic content of not more than eight percent (8%) alcoholic content by weight. Current definitions of beer—both in state law and city ordinance—define beer as a beverage with an alcoholic content of not more than five percent (5%) alcoholic content by weight. While this change does not go into effect until January 1, 2017, it is recommended to amend the City Code now to reflect the new language by simply referencing the state law definition in City Code §8-601. This way, the definition will be current on January 1, 2017 when the new definition takes effect and will remain current no matter what changes in state law occur to the definition.

City Code §8-701(2): Governmental Entities Allowed to Obtain Beer Permit

Effective April 21, 2014, governmental entities are specifically allowed by statute to obtain a beer permit. The amendment to this section simply mirrors state law.

City Code §8-701(8): Homemade Beer

Effective April 6, 2015, a new provision was added to state law regarding homemade beer and when a permit is not required for it. The statute has limitations on the amount a person can brew and restrictions on transportation.

City Code §8-703(3): Corporate Ownership

By state law, all stockholders holding at least five percent (5%) or more of stock in a corporation must be listed on the application for a beer permit. The City Code currently requires this information from persons holding ten percent (10%) or more of stock in a corporation. The ordinance needs to reflect current state law requirements.

Modification to Existing Provision for Clarification

City Code §8-702(1) Manufacturing (Class A) Beer Permit

The City Code currently does not allow a business with a manufacturing beer permit (Class A) to sell beer on premises. While the City does not currently have any businesses with this type of permit, it seems the prohibition would be applicable to restaurants that brew (manufacture) their own beer for consumption by patrons even if the restaurant possessed an on-premises beer permit (Class C). The proposed modification is to allow on premises consumption of beer if the business possesses an on-premises beer permit.

New Provisions

City Code §8-608: Growlers

The City Code currently does not address growlers (tap beer to-go), but this is a growing field in the craft beer industry. Amending the Code to address the issue allows businesses with proper permits to sell growlers provided the containers are securely sealed. There are two businesses intending to sell growlers once the ordinance is in effect and both are aware of and are willing and able to comply with the regulations. It is anticipated that other businesses will seek to sell growlers once the ordinance is in place.

City Code §8-702: Combined On- and Off-Premises Beer Permit

The creation of a new combined on- and off-premises beer permit will allow businesses that want to obtain dual beer permits (Class C on-premises consumption and Class B carry-out) the ability to apply for only one permit instead of two. This will result in a lower application fee for the business (one time savings of \$250) and a lower annual privilege tax payment (annual savings of \$100). It is a more business-friendly approach to the permitting process.

The City currently has five (5) businesses with both permits (with one of those businesses still under construction). If the ordinance passes, those businesses' permits will transfer over to the new class of permit without any fee. Additionally, this permit will be used for catering businesses as well which are currently classified under a Class B permit, which is more geared toward convenience and grocery stores. The City currently has one catering business with a beer permit and, again, that permit would be transferred to the new class of permit without fee upon adoption of the ordinance.

Serving beer for both on and off premises consumption under one beer permit is allowed by Tennessee Code Annotated §57-5-103(a)(5).

City Code §8-703: Timeframe between Beer Board Approval and Opening Business

The City Code is silent on how much time can elapse between Beer Board approval of a permit and the establishment opening its doors for business and selling beer. The Board allows applications in advance of a business opening (or a transfer of ownership) as a business friendly measure, however, there was a recent establishment that waited fourteen (14) months to open after the Board approved the permit. This amount of time is significant and allows for many changes to occur that might have impacted the Board's decision. The proposed ordinance establishes a maximum period (six months) that can elapse between Beer Board approval and the business opening its doors.

Recommendation

Approval of the attached ordinance is recommended by the Oak Ridge Beer Permit Board and the Legal Department for compliance with State law and for the addition of needed provisions pertaining to beer regulations and the permitting/application process.



Tammy M. Dunn



Kenneth R. Krushenski

Attachments: Beer Ordinance Updates (Bold-Strikethrough Document)
Ordinance

City Manager's Comments:

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



Mark S. Watson



Date

BEER ORDINANCE UPDATES

City Code Section	Text Amendment	Rationale for Amendment
§8-601. Definitions.	(1) " Beer " means beer, sale or other malt beverages, or any other beverage having an alcoholic content of not more than five percent (5%) by weight a beverage defined as beer by Tennessee Code Annotated §57-5-101.	<p>State law compliance. Effective January 1, 2017, the alcoholic content of beverages classified as beer in Tennessee will increase from 5% to 8% (alcoholic content by weight). Rather than make this specific change to the ordinance, it is recommended to simply reference the applicable state statute. This will cover any changes in the definition that may happen in the future without having to amend the City Code.</p> <p>[See Tennessee Code Annotated §57-5-101(b); 2014 Public Chapter 861]</p>
§8-608. Growlers.	<p>Growlers may be sold under an off-premises beer permit in accordance with the provisions of this section. The term "growler" means a container not to exceed sixty-four ounces (64 oz.) that is filled by the permit holder's employee with beer. Growlers must be filled in a manner that is sanitary and meets all applicable food and alcohol handling laws and standards. Each growler must be securely sealed and removed from the premises in its original sealed condition. Each growler shall be sealed in such a manner that one can tell if it has been opened after having been sealed (ex. heat shrink plastic or locking caps). Consumption of beer from growlers on premises is strictly prohibited, except samples of tap beer offered for sale in growlers may be made available, however, individual samples shall not exceed one ounce (1 oz.) per sample and no one individual may be offered or consume more than four (4) samples per business day.</p>	<p>This is a new provision intended to specifically allow the sale of growlers which is a new trend in the craft beer industry. There are currently two businesses with plans to sell growlers, and one has requested the ability to allow sampling of the beer prior to a sale which is why sampling is addressed in the ordinance. Further, to address any concerns by law enforcement regarding open containers, there is a provision requiring the growlers to be sealed. Both businesses are aware of and are willing and able to comply with those requirements.</p>

City Code Section	Text Amendment	Rationale for Amendment
<p>§8-701. Permit Required.</p>	<p>(2) Permits shall be issued by the city in the name of the owner of the business or establishment selling or distributing beer other entity responsible for the premises for which the permit is sought, whether a person, firm, corporation, joint-stock company, syndicate, association, or other legal governmental entity where the governing body has authorized such sales of beer.</p> <p>(8) A permit is not required for homemade beer when such beer is made, consumed, stored, and transported in accordance with the limitations set forth in Tennessee Code Annotated §57-5-111.</p>	<p>State law compliance. This language mirrors Tennessee Code Annotated §57-5-103, which was amended to specifically allow governmental entities to obtain beer permits. [2014 Public Chapter 754]</p> <p>This is a new provision for State law compliance. Tennessee Code Annotated §57-5-111 sets forth provisions, limitations, and restrictions for homemade beer without a beer permit. [2015 Public Chapter 69]</p>
<p>§8-702. Classes of Permits.</p>	<p>There shall be five (5) six (6) classes of permits issued under chapters 6, 7, and 8 of this title, as follows:</p> <p>(1) <u>Class A.</u> A manufacturer's permit to a manufacturer of beer for the manufacture, possession, storage, sale, distribution, and transportation of the product of such manufacturer, not to be consumed by the purchaser upon or near the premises of such manufacturer unless such manufacturer also possesses an on-premises beer permit.</p> <p>(6) <u>Class F.</u> A combined, dual “on-sale” (on-premises consumption) and “off-sale” (off-premises consumption) permit to any person or legal organization engaged in the sale of beer where beer is to be consumed by the purchaser upon or off the premises of the seller. While not a permit specifically for catering businesses, this permit classification will be the permit applied for by catering businesses.</p>	<p>This change is intended to address situations where a restaurant manufactures (brews) beer on-site but also sells the beer for on-premises consumption. Note: There are no pending requests for this type of arrangement.</p> <p>This is a new provision to accomplish two purposes: (1) allow businesses who want on- and off-premises consumption to operate under one permit which will lower their initial application fee as well as their annual privilege tax amount; and (2) clarify the catering beer permit classification. Note: Operating both classifications under one permit is authorized by Tennessee Code Annotated §57-5-103(a)(5).</p>

City Code Section	Text Amendment	Rationale for Amendment
§8-703. Application Generally.	<p>(3) The application shall state the name of the owner or all owners of such businesses; and, if a corporation, shall state the name of all stockholders holding at least ten percent (10%) five percent (5%) of more of the stock.</p> <p>(8) While applicants are encouraged to apply for a beer permit in advance of opening or buying the business, the board's approval of a beer permit(s) will be invalid if the business is not open under the applicant's ownership within six (6) months of the board's approval.</p>	<p>State law compliance. See Tennessee Code Annotated §57-5-105.</p> <p>This is a new provision to address the issue of a permit being applied for and approved, but not actually issued until a significant time has passed due to the permit holder not securing the business in a timely manner.</p>

ORDINANCE NO. _____

TITLE

AN ORDINANCE TO AMEND TITLE 8, TITLED "ALCOHOLIC BEVERAGES," CHAPTER 6, TITLED "BEER AND OTHER LIGHT BEVERAGES," AND CHAPTER 7, TITLED "BEER PERMITS AND MANAGER CERTIFICATES," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, FOR THE PURPOSES OF UPDATING PROVISIONS FOR STATE LAW COMPLIANCE, ALLOWING THE SALE OF GROWLERS (TAP BEER TO GO), CREATING A NEW DUAL ON-AND-OFF PREMISES BEER PERMIT, ALLOWING MANUFACTURERS TO SELL BEER WITH THE PROPER PERMIT, AND TO SET FORTH A TIMEFRAME BETWEEN BEER PERMIT APPROVAL AND OPENING A NEW BUSINESS.

WHEREAS, some of the City's ordinances pertaining to beer are in need of modification; and

WHEREAS, the amendments address state law compliance issues as well as provide for a more business-friendly approach to the permitting process; and

WHEREAS, further, one amendment addresses the relatively new business of growlers and another addresses timing issues between beer permit approval and opening a new business; and

WHEREAS, on June 1, 2016, the Oak Ridge Beer Permit Board unanimously recommended the amendments for City Council's consideration and adoption.

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

Section 1. Title 8, titled "Alcoholic Beverages," of the Code of Ordinances, City of Oak Ridge, Tennessee, Section 8-601, titled "Definitions," is hereby amended by deleting Subsection (1), titled "Beer," in its entirety and substituting therefor a new Subsection (1), titled "Beer," which new subsection shall read as follows:

Section 8-601. Definitions.

(1) "Beer" means a beverage defined as beer by Tennessee Code Annotated §57-5-101.

Section 2. Title 8, titled "Alcoholic Beverages," of the Code of Ordinances, City of Oak Ridge, Tennessee, Chapter 6, titled "Beer and Other Light Beverages - Generally," is hereby amended by creating a new Section 8-608, titled "Growlers," which new section shall read as follows:

Section 8-608. Growlers.

Growlers may be sold under an off-premises beer permit in accordance with the provisions of this section. The term "growler" means a container not to exceed sixty-four ounces (64 oz.) that is filled by the permit holder's employee with beer. Growlers must be filled in a manner that is sanitary and meets all applicable food and alcohol handling laws and standards. Each growler must be securely sealed and removed from the premises in its original sealed condition. Each growler shall be sealed in such a manner that one can tell if it has been opened after having been sealed (ex. heat shrink plastic or locking caps). Consumption of beer from growlers on premises is strictly prohibited, except samples of tap beer offered for sale in growlers may be made available, however, individual samples shall not exceed one ounce (1 oz.) per sample and no one individual may be offered or consume more than four (4) samples per business day.

Section 3. Title 8, titled "Alcoholic Beverages," of the Code of Ordinances, City of Oak Ridge, Tennessee, Section 8-701, titled "Permit Required," is hereby amended by deleting Subsection (2) in its entirety and substituting therefor a new Subsection (2), which new subsection shall read as follows:

Section 8-701. Permit Required.

- (2) Permits shall be issued by the city in the name of the owner of the business or other entity responsible for the premises for which the permit is sought, whether a person, firm, corporation, joint-stock company, syndicate, association, or governmental entity where the governing body has authorized such sales of beer.

Section 4. Title 8, titled "Alcoholic Beverages," of the Code of Ordinances, City of Oak Ridge, Tennessee, Section 8-701, titled "Permit Required," is hereby amended by creating a new Subsection (8), which new subsection shall read as follows:

Section 8-701. Permit Required.

- (8) A permit is not required for homemade beer when such beer is made, consumed, stored, and transported in accordance with the limitations set forth in Tennessee Code Annotated §57-5-111.

Section 5. Title 8, titled "Alcoholic Beverages," of the Code of Ordinances, City of Oak Ridge, Tennessee, Section 8-702, titled "Classes of Permits," Subsection (1), titled "Class A," is hereby amended by adding the following phrase to the end of Subsection (1):

Section 8-702. Classes of Permits.

- (1) Class A. ...unless such manufacturer also possesses an on-premises beer permit.

Section 6. Title 8, titled "Alcoholic Beverages," of the Code of Ordinances, City of Oak Ridge, Tennessee, Section 8-702, titled "Classes of Permits," is hereby amended by deleting the introductory language and replacing it as follows and by creating a new Subsection (6), which new subsection shall read as follows:

Section 8-702. Classes of Permits.

There shall be six (6) classes of permits issued under chapters 6, 7, and 8 of this title, as follows:

...

- (6) Class F. A combined, dual "on-sale" (on-premises consumption) and "off-sale" (off-premises consumption) permit to any person or legal organization engaged in the sale of beer where beer is to be consumed by the purchaser upon or off the premises of the seller. While not a permit specifically for catering businesses, this permit classification will be the permit applied for by catering businesses.

Section 7. Title 8, titled "Alcoholic Beverages," of the Code of Ordinances, City of Oak Ridge, Tennessee, Section 8-703, titled "Application Generally," Subsection (3) is hereby amended by changing the reference from ten percent (10%) to five percent (5%) with respect to ownership of corporate stock.

Section 8. Title 8, titled "Alcoholic Beverages," of the Code of Ordinances, City of Oak Ridge, Tennessee, Section 8-703, titled "Application Generally," is hereby amended by creating a new Subsection (8), which new subsection shall read as follows:

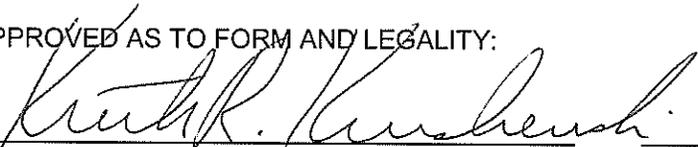
Section 8-703. Application Generally.

- (8) While applicants are encouraged to apply for a beer permit in advance of opening or buying the business, the board's approval of a beer permit(s) will be invalid if the business is not open under the applicant's ownership within six (6) months of the board's approval.

Section 9. Upon the effective date of this ordinance, all current beer permit holders that either (1) possess both a Class B and a Class C beer permit, or (2) are a catering business, will be automatically be transferred to a Class F beer permit without any action required by the permit holder or the Oak Ridge Beer Permit Board and without any cost to the permit holder.

Section 10. 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

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

First Reading: 07/11/2016

Publication Date: 07/14/2016

Second Reading: 08/08/2016

Publication Date: _____

Effective Date: _____

ELECTIONS/ APPOINTMENTS

MAYOR'S MEMORANDUM
16-02

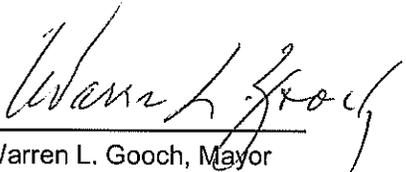
DATE: July 26, 2016
TO: Members of City Council
FROM: Warren L. Gooch, Mayor
SUBJECT: APPOINTMENT TO ANDERSON COUNTY REGIONAL SOLID WASTE PLANNING BOARD

At the August 8, 2016 meeting, City Council will be asked to approve the Mayor's appointment of Public Works Director Shira McWaters to the Anderson County Regional Solid Waste Planning Board.

Ms. McWaters will replace former Public Works Director Gary Cinder and will fill out the balance of Mr. Cinder's unexpired term. This term is a four-year term, which is set to expire in September, 2019.

Pursuant to Tennessee Code Annotated §68-211-813(b)(1), the City of Oak Ridge shall have a representative on the Regional Solid Waste Planning Board that is appointed by the Mayor and approved by the City Council.

It is recommended that Shira McWaters be appointed as the representative from the City of Oak Ridge on the Anderson County Regional Solid Waste Planning Board.



Warren L. Gooch, Mayor