

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

November 12, 2018 - 7:00 p.m.

AGENDA

I. INVOCATION

Pastor Dale Crank, Oak Ridge Alliance Church

II. PLEDGE OF ALLEGIANCE - Members of Robertsville Middle School Student Council

III. ROLL CALL

IV. PROCLAMATIONS AND PUBLIC RECOGNITIONS

Public Recognitions

Swearing in ceremony for Oak Ridge Police Chief Robin Smith

Oak Ridge Tennis Association recognition of the City of Oak Ridge for tennis court improvements

Recognition of Oak Ridge resident Tom Scott, Society for the Preservation and Appreciation of Antique Motor Fire Apparatus in America (SPAAMFA) Historian

Proclamations

- a. A proclamation honoring Leah Marcum-Estes on thirty years of service to the Oak Ridge Art Center

V. SPECIAL REPORTS

VI. CONSENT AGENDA

- a. Approval of October 8, 2018 City Council regular meeting minutes
- b. Approval of October 11, 2018 City Council special meeting minutes
- c. Approval of October 29, 2018 special meeting minutes
- d. Oak Ridge Heritage Railroad Authority 2018 Annual Report
- e. A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR A SAFETY PARTNERS GRANT AND A PROPERTY CONSERVATION GRANT FROM THE TENNESSEE MUNICIPAL LEAGUE RISK MANAGEMENT POOL, WITH MAXIMUM REIMBURSEMENT AMOUNTS OF \$2,000.00 AND \$5,000.00 RESPECTIVELY, AND TO ACCEPT SAID GRANTS IF APPROVED.
- f. A RESOLUTION TO AMEND RESOLUTION 5-28-2016, WHICH RESOLUTION APPROVED A PROFESSIONAL SERVICES AGREEMENT WITH CANNON & CANNON, INC., KNOXVILLE, TENNESSEE, FOR ENGINEERING SERVICES RELATED TO THE OAK RIDGE TURNPIKE INTERSECTION PEDESTRIAN SAFETY IMPROVEMENTS PROJECT, TO INCREASE THE COMPENSATION BY \$31,500.00.

- g. A RESOLUTION TO APPROVE AND TRANSMIT A LETTER TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO PROVIDE THE 2018 UPDATE ON THE CITY'S EFFORTS TOWARD AN AMERICANS WITH DISABILITIES (ADA) COMPLIANCE AND TRANSITION PLAN.

VII. PUBLIC HEARINGS AND 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 PARCEL 001.00, ANDERSON COUNTY TAX MAP 101O, GROUP A, FROM R-1-B, SINGLE FAMILY RESIDENTIAL, TO R-2/PUD, LOW DENSITY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY; PARCELS 001.00-063.00, ANDERSON COUNTY TAX MAP 107B, GROUP A, FROM R-3, MEDIUM DENSITY RESIDENTIAL, TO R-2/PUD, LOW DENSITY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY; A PORTION OF PARCEL 001.01, ANDERSON COUNTY TAX MAP 101G, GROUP A, FROM B-2, GENERAL BUSINESS, TO R-2/PUD, LOW DENSITY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY; AND PARCEL 003.00, ANDERSON COUNTY TAX MAP 107H, GROUP A, FROM R-3, MEDIUM DENSITY RESIDENTIAL, TO R-2/PUD, LOW DENSITY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY; ALL PARCELS BEING LOCATED ON THE NORTH SIDE OF EDMOOR ROAD WEST OF PARK MEADE DRIVE AND EAST OF CENTENNIAL VILLAGE APARTMENTS; AND APPROVING THE ASSOCIATED PLANNED UNIT DEVELOPMENT PRELIMINARY MASTER PLAN COLLECTIVELY CONTAINING APPROXIMATELY 117.04 ACRES. **(Public Hearing will take place on 2nd reading.)**

Public Hearing

- b. AN ORDINANCE TO AMEND THE MAIN STREET OAK RIDGE PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN TO REMOVE MULTI-FAMILY USES AND TO ADD COMMERCIAL USES, SAID PROPERTY IS BORDERED BY RUTGERS AVENUE, SOUTH ILLINOIS AVENUE, SOUTH TULANE AVENUE, AND OAK RIDGE TURNPIKE AND CONTAINS PARCELS 003.00, 003.04, 003.05, 003.06, 003.08, 003.09, 003.10, 003.11, 003.12, 003.13, and 036.00, TAX MAP 099L, GROUP A, (APPROXIMATELY 58.54 ACRES), WITH NO CHANGE TO THE ZONING DISTRICT WHICH REMAINS UB-2/PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY. **(Action or delay to be determined by Planning Commission and City Council work session on 11/8/2018)**

VIII. FINAL ADOPTION OF ORDINANCES

Public Hearing

- 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 PARCEL 007.00, ANDERSON COUNTY TAX MAP 100H, GROUP A, (APPROXIMATELY 0.59 ACRES) FROM R-2, LOW DENSITY RESIDENTIAL, TO R-3, MEDIUM DENSITY RESIDENTIAL; SAID PARCEL BEING LOCATED AT THE SOUTHEAST CORNER OF LAFAYETTE DRIVE AND MARQUETTE ROAD.

IX. RESOLUTIONS

- a. A RESOLUTION TO AMEND RESOLUTION 8-95-2017, WHICH RESOLUTION APPROVED A PROFESSIONAL SERVICES AGREEMENT WITH TRESTLES, LLC, NASHVILLE, TENNESSEE, FOR ENGINEERING SERVICES RELATED TO THE TURTLE PARK

WASTEWATER PUMP STATION CONSTRUCTION PROJECT, TO INCREASE THE
COMPENSATION BY \$30,000.00.

- X. APPEARANCE OF CITIZENS
- XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING
 - a. Elections/Appointments
 - b. Announcements
 - c. Scheduling
 - i. Calendar for remainder of 2018
 - ii. Review of timetable of election certification and calling of special meeting
- XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS
- XIII. SUMMARY OF CURRENT EVENTS
 - a. CITY MANAGER'S REPORT
 - i. Member Recruitment for the Oak Ridge Site Specific Advisory Board
 - b. CITY ATTORNEY'S REPORT
- XIV. ADJOURNMENT

PROCLAMATIONS
AND
PUBLIC RECOGNITIONS

Public Recognition of Tom Scott

This evening we pause to publicly recognize one of our volunteer public servants in Oak Ridge. Many of our citizens are unaware on the work done by volunteers in the community. Volunteer Tom Scott began his education at Auburn University in 1950 where he had a Navy ROTC Scholarship. While a student he regularly went to and assisted the undermanned Auburn Fire Department. He was asked to live in the fire station and worked at all fires when not in class. Upon graduating with a degree in Chemical Engineering, he served his three-year active duty obligation on a destroyer which made a round the world cruise in 1954-1955 plus other deployments giving him an opportunity to visit many international fire departments such as Honolulu, Tokyo 'Hiroshima. Hong Kong, Manila, Rio de Janeiro, Havana, and Cape Town while most of the ship's crew was engaged in other activities.

The service in the Navy was followed by another stay at Auburn to get an MS degree in Nuclear Science together with another tour with the Auburn Fire Department. Next came a position with the Atomic Energy Commission at the National Reactor Testing Station in Idaho Falls Idaho where he responded to farm barns and haystack fire at minus 15 degree F temperatures. The temperatures were warmer at the University of Florida where 3 years were spent completing a PhD in

Nuclear engineering. The 1966-1973 period was at the Savannah River Plant in Aiken South Carolina where he was a paid volunteer with the Aiken Fire Department and was designed an Honorary Life time member when he moved to Oak Ridge to work on the development of the gas centrifuge process for enriching uranium.

In Oak Ridge he originally acted as an auxiliary fire fighter. In 1990 the ORFD responded to a large fire on West Outer Drive in Oak Ridge. When Fire Chief Bo Harris saw the media pictures of the fire, he decided that the Oak Ridge Fire Department needed to have an on-site photographer to document the fires for training, media and historical use and asked Tom to assume the position. For the last 28 years, Tom Scott has responded and taken pictures at almost every structure fire in the city including those during the wee morning hours. Through a Memorandum of Agreement, he became the only volunteer member of the Oak Ridge Fire Department where he has continued to serve as the photographer and historian.

But that is not the end of his story. He also maintains a fire museum in his home with three antique fire trucks, an assortment of antique equipment, and old GameWell alarm systems which operate. Over the years, hundreds of children and firefighters have toured his museum and come to his library to read some of his books about fire service in America. In 1998 he was named member of the year.

This summer in New Jersey, the Society for the Preservation and Appreciation of Antique Motor Fire Apparatus in America also recognized Tom Scott for 45 years of service, where he wrote 178 consecutive articles on firefighting for their nation publication. All were on deadline. This year he donated 2600 fire related books from his collection to the antique fire apparatus archives.

In 2016 the Oak Ridge Fire Fighters Association named their annual ball The Tom Scott Firefighters Ball.

Tonight, we recognize Tom Scott for his dedication to our county through military service, development of our nation's enrichment technology, dedication to hundreds of engineering students, his 60 years of fire service, and his dedication to the preservation of our nation's fire service history and the history of the Oak Ridge Fire Department.

Thank you

Dr. Tom Scott!

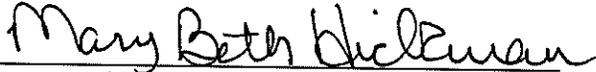
CITY CLERK MEMORANDUM
18-31

DATE: November 7, 2018
TO: Honorable Mayor and Members of City Council
FROM: Mary Beth Hickman, City Clerk
SUBJECT: PROCLAMATION FOR THE NOVEMBER 12, 2018 CITY COUNCIL MEETING AGENDA

The following proclamation is presented for the November 12, 2018 City Council meeting for the City Council's consideration:

A proclamation designating November 12, 2018 as Leah Marcum-Estes Appreciation Day in honor of her thirty years of service as Executive Director of the Oak Ridge Community Art Center

This request was submitted by Linda Ducamp, Chair of the Board of the Oak Ridge Community Art Center, to recognize Art Center Director Leah Marcum-Estes as she celebrates thirty years of service as Executive Director.


Mary Beth Hickman

Attachment:
Proclamation designating November 12, 2018 as Leah Marcum-Estes Appreciation Day

PROCLAMATION

WHEREAS, Leah Marcum-Estes has contributed thirty years of service as Executive Director of the Oak Ridge Community Art Center; and

WHEREAS, in 1978 Leah earned her B.A. in Art Education from the University of Kentucky; and

WHEREAS, Leah has been an Arts Educator for over forty years, teaching art in public schools and at private facilities; and

WHEREAS, Leah has been a painter, fiber artist, mosaic artist, jewelry maker, bookmaker, ceramic tile maker, enamellist, poet, writer, singer, cook and chief bottle washer; and

WHEREAS, Leah also worked as a flag conservator and living history set designer for the Kentucky Military History Museum; and

WHEREAS, Leah has also worked in ad sales and design, been a marketing representative, a desktop publisher, designed numerous materials for many types of businesses, broken up fights on the playground and brokered amicable resolutions to many scuffles throughout her career; and

WHEREAS, as Executive Director of the Oak Ridge Community Art Center, Leah has the primary responsibility for the planning, development, and administration of general instructional and exhibition programs and has promoted an appreciation of and participation in the visual arts by the general public; and

WHEREAS, it can be truly said that the success of the Oak Ridge Community Art Center is attributable to the skill and leadership of Leah Marcum-Estes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that November 12, 2018, be proclaimed

LEAH MARCUM-ESTES APPRECIATION DAY

in the City of Oak Ridge, Tennessee, and encourage all citizens to commend her for her leadership as Executive Director, and her contributions to the Oak Ridge community.

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 12th day of November in the year 2018.

WARREN L. GOOCH, MAYOR

CONSENT AGENDA

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

October 8, 2018

Minutes

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on September 10, 2018 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

INVOCATION

The invocation was given by Pastor Joseph Westfall, Christian Church Disciples of Christ.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Hammond.

ROLL CALL

Upon roll call the following Councilmembers were present: Councilmember Kelly Callison; Mayor Pro Tem Rick Chinn, Jr.; Councilmember Jim Dodson; Mayor Warren L. Gooch; Councilmember Derrick Hammond; Councilmember Charles J. Hope, Jr.; and Councilmember Ellen Smith.

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

Mayor Pro Tem Rick Chinn made a motion to add the following proclamation to the meeting agenda, and Councilmember Hammond seconded:

A proclamation to designate October 8, 2018 as Elder Dr. Tommie Lee Mims Day.

The motion to add the proclamation to the agenda passed unanimously by voice vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

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

PROCLAMATIONS AND PUBLIC RECOGNITIONS

Public Recognitions

The Oak Ridge Tennis Association's recognition of the City of Oak Ridge for tennis court improvements was deferred to the November 12, 2018 meeting.

Brad Huen, District II Representative of the Veterans of Foreign Wars, presented poppies to the Councilmembers and discussed the history of the Buddy Poppy program.

Proclamations

A proclamation honoring Oak Ridge Community Band Conductor Dale Pendley on the occasion of his retirement.

Mayor Pro Tem Chinn moved for approval of the proclamation, and Councilmember Hope seconded. The proclamation was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hammond,

Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

A proclamation honoring Louise Mixon for receiving the 2018 Bill Wilcox Bow Tie Award from Aid to Distressed Families of the Appalachian Counties.

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

A proclamation recognizing the 25th Anniversary of Greenways Oak Ridge.

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

A proclamation designating the month of October, 2018 as Fire Prevention Month.

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

A proclamation designating the month of October, 2018 as Domestic Violence Awareness Month.

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

A proclamation designating October 23-31, 2018 as Red Ribbon Week.

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

CONSENT AGENDA

Councilmember Callison moved for approval of the Consent Agenda, and Councilmember Dodson seconded.

The Consent Agenda was approved unanimously as amended by voice vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

Approval of the September 10, 2018 City Council regular meeting minutes

Resolution No. 10-85-2018

A RESOLUTION AUTHORIZING THE PURCHASE OF A VEHICLE FOR THE INFORMATION SERVICES DEPARTMENT IN THE AMOUNT OF \$26,345.00.

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

(NONE)

FINAL ADOPTION OF ORDINANCES

Ordinance No. 16-2018

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 005.01, ANDERSON COUNTY TAX MAP 106A, GROUP C, FROM IND-2, INDUSTRIAL DISTRICT TO R-2, LOW-DENSITY RESIDENTIAL DISTRICT, WITH SAID PARCEL BEING BOUNDED BY MITCHELL ROAD, CENTRIFUGE WAY, SOUTH ILLINOIS AVENUE, AND MIDWAY LANE CONTAINING

APPROXIMATELY 32.32 ACRES; AND AMENDING THE COMPREHENSIVE PLAN'S LAND USE PLAN MAP BY CHANGING THE DESIGNATION OF SAID PARCEL FROM B-P, BUSINESS PARK, TO M, MEDIUM DENSITY RESIDENTIAL.

Councilmember Dodson moved for adoption of the ordinance, and Councilmember Hammond seconded. Community Development Director Wayne Blasius provided an overview of the ordinance and answered questions from Council.

The ordinance was adopted by board vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith and Mayor Gooch voting "Aye." Mayor Pro Tem Chinn recused himself and did not cast a vote.

Ordinance No. 17-2018

AN ORDINANCE TO AMEND ORDINANCE NO. 27-85, TITLED "A PERSONNEL PLAN FOR EMPLOYEES OF THE CITY OF OAK RIDGE, TENNESSEE," AS AMENDED, BY DELETING SUBSECTIONS 5.3(B) AND 5.3(C)(1) REGARDING TRANSFERS AND DEMOTIONS WHERE THE ACTION IS NOT FOR CAUSE, AND BY UPDATING SUBSECTION 7.3(C), TITLED "TRANSFERS," ALL FOR THE PURPOSE OF UPDATING THE PERSONNEL PLAN AS SET FORTH BELOW.

Mayor Pro Tem Chinn moved for adoption of the ordinance, and Councilmember Callison seconded. Administrative Services Director Bruce Applegate provided an overview of the ordinance and answered questions from Council.

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

Ordinance No. 18-2018

AN ORDINANCE TO AMEND TITLE 1, TITLED "GENERAL ADMINISTRATION," CHAPTER 2, TITLED "MISCELLANEOUS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SECTION 1-201, TITLED "ADMINISTRATIVE ORGANIZATION OF THE CITY," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SECTION 1-201, TITLED "ADMINISTRATIVE ORGANIZATION OF THE CITY," TO UPDATE THE ORGANIZATION AND DEPARTMENTAL LIST.

Councilmember Smith moved for adoption of the ordinance, and Councilmember Callison seconded. City Manager Mark Watson provided an overview of the ordinance and answered questions from Council.

The ordinance was adopted unanimously by board vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

RESOLUTIONS

A RESOLUTION TO EXTEND THE EMPLOYEE MEDICAL INSURANCE CONTRACT BETWEEN THE CITY OF OAK RIDGE AND THE STATE OF TENNESSEE LOCAL GOVERNMENT HEALTH INSURANCE PROGRAM FOR THE PERIOD OF JANUARY 1, 2019 THROUGH DECEMBER 31, 2019 IN AN AMOUNT NOT TO EXCEED \$4,520,000.00.

Councilmember Dodson moved for approval of the resolution, and Councilmember Callison seconded. Administrative Services Director Bruce Applegate provided an overview of the resolution and answered questions from Council.

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

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT DOCUMENTATION TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) TO FINALIZE THE CITY'S AWARD OF CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ) PROGRAM FUNDS FOR PHASE II OF THE CITY'S SIGNAL TIMING OPTIMIZATION PROGRAM, AND AUTHORIZING ACCEPTANCE OF THE CONTRACT WHEN RECEIVED.

Mayor Pro Tem Chinn 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 Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

APPEARANCE OF CITIZENS

Linda Braden, 317 Pennsylvania Avenue, Oak Ridge, addressed Council regarding why they City is patching streets instead of paving entire streets.

Rose Weaver, 142 Hendrix Drive, Oak Ridge, stated she is excited about the new preschool and encouraged the contractor on the project to provide subcontracting opportunities for minorities.

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Announcements

City Manager Mark Watson reminded City Council about upcoming meetings regarding the proposed waste disposal facility and that the comment period regarding the waste disposal facility has been extended.

Scheduling

City Manager Mark Watson informed City Council that there will be a special called meeting on October 11th to award the contract for the Pre-K and Senior Center projects and to discuss the financing of bonds for the projects.

Councilman Dodson asked to go on record as supporting the inclusion of furniture costs for the Pre-K and Senior Center in the total cost of the projects.

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

ADJOURNMENT: 8:02 p.m.

OAK RIDGE CITY COUNCIL SPECIAL MEETING
Municipal Building Courtroom

October 11, 2018

Minutes

The special meeting of the City Council of the City of Oak Ridge, Tennessee convened at 4:00 p.m. on October 11, 2018 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

ROLL CALL

Upon roll call the following Councilmembers were present: Councilmember Kelly Callison; Mayor Pro Tem Rick Chinn, Jr.; Councilmember Jim Dodson; Mayor Warren L. Gooch; Councilmember Derrick Hammond; Councilmember Charles J. Hope, Jr.; and Councilmember Ellen Smith.

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

RESOLUTIONS

Resolution No. 10-89-2018

A RESOLUTION AWARDDING A CONTRACT (FY2019-056) TO JENKINS & STILES, LLC, KNOXVILLE, FOR THE CONSTRUCTION OF THE OAK RIDGE PRE-KINDERGARTEN AND SCARBORO PARK IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$8,410,000.00 AND AUTHORIZING THE CITY MANAGER TO SIGN CHANGE ORDERS UP TO FIVE PERCENT (5%) OVER THE CONTRACT PRICE.

Mayor Pro Tem Chinn moved for approval of the resolution, and Councilmember Callison seconded. Mayor Gooch called on Councilmember Callison to comment on the recommendation from the Budget and Finance Committee. Councilmember Callison stated that the committee had reviewed the bids and held extensive discussions prior to recommending approval.

Mayor Pro Tem Chinn asked about the additional cost of furniture for both projects. Mr. Watson stated that Jacene Phillips is going over existing furniture to see what can be carried over but that the plan is to include furniture costs in the bond offering.

Councilmember Hammond stated that the recommended contractor has mentioned a willingness to be aggressive about members of the community being involved in the project. Bart Jenkins, President of Jenkins and Stiles, stated that he plans to have a job fair and reach out to the community. Mr. Watson stated that the City would partner with them to assist in getting the word out.

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

Resolution 10-90-2018

A RESOLUTION AWARDDING A CONTRACT (FY2019-057) TO JENKINS & STILES, LLC, KNOXVILLE, FOR THE CONSTRUCTION OF THE SENIOR CENTER FACILITY IN AN AMOUNT NOT TO EXCEED \$2,683,035.00 AND AUTHORIZING THE CITY MANAGER TO SIGN CHANGE ORDERS UP TO FIVE PERCENT (5%) OVER THE CONTRACT PRICE.

Councilmember Dodson moved for approval of the ordinance, and Councilmember Hammond seconded.

Councilmember Callison provided an overview of the Budget and Finance Committee's recommendation. He stated that the committee had reviewed and was pleased with the combination of both bids and that

one of the driving forces behind the recommendation of awarding the contract for both projects to the same bidder was a \$25,000 credit for utilizing the same contractor and the time factor of this contractor being able to finish the Senior Center project earlier.

Mayor Pro Tem Chinn stated that the awarding of this contract was a more difficult decision due to Jenkins and Stiles not being the lowest bidder, but that the time factor of being able to finish early has to be part of the decision, as well as the fact that Jenkins and Stiles included a self-imposed penalty of \$500 per day if the project is not completed by their deadline.

Chris Haire with Hartson Construction addressed Council regarding his firm being the low bidder and the fact that the deadline was more arbitrary for the Senior Center project. Jacene Phillips stated that because the Pre-K had to be completed in time for the start of the school year, that that deadline was more set in stone than the Senior Center.

Councilmember Dodson stated that he was not convinced that the time factor was considered as important with the Senior Center project and that he wants a senior center but also wanted to make sure the process was fair.

City Attorney Ken Krushenski read the criteria to Council for choosing the "Lowest Responsible Bidder."

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

General discussion was held with Chris Bessler from Cumberland Securities regarding the issuance of bonds for the financing of the project, but no action was taken.

There was also general discussion regarding the furniture allocation amounts for the Senior Center and Pre-K projects and further discussion on fundraising initiatives being proposed for the Senior Center. Liz Batchelor, 119 Greystone Drive, Oak Ridge, addressed Council regarding the Senior Center Foundation's raising of funds for furniture for the Senior Center. No action was taken.

ADJOURNMENT: 5:16 p.m.

OAK RIDGE CITY COUNCIL SPECIAL MEETING
Municipal Building Courtroom

October 29, 2018

Minutes

The special meeting of the City Council of the City of Oak Ridge, Tennessee convened at 6:00 p.m. on October 29, 2018 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

ROLL CALL

Upon roll call the following Councilmembers were present: Councilmember Kelly Callison; Mayor Pro Tem Rick Chinn, Jr.; Councilmember Jim Dodson; Mayor Warren L. Gooch; Councilmember Charles J. Hope, Jr.; and Councilmember Ellen Smith. Councilmember Derrick Hammond was absent.

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

FIRST READING OF ORDINANCE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 007.00, ANDERSON COUNTY MAP 100H, GROUP A, (APPROXIMATELY 0.59 ACRES) FROM R-2, LOW DENSITY RESIDENTIAL, TO R-3, MEDIUM DENSITY RESIDENTIAL; SAID PARCEL BEING LOCATED AT THE SOUTHEAST CORNER OF LAFAYETTE DRIVE AND MARQUETTE ROAD.

Councilmember Dodson moved for approval of the ordinance, and Councilmember Smith seconded. Community Development Director Wayne Blasius provided an overview of the ordinance and answered questions from Council.

Mayor Gooch asked if this had been approved by the Planning Commission, and Councilman Dodson stated it had been approved.

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

RESOLUTIONS

Resolution No. 10-90-2018

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF OAK RIDGE, TENNESSEE IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$13,750,000, IN ONE OR MORE SERIES; MAKING PROVISION FOR THE ISSUANCE, SALE AND PAYMENT OF SAID BONDS, ESTABLISHING THE TERMS THEREOF AND THE DISPOSITION OF PROCEEDS THEREFROM; AND PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS.

Councilmember Callison moved for approval of the ordinance, and Mayor Pro Tem Chinn seconded. City Manager Mark Watson provided an overview of the resolution. Janice McGinnis, Finance Director answered questions from Council.

Councilmember Callison gave an overview of the Budget and Finance Committee's recommendations on roofs of schools and city buildings, stating the purpose was to get it all done within this year.

Mayor Pro Tem Chinn asked if this debt will be a thirty-year debt or payback for all the money being borrowed, or will the roof be a different payback. Ms. McGinnis answered the roof would be paid back in the fifteen- year payback that we have already issued. The Senior Center and Preschool will be a twenty-five year amortization.

Mayor Pro Tem Chinn asked that everyone to be brought up to speed on the overall indebtedness that this would bring the City to in terms of the next five to ten years. Ms. McGinnis answered that at the end of 2019 the total debt was \$167,527,284. That includes all funds - electric, water and general funds. Mayor Pro Tem Chinn also asked if there were any significant payoffs that will decrease that amount in the next five to ten years. Ms. McGinnis stated that we projected \$10 Million to be paid off in budget in 2019 in debt service, principal only. Ms. McGinnis said we usually pay off \$8 million to \$10 million a year.

Councilmember Smith asked in the future will we see a graph that divides the Preschool and the Senior Center. Mr. Watson stated that can be provided; however, they are divided out by bond issuance.

Mayor Gooch followed up with a couple of questions that Mayor Pro Tem Chinn asked and also stated as it relates to previous bond issues, that we have done refinance debt, and he asked Chris Bessler with Cumberland Securities to describe to everyone what has been accomplished by the refinancing that we have done over the last three years.

Mr. Bessler responded that over the past five to seven years as opportunities have risen to refinance, the City has exercised those opportunities to shorten debt to lower interest cost. Mayor Gooch clarified that the City's bond rating has gone from AA to AA plus. Mr. Bessler replied that was correct. Mayor asked what would happen to the funds if they were not all used in the bond. Mr. Bessler said you could utilize the \$400K and apply it toward capital projects as long as they fall within the project description within the resolution.

Councilmember Callison asked if the funds could be used to repair roofs, would there be any restrictions. Mr. Bessler stated it would fall in the project list, therefore it would be the City's legal right to use those funds for that purpose.

Mayor Pro Tem Chinn asked Mr. Watson when the determination will be made as to what expenditures will be made with the \$13.2 million. Mr. Watson stated he would work with the Budget and Finance Committee, and if everyone thought they needed Council's concurrence, then the items would be brought back to Council. Mayor Pro Tem Chinn stated he has an issue with putting twenty-five year debt on furniture that will not last twenty-five years, but would rather use it on putting roofs on that would last twenty-five years. Mr. Bessler stated that items that have a shorter average life by their rules would have to be allocated on the short end of the bond issue. The way it is structured right now the City is planning on going out and issuing level debt for the bond issuance.

The resolution was approved unanimously by board vote with Councilmembers Callison, Dodson, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Hammond was absent.

ADJOURNMENT: 6:25 p.m.

Mary Beth Hickman, City Clerk



Oak Ridge
Heritage Railroad Authority

P. O. Box 5163
Oak Ridge, TN 37831-5163

Phone: 865.220.1220

Fax: 865.220-1261

Authority Members

Gordon G. Fee, Chairman
Michael Magill, Secretary/Treasurer

October 18, 2018

Mayor City of Oak Ridge
P.O. Box 1
Oak Ridge, TN 37831-0001

Subject: Oak Ridge – Heritage Railroad Authority Annual Report 2018
(Covers from October 1, 2017 to September 30, 2018)

Dear Mayor:

The Oak Ridge – Heritage Railroad Authority is pleased to submit it's 2017/2018 Annual Report to City Council in accordance with Council's resolution and State Law.

EXECUTIVE SUMMARY -During this year, a number of factors impacted current and future railroad operations at ETPP including,

1. The unavailability of any State funds to assist in maintenance of the rail line and bridges due to the law suits by the Class I railroads. However this changed in 2018 and we will be applying for funds in the fall of 2018. We anticipate getting \$132,000 from the state for repairs and upgrades. EnergySolutions will fund the difference for what we need to do for upgrades and repairs on the bridges, crossings and track upgrades.
2. The proposal to locate an airport on the site and to site the runway adjacent to one of the railroad spurs.

The traffic on the railroad line remains very low and today is almost entirely associated with the owner Energy Solutions. At this time there are no prospective new customers for rail service and therefore the operations must continue to be subsidized by Energy Solutions.

BACKGROUND

The Oak Ridge – Heritage Railroad Authority was established by the Oak Ridge City Council on August 20, 2001. By State Law Railroad Authorities are chartered to assist cities and counties to maintain adequate and safe railroad service. Historically Authorities, in fulfillment of this role, have been eligible to receive State appropriated funds to upgrade short-line railroads that fall in their service area. In this capacity the Oak Ridge – Heritage Railroad Authority has received from the State of Tennessee \$2,282,796.04 from 2002 through June 30, 2013. These funds have been used to upgrade the bridges and track owned by the Heritage Railroad Corporation that services the East Tennessee Technology Park. The actual land which the railroad operates on is still owned by the Department of Energy. Heritage Railroad Corporation, which is a wholly owned subsidiary of EnergySolutions, is classified as a public carrier and contracts for the actual operations and maintenance of the railroad with Walden's Ridge Railway Corporation. THIS IS THE ONLY RAIL SERVICE AVAILABLE TO THE CITY OF OAK RIDGE.

It is important to recognize that the Oak Ridge – Heritage Railroad Authority has no regulatory authority over the railroad and can not obligate or expend any City funds of any kind.

The Oak Ridge Railroad Authority, by State Regulation, has two Board Members only. This year, long term Board Member, Pete Craven, was forced to resign due to health reasons. In late July, 2018, Michael Magill was appointed to the Board as the Mayor's representative and will serve as the Board's Secretary/Treasurer.

During State fiscal year 2013/2014 and continuing into this fiscal year, no State Funds have been made available to any Railroad Authority or short-line railroad. The reason for this is that the large Class I main line railroads e.g. Norfolk Southern and CSX sued the State of Tennessee on the grounds that the taxing system that funded the short-line railroad upgrade program was unconstitutional. The Federal Judge who heard the case agreed and the case is now on appeal. To fix the problem the State Legislature passed legislation that changed the way the tax funds were collected and the Governor signed it into law. However the Class I railroads immediately filed suit again claiming it was still unconstitutional and that case is now moving forward through the court system. Therefore the State has now advised the Short Line Railroad Association that the earliest any new funds might be available is the fall of 2018 and if funds are available there may be a change in the way they are distributed to the 18 short-lines across the State.

During the last Legislative Session, the Short Line Railroad Association helped sponsor legislation that would provide a limited amount of funds to Short Line Railroads who could demonstrate that improving their lines would encourage economic development in their region. This legislation did not pass. However they intend to reintroduce the legislation in the upcoming session. In support of this legislation, the Association is undertaking a public relations campaign to inform the public and the Legislators of the value of the Short Line Railroads to the State's economic development. Energy Solutions is participating in funding this campaign.

As a result of the State not providing any new funds to the Heritage Railroad Authority, Energy Solutions paid for all administrative costs created by the Authority e.g. secretarial assistance. Energy Solutions also pays for all maintenance and upgrades to the Heritage Railroad which they own.

Since the Authority had no funds available and as a result no fiscal transactions of any kind were completed, no fiscal audit was done. The State was advised of the situation by letter dated March 3, 2016.

Report on the status of rail service

- A. Rail Operations. A number of factors have or will impact Heritage Railroad Company operations and rail service to the City of Oak Ridge in the immediate and long-term future. These include;
 - a. Construction of the Proposed Airport. As Council knows, an airport has been proposed to be built on the ETTP site. It is our understanding that the proposed runway location would be adjacent to the railroad spur that serves the old power house/S-50 area. It is not known at this time whether or not the FAA will allow the railroad to operate at its current location should this be the runway site. If they do not there are several options that would need to be pursued, (1) relocate the spur by moving it west, (2) relocate the runway, or (3) discontinue

rail service to the power house/S-50 area. The latter option could result in that area being less attractive to any industry that might locate there and require rail service. Since DOE still owns the land the railroad operates on, any decision to abandon this spur would have to be approved by them. As of this date, the parties have not agreed to move the spur to avoid conflict with the airport.

- b. Energy Solutions Termination of Southern Appalachian Railroad Museum Operating Permit. The Southern Appalachian Railroad Museum (SARM) had been located at ETTP since 1990 and had operated excursion trains out of the site for almost 25 years. In late May 2016, Energy Solutions, the parent company of Heritage Railroad, made a unilateral decision, without any discussion with any one, to not renew the contract that would allow SARM to continue to be housed at ETTP and to operate any excursion trains. At that time SARM was directed to have all of their stored historic rail cars off the site by December 31, 2016. Upon termination of the agreement, SARM began looking for a new location and began taking action to lease out some of the historic equipment. They also began working on a number of the cars stored on the site to make them legal to travel by rail to a new site. This is an expensive and time consuming operation. Energy Solutions has not enforced the initial date for vacating the site and have been patiently waiting for SARM to seek a new home. As of this date they have several leads but no final solution. They still have 36 rail cars on site and ES is helping them with the funds to find a new home.
- c. Storage of Rail Cars at ETTP For a number of years, it has been a business practice of Heritage Railroad Company to store both empty and full rail road cars on the site for a variety of customers. Since most of the rail line at the site is underutilized this has been done in cooperation with the railroad operator, Walden Ridge, in order to generate revenue. In mid 2016 Energy Solutions made a decision to stop storing any cars on site that contained hazardous materials and as of June 2018 this has been the policy in effect. The primary reason for this change in policy is concerns about the safety of storing hazardous materials on the site both real and perceived.

The lawsuit between WRR and ES has been resolved. WRR will be the rail contractor through 2023, which was extended from 2019. In the new agreement, WRR will not be allowed to store cars for rent on the HRR property. ETRC will be allowed to continue its rail car repair business. Also, WRR will relocate its offices from the HRR site to the WRR leased site that it operates on. HRR will have the Hittman operations use the building that WRR currently resides in. As of 10-5-2018 there are 0 rail cars in storage.

Energy Solutions also stores their own rail cars on the site and recently obtained approval from the State to store a small number of empty radioactive contaminated cars. There are 10 cars on this rail spur at this time.

Upgrade Status: As a result of receiving the \$2,000,000 from the State of Tennessee, and funding provided by the Railroad owners i.e. EnergySolutions and previously CROET, approximately 5 miles of the 11.5 miles of track have been upgraded to the 286 standard. (This means that that portion of the line can carry fully loaded freight cars weighing 286,000 pounds.) This is now the standard for all Class I railroads. NOTE: This is a standard and not a requirement. However, as previously stated, we have 5 miles of this standard 286 track.

B. Bridge Inspection: All bridges on the Heritage Railroad must be inspected each year by a qualified engineering firm. Crouch Engineering completed this annual inspection in June of 2018 and their final report was submitted to TDOT soon thereafter. THEIR INSPECTION INDICATED THAT ALL FIVE BRIDGES ON THE LINE ARE IN FAIR CONDITION AND THAT THERE WAS ONLY ONE ISSUE REQUIRING IMMEDIATE REPAIR. The Inspection Summary statement was, "In general, all the five bridges on the Heritage Railroad were found to be in fair condition. At the time of the inspection, there were no repairs noted that would warrant the bridge be put out of service." This one bridge will have repairs done to it by the end of the year. Materials have been ordered and the bridge repairs/upgraded for a cost of \$48,000.

C. Traffic Count: A summary of the traffic carried over last several years is shown below.

<u>Year</u>	<u>Rail Cars*</u>	<u>Passengers Carried</u>
2012	1,491	6,209
2013	282	3,278
2014	398	3,826
2015	1362	3,029
2016	992	Terminated May 28, 2016
2017	300	0
2018	89	0

- Rail Car numbers do not include the passenger cars from the excursion train.

WITH THE TERMINATION OF SARM OPERATIONS AND THE DECREASE IN THE NUMBER OF RAILCARS STORED FOR OTHER CUSTOMERS, IT IS EXPECTED THAT THE TRAFFIC COUNT WILL DECREASE. Unless other industries locate at ETPP that require rail service, Energy Solutions will continue to have to subsidize the cost of operating the railroad and maintaining the bridges, track, and rolling stock.

We would be happy to provide any additional information needed by the City of Oak Ridge.

Sincerely,



Gordon Fee, Chairman

cc: Mike Lahr, Chief Executive Officer
Ken Krushenski, Oak Ridge City Attorney
Mark Watson, Oak Ridge City Manager
David J. Martin, TDOT

Exhibit A
 Annual Funding Received From State of Tennessee

Fiscal Year	Engineering	Bridge Upgrade	Track Upgrade	Total Allocation
2002/2003	\$ 44,981.00	\$ 54,942.00	\$ 191,004.00	\$ 290,927.00
2003/2004	\$ 25,915.00	\$ 60,896.00	\$ 191,004.00	\$ 277,815.00
2004/2005	\$ 24,293.00	\$ 48,454.00	\$ 197,721.00	\$ 270,468.00
2005/2006	\$ 19,328.00	\$ 50,661.00	\$ 97,788.00	\$ 167,777.00
2006/2007	\$ 20,197.00	\$ 49,374.00	\$ 119,635.00	\$ 189,207.00
2007/2008	\$ 20,197.00	\$ 49,374.00	\$ 119,635.00	\$ 189,206.00
2008/2009	\$ 20,197.00	\$ 49,374.00	\$ 119,635.00	\$ 189,206.00
2009/2010	\$ 19,576.00	\$ 52,291.84	\$ 103,176.20	\$ 175,044.04
2010/2011	\$ 25,842.00	\$ 37,368.00	\$ 105,084.00	\$ 168,294.00
2011/2012	\$ 17,743.00	\$ 37,368.00	\$ 107,981.00	\$ 163,092.00
2012/2013*	\$ 20,481.00	\$ 46,427.00	\$ 134,852.00	\$ 201,760.00
2013/2014	\$0	\$0	\$0	\$0
2014/2015	\$0	\$0	\$0	\$0
2015/2016	\$0	\$0	\$0	\$0
2016/2017	\$0	\$0	\$0	\$0
2017/2018	\$0	\$0	\$0	\$0
Total	\$ 258,750.00	\$ 536,529.84	\$ 1,487,515.20	\$ 2,282,796.04

In order to receive these funds from the State of Tennessee, the Railroad had to provide matching funds that ranged from 10 to 20% in any given year. In all cases, in accordance with the City Ordinance that created the Authority, no City funds were used. All matching funds were provided by the Railroad Owners, i.e. EnergySolutions or CROET.

PERSONNEL MEMORANDUM
18-218

DATE: October 19, 2018

TO: Mark S. Watson, City Manager

THROUGH: Bruce M. Applegate, Administrative Services Director 

FROM: Cindi G. Gordon, Personnel/Risk Manager

SUBJECT: TML RISK MANAGEMENT POOL "SAFETY PARTNERS" and PROPERTY CONSERVATION" MATCHING GRANT PROGRAM

Introduction

An item for Council's consideration is approval of a resolution to apply for and accept, if awarded, two grants from TML Risk Management Pool in the amounts of \$2000.00 and \$5000.00.

Background

The TML Risk Management Pool is offering matching grant funds for the 2018-19 fiscal year to all Pool members for purchases or training related to employee safety and property safety. The grants will provide reimbursement up to 50% of the cost of the approved item(s) with a maximum reimbursement of \$2000.00 for the Safety Partners Grant and \$5000.00 for the Property Conservation grant for a city in our Priority Classification. We request authorization to submit grant applications to the Tennessee Municipal League Risk Management Pool and to accept said grants if the applications are approved.

Safety Partners - Employee Safety

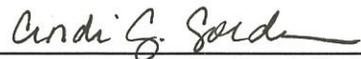
Working with TOSHA, we determined that best practice for our Water Treatment Plant and Indoor/Outdoor Swimming Pools would be to utilize respirator equipment for personnel responsible for all water chlorination processes. The City has purchased four (4) Powered Air Purifying Respirators, providing Personal Protective Equipment for personnel working in this process. The cost of each PAPR was \$1400.00. Grant funding would offset the total cost of \$5600.00 by \$2000.00.

Property Conservation

Provision for surveillance monitoring of the Oak Ridge Public Library will improve our day-to-day operations by enabling us to assess traffic patterns so that staffing operations can be modified accordingly. Surveillance will additionally allow the highest level of protection and security for employees and patrons and will safeguard our assets. The cost to provide surveillance monitoring will be approximately \$9280.00 for hardware, labor and licenses.

Recommendation

Staff recommends adoption of the attached resolution.

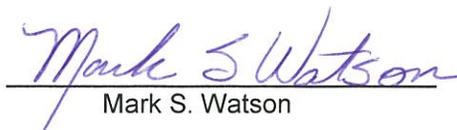


Cindi G. Gordon

Attachment: Resolution

City Manager's Comments:

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

 11/8/18
Mark S. Watson Date

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR A SAFETY PARTNERS GRANT AND A PROPERTY CONSERVATION GRANT FROM THE TENNESSEE MUNICIPAL LEAGUE RISK MANAGEMENT POOL, WITH MAXIMUM REIMBURSEMENT AMOUNTS OF \$2,000.00 AND \$5,000.00 RESPECTIVELY, AND TO ACCEPT SAID GRANTS IF APPROVED.

WHEREAS, grant monies are available through the Tennessee Municipal League (TML) Risk Management Pool's Safety Partners and Property Conservation grant programs, with TML Risk Management Pool providing a maximum reimbursement of \$2,000.00 and \$5,000.00 respectively for the cost of approved items; and

WHEREAS, the City meets all of the grant requirements; and

WHEREAS, the City Manager recommends that the City submit both grant applications to TML Risk Management Pool to be used to offset the City's cost for respirator equipment under the Safety Partners Grant and to offset the City's cost for surveillance monitoring for the Property Conservation Grant.

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

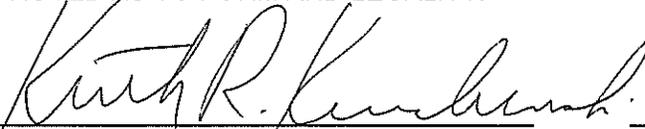
That the recommendation of the City Manager is approved and the City is hereby authorized to submit grant applications to the Tennessee Municipal League Risk Management Pool under the Safety Partners Grant with a maximum reimbursement amount of \$2,000.00 and the Property Conservation Grant with a maximum reimbursement amount of \$5,000.00, and to accept said grants if the applications are approved.

BE IT FURTHER RESOLVED that, if said grants are approved, the City will utilize the grant funds to offset the City's cost for respirator equipment under the Safety Partners Grant and to offset the City's cost for surveillance monitoring for the Property Conservation Grant.

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

This the 12th day of November 2018.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

PUBLIC WORKS DEPARTMENT MEMORANDUM
18-76

DATE: October 22, 2018
TO: Mark S. Watson, City Manager
THROUGH Shira A. McWaters, P.E. Public Works Director *SAM*
FROM: Roger Flynn, P.E., City Engineer
SUBJECT: **CONTRACT SUPPLEMENT FOR CANNON & CANNON, INC., FOR CONSTRUCTION, ENGINEERING & INSPECTION SERVICES**

Introduction

An item for City Council's consideration is a resolution to amend contract FY2016-175 with Cannon & Cannon, Inc. (C&C) in the amount of \$31,500.

Funding

Funding is available from a TDOT Transportation Alternative Program (TAP) grant using an 80/20 split with the City funding 20% of the total project cost.

Review

At its May 9, 2016 meeting, City Council approved resolution 5-28-16 for a professional services agreement with Cannon & Cannon, Inc. (C&C), to provide engineering services for the Oak Ridge Turnpike Pedestrian Safety Improvement Project. The contract, which included services for both design prior to construction and Construction, and Engineering & Inspection (CEI) during construction, was approved in the estimated amount of \$96,000.

The funding for the engineering and construction for the project is provided by a TDOT Transportation Alternative Program (TAP) grant. Acceptance of the grant and fund match was approved by resolution 12-134-15. The original grant amount was \$432,960, with a 20% match by the City of \$108,240, for a total anticipated project cost of \$541,200. This amount was based on a construction estimate by City staff in 2014 of approximately \$450,000. The allowance for engineering in the original grant was \$91,200.

After design of the project, C&C advised TDOT that the current estimated cost for construction would be \$503,000. This was close to the actual bid of \$528,355, received on April 17, 2018; however, it exceeded the grant amount. TDOT agreed to increase its funding. City Council approved the increase in City matching funds, along with the construction contract, in resolution 5-33-18.

Consideration

It should be known that a common rule of thumb for estimating engineering cost is to assume 15% to 18% of the construction estimate. To comply with the requirements of the TDOT Local Programs grants program, CEI services are required, which adds an additional layer of oversight. CEI services typically require three (3) persons; a field construction inspector, an administrative assistant, and a project manager. These services, which cannot be performed in-house, normally add an additional 15% to the cost.

The portion of the total fee of \$96,000 that C&C proposed for CEI services, task 3.2, was \$40,000. With the project currently 55% complete, the majority of this amount has already been billed (summary of fees billed as of 8-28-18 is attached). C&C simply underestimated the effort required and is requesting an amendment to their original contract to supplement task 3.2 in the amount of \$31,500 (summary attached).

This represents an anticipated 135 hours or just over three (3) weeks of work. Staff considers this reasonable. TDOT concurs and has agreed to honor the 80/20 split agreement, making the cost to the City \$6,300.

Recommendation

Staff has a long standing relationship with C&C and has always been pleased with work the received at a reasonable fee. Staff has observed the project to date and is satisfied with the efforts of both the contractor and C&C. Staff feels the fee billed to date has been earned and believes the request for the supplement is reasonable. Staff recommends approval of the attached resolution as submitted.

Attachments:

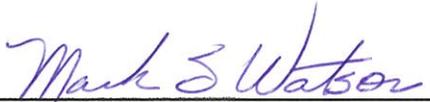
- September 24, 2018 letter from Mr. David Sparks, P.E. with Cannon & Cannon, Inc.
- Summary of fee billed as of 8-28-2018
- Estimate of additional hours
- E-Mail from Ms. Whitney Britt, manager of Local Programs Program with TDOT, regarding TDOT methodology for fee estimate
- Resolution



Roger Flynn, P.E.

City Manager's Comments:

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



Mark S. Watson

11-8-18

Date



September 24, 2018

Mr. Roger Flynn, P.E.
City Engineer
Engineering Division
City of Oak Ridge Public Works Department
100 Woodbury Lane
Oak Ridge, Tennessee 37830

RE: Contract Supplement No. 1
for Construction Engineering & Inspection Services (CEI)
FY2016-175: Oak Ridge Turnpike Intersection Pedestrian Safety Improvements Projects
(S. Tulane Avenue and East Division Road/Tennyson Road)

Dear Mr. Flynn:

Cannon & Cannon, Inc. (CCI) appreciates the opportunity to prepare this budget supplement for the referenced project. The original agreement for this project was executed by the City of Oak Ridge on May 12, 2016.

The purpose of this Supplement is for additional estimated Construction Engineering & Inspection services to complete the project per TDOT Local Programs guidelines.

The amount of this Supplement is \$31,500.00 for Task 3.2 CEI of the original contract. CCI will invoice for services on an hourly basis, with invoices issued on a monthly basis. All other terms and conditions of this effort will be in accordance with the original contract document.

We sincerely appreciate the opportunity to work with the City of Oak Ridge on this project. If the above outlined terms of this proposed budget Supplement are acceptable, please have this document signed in the space provided below and return one copy for our records.

Please do not hesitate to give me a call if you have questions or require additional information.

Sincerely,

David A. Sparks, P.E.
Director, Construction Services Group

AUTHORIZATION TO INCREASE TASK 3.2 CEI BUDGET FROM \$40,000.00 to \$71,500.00:

By: _____ Date: _____
Signature

Printed

TEL 865.670.8555
CANNON-CANNON.COM

KNOXVILLE 8550 Kingston Pike
Knoxville, TN 37919
MEMPHIS
BOWLING GREEN FAX 865 670 8866

175-4914

Scope and Fee Proposal
 Oak Ridge Turnpike Intersection Pedestrian Safety Improvements Project
 March 31, 2016

Task 3.1 – Bid Services

Upon receiving authorization from TDOT to receive bids, a bid advertisement will be drafted for use by the City of Oak Ridge, and a pre-bid meeting will be conducted with potential bidders. Bid addenda will be issued as needed as a part of this task. Additionally, bids will be tabulated and a recommendation of award letter will be submitted to TDOT.

as of 8/28/2018

Task 3.2 – Construction Engineering and Inspection

CCI will provide all inspection and documentation of field construction activities as required by TDOT.

The following are the proposed budget limits for the various project tasks:

• Phase 1 – PE-NEPA		
o Task 1.1 – Field Surveying	\$ 15,000	\$10,774.98
o Task 1.2 – Preliminary Design Plans	\$ 14,000	\$25,121.64
o Task 1.3 – Environmental Documentation	\$ 6,000	\$ 2,730.00
o PHASE 1 TOTAL	\$ 35,000	\$38,626.62
• Phase 2 – PE-Design		
o Task 2.1 – Final Design Plans	\$ 8,000	\$10,256.25
o Task 2.2 – Pre-bid Services	\$ 7,000	\$ 2,535.00
o PHASE 2 TOTAL	\$ 15,000	\$12,791.25
• Phase 3 – Construction		
o Task 3.1 – Bid Services	\$ 6,000	\$ 5,202.50
o Task 3.2 – Construction Engineering and Inspection	\$ 40,000	\$37,726.33
o PHASE 3 TOTAL	\$ 46,000	\$42,928.83
▪ TOTAL BUDGET LIMIT	\$ 96,000	\$94,346.70

The task amounts shown are for budgeting purposes only and may be reallocated as necessary. We will invoice on an hourly basis not to exceed the shown total budget limit of \$96,000 in accordance with the rates in the attached "Schedule of Standard Charges – Hourly Rate Basis." At this time, we have not included budgets in this proposal for the services listed below:

- Geotechnical engineering
- Traffic impact study
- Utility upgrades and/or utility relocation plans
- Street light design

If needed, these services will be considered Additional Services and will be performed on an hourly basis with our then current hourly rates. In the unforeseen event the scope of services changes requiring an amended budget, a revised proposal will be submitted for your approval prior to proceeding.

Regarding the project schedule, CCI will work closely with the City of Oak Ridge and the TDOT Local Programs Development Office to expedite project delivery as quickly as possible.

We look forward to working with you and the City of Oak Ridge on this project. Please do not hesitate to contact us with any questions or concerns regarding this proposal.

Oak Ridge Turnpike Intersection Pedestrian Safety Project
PIN 122976.00
TDOT Contract #: 2018-139
Cannon-& Cannon, Inc.
CCI Project #: 368-0027

Current Contract Ceiling Amount \$ 96,000.00
As of 9/30/2018 Billings \$ 106,214.41
Over Ceiling Amount \$ **10,214.41**

10/2018 - 4/2019 Estimate to Closeout Project

Resident Project Representative

Inspection: 135 hrs

Closeout: 21 hrs

156 hrs x 95 \$/hr \$ **14,820.00**

Project Manager

Contract Admin: 25 hrs

Contract Closeout: 20 hrs

45 hrs x 145 \$/hr \$ **6,525.00**

Estimated Fee to Complete Project: \$ 31,559.41

Proposed Increase of Contract Ceiling \$ 31,500.00

Flynn, Roger

From: David Sparks <dsparks@cannon-cannon.com>
Sent: Friday, October 19, 2018 1:56 PM
To: Flynn, Roger
Subject: Fwd: CEI cost percentage of construction cost

Response from Whitney.

Sent from my iPhone

David Sparks
Director of Construction Services
Cannon-Cannon, Inc.

Begin forwarded message:

From: Whitney Britt <Whitney.Britt@tn.gov>
Date: October 19, 2018 at 1:13:03 PM EDT
To: David Sparks <dsparks@cannon-cannon.com>
Subject: RE: CEI cost percentage of construction cost

David,

What they are saying below is correct. Historically, when TDOT has developed estimates we account for 10% of the overall construction expenses to go to CEI expenses. However, there should be 10% contingency built into the construction estimate as well. Typically, since we see smaller projects in Local Programs, a lot of the contingency goes toward CEI expenses.

Thanks,
Whitney Britt
615-253-1387

From: David Sparks [<mailto:dsparks@cannon-cannon.com>]
Sent: Thursday, October 18, 2018 12:50 PM
To: Whitney Britt
Subject: FW: CEI cost percentage of construction cost

Hi Whitney,

I asked Sarah and Eli, but you may be another source to ask Eli was helpful

I hope you can help me find some information I have a local government asking me the question "Generally speaking, what is the CEI cost percentage relative to construction cost?" The general rule of thumb as I have always been told is 15% to 18%, but do you have, or know where I can find any reputable documentation supporting the amount I can provide them? The Cost Estimate Tool states 10%, however I agree with Eli with the possible increase

Thank you!

DAVID SPARKS, P.E.

<IMAGE001.PNG>

From: Eli Jones <Eli.Jones@tn.gov>
Sent: Thursday, October 18, 2018 11:30 AM
To: David Sparks <dsparks@cannon-cannon.com>
Cc: Sarah Sutton <Sarah.Sutton@tn.gov>
Subject: RE: CEI cost percentage of construction cost

David,

I am not aware of any supporting documentation. On my end, we always draft the Exhibit A of the contract based on 10% of the Construction estimate. However, this can easily increase to the 15-20% range based on the complexity of the project.

<Image002.png>
Eli Jones | Transportation Program Supervisor – Regions 1 & 3
Local Programs Development Office
James K. Polk Building, 6th Floor
505 Deaderick Street, Nashville, TN 37243
p. 615-532-3184
Eli.Jones@tn.gov
tn.gov/tdot
www.tn.gov/tdot/local-programs

From: David Sparks [<mailto:dsparks@cannon-cannon.com>]
Sent: Thursday, October 18, 2018 10:22 AM
To: Eli Jones
Cc: Sarah Sutton
Subject: RE: CEI cost percentage of construction cost

*** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. ***

Hi Eli,

I asked Sarah, but you may be the better source to ask. I hope you can help me find some information I have a local government asking me the question 'Generally speaking, what is the CEI cost relative to construction cost?' The general rule of thumb as I have always been told is 15% to 18%, but do you have, or know where I can find any reputable documentation supporting the amount I can give them? The Cost Estimate Tool states 10%.

Thank you!

DAVID SPARKS, P.E.

<IMAGE001.PNG>

From: David Sparks
Sent: Wednesday, October 17, 2018 4:10 PM
To: Sarah Sutton (Sarah.Sutton@tn.gov) <Sarah.Sutton@tn.gov>
Subject: CEI cost percentage of construction cost

Hi Sarah,

I hope you can help me find some information. I have a local government asking me the question 'Generally speaking, what is the CEI cost relative to construction cost?' The general rule of thumb is 15% to 18% up to possibly 20%, as I have always been told, but do you have, or know where I can find any reputable documentation supporting the amount I can give them?

Thank you!

DAVID SPARKS, P.E.

<IMAGE001.PNG>

DIRECT 865.770.4014
MAIN 865.670.8555
MOBILE 865.310.0791
FAX 865.670.8866
EMAIL dsparks@cannon-cannon.com

Cannon & Cannon, Inc
8550 Kingston Pike
Knoxville, Tennessee 37919
www.cannon-cannon.com

<image003.png>

<image004.png> <image005.png> <image006.png>

RESOLUTION

A RESOLUTION TO AMEND RESOLUTION 5-28-2016, WHICH RESOLUTION APPROVED A PROFESSIONAL SERVICES AGREEMENT WITH CANNON & CANNON, INC., KNOXVILLE, TENNESSEE, FOR ENGINEERING SERVICES RELATED TO THE OAK RIDGE TURNPIKE INTERSECTION PEDESTRIAN SAFETY IMPROVEMENTS PROJECT, TO INCREASE THE COMPENSATION BY \$31,500.00.

WHEREAS, by Resolution 5-28-2016, City Council authorized a professional services agreement with Cannon & Cannon, Inc., Knoxville, Tennessee, for engineering services related to the Oak Ridge Turnpike Intersection Pedestrian Safety Improvements Project in the estimated amount of \$96,000.00; and

WHEREAS, Cannon & Cannon, Inc., underestimated the Construction, Engineering, and Inspection (CEI) costs for the engineering services it has provided for this project and an additional \$31,500.00 is requested to account for this error; and

WHEREAS, this project is funded through an Transportation Alternative Program (TAP) grant from the Tennessee Department of Transportation (TDOT) using an 80/20 split, and TDOT has agreed to fund eighty percent (80%) of this request with the City's portion being twenty percent (20%) or \$6,300.00; and

WHEREAS, the City Manager recommends an amendment to Resolution 5-28-2016 to authorize additional compensation for the CEI services.

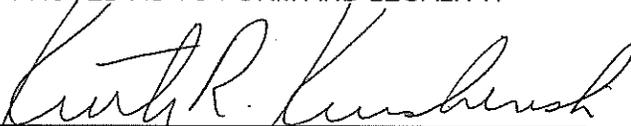
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and Resolution 5-28-2016, which resolution authorized a Professional Services Agreement with Cannon & Cannon, Inc., Knoxville, Tennessee, for engineering services related to the Oak Ridge Turnpike Intersection Pedestrian Safety Improvements Project, is hereby amended to increase the compensation by \$31,500.00 for a new total not-to-exceed amount of \$127,500.00.

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

This the 12th day of November 2018.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

PUBLIC WORKS DEPARTMENT MEMORANDUM
18-81

DATE: October 25, 2018
TO: Mark S. Watson, City Manager
FROM: Shira A. McWaters, P.E., Public Works Director

SUBJECT: ADA COMPLIANCE AND TRANSITION PLAN UPDATE

Introduction

An item for City Council consideration is a recommendation for the Mayor to submit the 2018 update outlining the City's development of an ADA Transition Plan. The purpose of this plan is to provide a framework for achieving equal access to City of Oak Ridge programs, services and activities, within a reasonable timeframe. The Transition Plan is required to be completed before December 31, 2019.

Funding

No funding is required for this update.

Background

Mayor Gooch received a letter dated November 14, 2016 stating that the Federal Highway Administration required TDOT to ensure that every city and county with fifty (50) or more employees have an ADA Transition Plan and Self-Evaluation in order to receive transportation funds. The timetable for achieving all the requirements is four (4) years; this letter completes the third year requirements for calendar year 2018, progress documentation towards the completion of the ADA Transition Plan and Self Evaluation.

Recommendation

Adoption of the attached resolution is recommended.

Attachments

Letter from TDOT dated November 14, 2016
Letter from Mayer Gooch to TDOT Commissioner
Letter from LDA
Self-Evaluation Form



Shira A. McWaters, P.E.

City Manager's Comments:

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



Mark S. Watson

11-8-18

Date



NOV 14 10 13 AM
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

BUREAU OF ENGINEERING
SUITE 700, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1402
(615) 741-0791

JOHN C. SCHROER
COMMISSIONER

BILL HASLAM
GOVERNOR

November 14, 2016

Mayor Warren L. Gooch
P. O. Box 1, 200 So. Tulane Ave. (37830)
Oak Ridge, TN 37831-0001

RE: Americans with Disabilities Act (ADA) Compliance and Self-Certification

Mayor Warren L. Gooch:

Attached you will find a letter from the Federal Highway Administration Tennessee Division, in which the Tennessee Department of Transportation (TDOT) has been informed we must ensure every city and county with fifty (50) employees or more must have an ADA Transition Plan and Self-Evaluation in order to receive Transportation Funds.

This letter also serves as notice of the deadline for submission of compliance documentation. The deadlines for submission are as follows:

December 2016

- Communities with 50 employees or more in their jurisdiction must provide TDOT with documentation stating they have named a qualified person as their ADA Coordinator
- Communities must provide TDOT the Coordinator's contact information
- Communities must develop and publish an ADA grievance procedure

December 2017

- Communities must provide a written letter from the Mayor outlining the development of their Transition Plan
- Letter from the Mayor must be adopted by the City Council or County Commissioners using the city's or county's own procedures

September 2018

- Communities must provide documentation showing they have completed or are making significant progress towards completing an ADA Transition Plan and Self Evaluation
 - All self-certification forms are expected to be returned to TDOT.
- Note: Projects may not be advanced within the city or county without this self-certification form

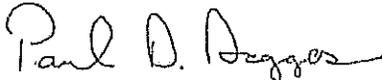
December 2019

- FHWA will require all Transition Plans be completed prior to communities resigning TIP certification

Submission of these deliverables will place TDOT and your community in compliance with the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, Section 504. Following submission, the ADA Transition Plan Form will be received by Deborah Fleming, TDOT's Senior Regional Planner and Margaret Mahler, TDOT's ADA Coordinator. Copies of this form must accompany all applications for funding.

For additional information concerning ADA requirements, please contact Ms. Margaret Zeman Mahler, ADA Coordinator for TDOT, at Margaret.Z.Mahler@tn.gov .

Sincerely,



Paul D. Degges, P.E.
Deputy Commissioner/Chief Engineer



LDA ENGINEERING

October 17, 2018

Ms. Shira McWaters, P.E.
Public Works Director
City of Oak Ridge, Tennessee
100 Woodbury Lane
Oak Ridge, TN 37830

Reference: City of Oak Ridge Public Works Department
ADA Compliance and Transition Plan

Dear Ms. McWaters:

The City of Oak Ridge authorized LDA engineering to perform engineering services to assist with completing an Americans with Disabilities Act review of their facilities for compliance with Title II of the ADA. This includes the work required to complete a Self-Evaluation and Transition Plan (SETP) for Client-owned and leased facilities, parks, and pedestrian right-of-way (ROW) facilities.

Currently, the Right-of-Way (ROW) sidewalks, ramps, and signals data has been collected for the public ROW facility improvements required to meet Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way. The data collections for the buildings and parks is approximately 75% complete for the ADA Standards for Accessible Design (ADASAD) for the City of Oak Ridge. The buildings/parks investigation includes site and architectural barriers consistent with the requirements of the ADASAD (September 2010) in only public areas of each facility and areas deemed to be common use by employees.

LDA engineering is scheduled to complete the Greenway and Exterior Facilities data collections December 31, 2018, and processing the information into Geographic Information System (G.I.S.) geodatabase with all images/datasets in 2019. We would like to start collecting the City of Oak Ridge programs and policies information this calendar year or early in 2019. The Public Outreach and Project Working Group Meetings will be conducted in calendar year 2019. In July 2019, LDA engineering anticipates being authorized for the Self-Evaluation and Transition Plan (SETP) Document. The SETP will be scheduled for completion Fall 2019.

If you have any questions or comments, please feel free to give us a call.

Sincerely,

Greg Jones, P.E.
Vice President

CITY OF OAK RIDGE



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

September 20, 2018

Ms. Margaret Mahler, ADA Coordinator
Tennessee Department of Transportation
Suite 400, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-1402

RE: Americans with Disabilities Act (ADA) Compliance

Dear Ms. Mahler:

The City of Oak Ridge is providing you this letter to provide documentation regarding our progress towards completing an ADA Self-Evaluation and Transition Plan. This notification will serve to meet the September 2018 submission deadline outlined in TDOT's November 2016 letter. The City of Oak Ridge has already provided TDOT with the information required for the December 2016 and 2017 deadlines.

The City of Oak Ridge has contracted with LDA Engineering to provide us with professional services to complete our ADA Self-Evaluation and Transition Plan. LDA has completed, or is in the process of completing, our self-evaluation and will be preparing our transition plan for review. Our project schedule anticipates completion of our transition plan and adoption by our City Council/County Commission in 2019, well in advance of the December 2019 deadline established by TDOT. We will notify TDOT when the City Council/County Commission has adopted our Transition Plan.

If you have any questions, or need additional information about our ADA compliance efforts, please contact Michael Smith at (865) 425-1847 or via email at MSmith@oakridgetn.gov

Tennessee Department of Transportation



Local Agency ADA Compliance Certification

The Tennessee Department of Transportation (TDOT) is required by the Federal Highway Administration (FHWA) to monitor sub-recipients who receive TDOT assistance (local governments, contractors, consultants or groups) to ensure compliance with Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 with respect to TDOT funded (both Federal and State assistance) projects and programs. 28 CFR 35.130(b)(1)(v) and 49CFR27.7(V)

Deadlines have been established to prove compliance. TDOT has listed the deadlines below with the required elements listed. Please submit all information to TDOT via e-mail. The FHWA has indicated that they may not allow federal transportation funds, including State Transportation Block Grant (STBG) Program and Transportation Alternatives Program (TAP) grants, to be spent in your community after 2019 until this work has been developed.

BEFORE December 1, 2016

Physical Address of Agency

City of Oak Ridge

Agency Name

100 Woodbury Lane, P.O. Box 1

Street

Oak Ridge

City

Anderson

County

37830

Zip Code

Name of ADA Coordinator or Contact for ADA Questions

Michael Smith

Name of ADA Coordinator

Operations & Division Manager(Facilities, Streets, Fleet, Stormwater)

Title

865-425-1847

Phone Number

MSmith@oakridgetn.gov

E-mail Address

A copy of the ADA Grievance Procedure

Please provide the location(s) of where a person may find a copy of your ADA Grievance Procedure. (web address, public notices...)

<http://www.oakridgetn.gov/content.aspx?article=3956>

Tennessee Department of Transportation



Local Agency ADA Compliance Certification

BEFORE December 1, 2017

Status of ADA Transition Plan or ADA Self-Evaluation

ADA Self-Evaluation

Complete Completion Date: _____
In-Progress
Not Started

ADA Transition Plan

Complete Completion Date: _____ Submit PDF Copy or Link
In-Progress
Not Started

Please attach the letter of commitment from the mayor. If you've completed your self-evaluation, but haven't completed your Transition Plan, please provide a brief description of the programs and facilities included as part of your agency's self-evaluation.

BEFORE December 2018 (previously September 2018)

Status of ADA Transition Plan or ADA Self-Evaluation

ADA Self-Evaluation

Complete Completion Date: _____
In-Progress
Not Started

ADA Transition Plan

Complete Completion Date: _____ Submit PDF Copy or Link
In-Progress
Not Started

Tennessee Department of Transportation



Local Agency ADA Compliance Certification

BEFORE December 2019

Submit completed copy of your agency's ADA Transition Plan and a Letter certifying your entity has completed the required ADA Transition Plan

Completion Date: _____ Submit PDF Copy

If Transition Plan is not complete, please describe your action plan to complete your agency's ADA Transition Plan.

Letter Date: _____ Submit PDF Copy of Signed Letter



November 13, 2018

Commissioner John C. Schroer
Tennessee Department of Transportation
Bureau of Engineering
Suite 700, James K. Polk Building
505 Deadrick Street
Nashville, TN 37243-1402

RE: Americans with Disabilities Act (ADA) Compliance and Transition Plan

Commissioner John C. Schroer:

The City of Oak Ridge is pleased to provide the 2018 update outlining the development of a Transition Plan and the implementation of this plan. The City currently assures that renovations to public buildings or street projects include updating accessibility issues to the most current standard.

The purpose of the Transition Plan is to provide the framework for achieving equal access to the City of Oak Ridge programs, services and activities within a reasonable timeframe. The City's elected officials and staff believe accommodating disabled persons is essential to good customer service, to the quality of life Oak Ridge residents seek to enjoy and to provide effective governance. The City of Oak Ridge shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the City can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. The City of Oak Ridge will not place surcharges on individuals with disabilities to cover the cost involved in making programs accessible.

During the past year, the City's ADA Coordinator retired. Mr. Michael Smith was hired and will now be the City of Oak Ridge's new ADA Coordinator. The City has also contracted LDA Engineering to assist the City with completing an Americans with Disabilities Act review of our facilities for compliance with Title II of the ADA. As of October 2018, LDA has compiled data on all sidewalks, ramps, and traffic signals that fall in the City of Oak Ridge right-of-ways. LDA has provided an initial summary of their evaluation of these items. This summary states that the existing sidewalks in the right of way of Oak Ridge have an overall compliance of 59%. The sidewalks were evaluated for cross-slope, width, cracks, obstructions, running slope, and several other criteria. The report also states that the curb ramps in the right of way of Oak Ridge have any overall compliance of 62%. The curb ramps were evaluated for running slope, width, detectable warnings, cross slope, and several other criteria. Finally, the summary states that the accessible pedestrian signal (APS) equipment at the City's traffic lights have an overall compliance of 60%. This equipment was evaluated for tactile arrows, locator tone, vibrotactile push buttons, audible indicators, location of buttons, and several other criteria. A complete

evaluation of this study will be provide in the future along with the completed Transition Plan on how these items will be brought into compliance. LDA has also completed approximately 75% of the review for the buildings and parks owned by the City. LDA will continue to assist the City into the early parts of 2019 to complete the full Transition Plan and we are on schedule to have it completed and submitted prior to the December 2019 deadline.

Thank you for the opportunity to provide this update of the progress Oak Ridge is making to complete the Transition Plan within the timetable required to continue to receive Transportation Funds.

Sincerely,

Warren Gooch
Mayor of Oak Ridge, TN

Cc: Mark S. Watson, City Manager
Oak Ridge City Council
Margaret Z. Mahler, TDOT ADA Coordinator
Public Works Department
Michael Smith, ADA Coordinator
Shira McWaters, P.E. Public Works Director

RESOLUTION

A RESOLUTION TO APPROVE AND TRANSMIT A LETTER TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO PROVIDE THE 2018 UPDATE ON THE CITY'S EFFORTS TOWARD AN AMERICANS WITH DISABILITIES (ADA) COMPLIANCE AND TRANSITION PLAN.

WHEREAS, the Federal Highway Administration Tennessee Division requires the State of Tennessee Department of Transportation (TDOT) to ensure every city and county with fifty (50) or more employees has an ADA Transition Plan and Self Evaluation in order to receive transportation funding; and

WHEREAS, TDOT has provided the City with the deadlines for submission of compliance documentation; and

WHEREAS, the required documentation for 2018 is documentation showing completion or significant progress toward completion of an ADA Transition Plan and Self Evaluation, with a requirement that the Transition Plan be complete by December 2019; and

WHEREAS, by Resolution 5-37-2018, City Council authorized a professional services agreement with LDA Engineering, Alcoa, Tennessee, to conduct data-gathering phases of the City's ADA Compliance and Transition Plan, in an amount not to exceed \$165,200.00; and

WHEREAS, the attached letter provides the City's 2018 update toward the development of an ADA Compliance and Transition Plan, with specific reference to the progress made by LDA Engineering in its review of the City's facilities and rights-of-way sidewalks, ramps, and traffic signals.

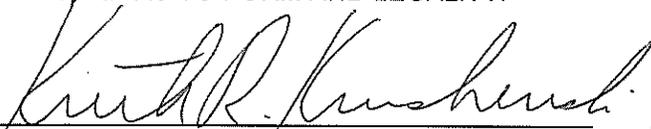
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the attached letter to the Tennessee Department of Transportation Bureau of Engineering regarding the City's 2018 update toward outlining the development of an ADA Transition Plan is hereby approved.

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

This the 12th day of November 2018.

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
18-54

DATE: November 6, 2018

TO: Mark S. Watson, City Manager

THROUGH: Wayne E. Blasius, Community Development Director 

FROM: Jennifer L. Williams, Planner

SUBJECT: REZONING HARBOUR POINTE (ANDERSON COUNTY TAX MAP 107B A 001.00-63.00, 101O A 001.00, 107H A 003.00, AND A PORTION OF 101G A 001.01) LOCATED ON EDGEMOOR ROAD WEST OF PARK MEADE DRIVE AND EAST OF CENTENNIAL VILLAGE APARTMENTS, TO R-2/PUD, LOW DENSITY RESIDENTIAL WITH A PLANNED UNIT DEVELOPMENT OVERLAY, AND APPROVAL OF THE ASSOCIATED PLANNED UNIT DEVELOPMENT PRELIMINARY MASTER PLAN

Introduction

An item for City Council's consideration is an ordinance to rezone Anderson County Tax Map 107B A 001.00-63.00, 101O A 001.00, 107H A 003.00, and a portion of 101G A 001.01, to R-2/PUD, Low Density Residential District with a Planned Unit Development (PUD) overlay, and approval of the associated PUD Preliminary Master Plan. The parcels total approximately 117.04 acres and are located on Edgemoor Road west of Park Meade Drive and east of Centennial Village Apartments, said parcels to be known as Harbour Pointe.

Funding

No funding is associated with this item.

Background

The proposed PUD Preliminary Master Plan presented here amends four areas within the existing Centennial Village PUD Master Plan adopted in 2009. The newly proposed PUD makes the following changes:

<u>Project Area/Existing Zoning</u>	<u>2009 PUD</u>	<u>Current Proposal</u>
Harbor Point A (R1B)	40 Single Family	57 Multifamily lots (R2)
Harbor Point B (R3)	62 Multifamily (platted)	67 Multifamily lots (R2)
Harbor Point C/ The Commons (B-2)	425,000 sq. ft. commercial space	173 Single Family lots (R2) 11.77 acres to remain B-2
Harbor Point D/ Centennial Apts (R-4)	330 Multifamily (252 Apts. Built)	13 Single Family lots (R2)
Open Space	27 acres	TBD based on Revised Preliminary Master PUD Plan

Review

The Planning Commission considered this PUD Preliminary Master Plan and rezoning request at a special called meeting on Monday, November 5, 2018. The application submitted a Preliminary Master

Plan document as well as an exhibit slightly altering the request. The applicant requested that a portion of the property directly adjacent to Edgemoor Road remain B-2.

The Planning Commission voted to approve the rezoning and the PUD Preliminary Master Plan and exhibit subject to the following conditions:

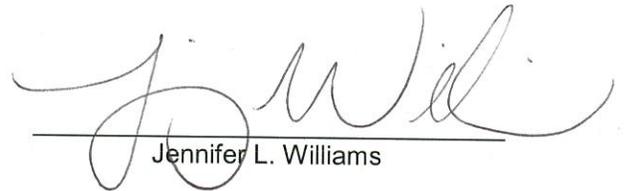
- Provide an updated Preliminary Master Plan incorporating the attached zoning exhibit.
- Show a legend and parcel numbers for lots in Harbour Pointe A and Harbour Pointe B.
- Update the phase list on page one of the attached drawing. It currently lists Phases 1, 3, and 4.
- Label sidewalks and their locations.
- A 20-foot front setback is required for street-facing garages.
- A new/revised Traffic Impact Study will be required prior to the approval of a Final Master Plan for Harbour Pointe C and Harbour Pointe D.
- A buffer between the development and the golf course will be considered as part of the Final Master Plan process.
- Represent all existing electrical easements and facilities on the Preliminary Master Plan.

The applicable conditions should be reflected on the Preliminary Master Plan document currently being presented to Council.

An amendment to the City's Comprehensive Plan will also be required. The Comprehensive Plan amendment was not placed on the November 12, 2018 Council agenda because the state required 30-day public notice requirement could not be met. At this time, the Land Use Plan amendment is scheduled to be on Council's December 10, 2018 agenda. The Planning Commission recommended the Land Use Plan map be changed to "M" Medium Density Residential for the areas being rezoned to R-2.

Recommendation

Approval of the attached ordinance is recommended subject to the conditions imposed by the Planning Commission at their November 5, 2018 meeting.

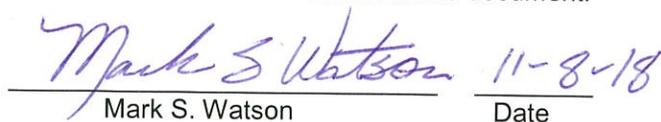


Jennifer L. Williams

Attachments: Current Centennial Village PUD (2009 adopted plan)
Revised Preliminary Master PUD Plan
Proposed Ordinance

City Manager's Comments:

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



Mark S. Watson 11-8-18
Date

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 001.00, ANDERSON COUNTY TAX MAP 101O, GROUP A, FROM R-1-B, SINGLE FAMILY RESIDENTIAL, TO R-2/PUD, LOW DENSITY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY; PARCELS 001.00-063.00, ANDERSON COUNTY TAX MAP 107B, GROUP A, FROM R-3, MEDIUM DENSITY RESIDENTIAL, TO R-2/PUD, LOW DENSITY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY; A PORTION OF PARCEL 001.01, ANDERSON COUNTY TAX MAP 101G, GROUP A, FROM B-2, GENERAL BUSINESS, TO R-2/PUD, LOW DENSITY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY; AND PARCEL 003.00, ANDERSON COUNTY TAX MAP 107H, GROUP A, FROM R-3, MEDIUM DENSITY RESIDENTIAL, TO R-2/PUD, LOW DENSITY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY; ALL PARCELS BEING LOCATED ON THE NORTH SIDE OF EDMOOR ROAD WEST OF PARK MEADE DRIVE AND EAST OF CENTENNIAL VILLAGE APARTMENTS; AND APPROVING THE ASSOCIATED PLANNED UNIT DEVELOPMENT PRELIMINARY MASTER PLAN COLLECTIVELY CONTAINING APPROXIMATELY 117.04 ACRES.

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

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

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

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

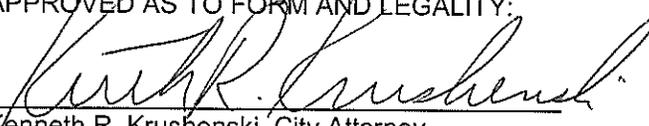
<u>Property Description</u>	<u>Location</u>	<u>Present Zoning District</u>	<u>New Zoning District</u>
Parcel 001.00 Map 101O, Group A, Harbour Pointe "A" (± 15.5 Acres)	North side of Edgemoor Road west of Park Meade Drive and east of Centennial Village Apts	R-1-B, Single Family Residential	R-2/PUD, Low Density Residential with a Planned Unit Development Overlay
Parcel 001.00-063.00 Map 107B, Group A, Harbour Pointe "B" (± 13.6 Acres)	North side of Edgemoor Road west of Park Meade Drive and east of Centennial Village Apts	R-3, Medium Density Residential	R-2/PUD, Low Density Residential with a Planned Unit Development Overlay
A portion of Parcel 001.01 Map 101G, Group A, Harbour Pointe "C" (± 65.03 Acres)	North side of Edgemoor Road west of Park Meade Drive and east of Centennial Village Apts	B-2, General Business	R-2/PUD, Low Density Residential with a Planned Unit Development Overlay
Parcel 003.00 Map 107H, Group A, Harbour Pointe "D" Centennial Village Apartments Phase II (± 11.14 Acres)	North side of Edgemoor Road west of Park Meade Drive and east of Centennial Village Apts	R-3, Medium Density Residential	R-2/PUD, Low Density Residential with a Planned Unit Development Overlay

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. The Planned Unit Development Preliminary Master Plan for the development as shown on the drawing prepared by Lose Design, dated October 22, 2018, is hereby approved subject to the conditions as set forth by the Planning Commission at their November 5, 2018 meeting.

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

APPROVED AS TO FORM AND LEGALITY:



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: _____

Placeholder:

Action or delay to be determined by Planning Commission and City Council work session on November 8, 2018

FINAL ADOPTION
OF
ORDINANCES

**COMMUNITY DEVELOPMENT MEMORANDUM
PLANNING DIVISION
18-38**

DATE: October 10, 2018

TO: Mark S. Watson, City Manager 

THROUGH: Wayne E. Blasius, Community Development Director 

FROM: Nathalie A. Schmidt, AICP, Senior Planner

SUBJECT: ZONING CHANGE REQUEST FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LAFAYETTE DRIVE AND MARQUETTE ROAD FROM R-2 LOW-DENSITY RESIDENTIAL DISTRICT TO R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT; ANDERSON COUNTY TAX MAP 100H, GROUP A, PARCEL 007.00, .59 ACRES

Introduction

An item for City Council's consideration is an ordinance to rezone Anderson County Tax Map 100H, Group A, Parcel 007.00, located at the southeast corner of Lafayette Drive and Marquette Road, from R-2 Low Density Residential District to R-3 Medium Density Residential District.

Funding

No funding is necessary to approve this request.

Background

The petitioned site is one block south of the intersection of Lafayette Drive and the Oak Ridge Turnpike. Across Marquette is the rear parking lot and entrance to the First Baptist Church. Across Lafayette are the First Presbyterian Church (which fronts the Turnpike), an office building with a lodge hall behind it and the Cumberland Presbyterian Church, both set well back from the street. The neighborhood behind the property is legacy housing within a Manhattan District Overlay (MDO). Just south of the property is Willow Place, a relatively new upscale housing development. All of the surrounding properties on Lafayette Drive have buildings that are well constructed and well maintained, designed to be attractive from the streets and inviting to potential visitors.

Lafayette Drive is a heavily traveled arterial street. Marquette is a minor residential street. The subject property is relatively level though development is limited by existing water and sewer easements crossing the property. The site is part of the MDO overlay, which enjoys reduced building setback requirements.

The petitioner states that the proposed zoning is more appropriate than the existing zoning because "it would expand the potential for office space use." The zoning ordinance only permits residential and selected public/quasi-public uses by right in an R-2 district. An R-3 district would allow by right a significant list of office and non-residential uses, as included below.

Pursuant to Article V, Section 5.05 of the Zoning Ordinance, the following regulations apply in R-3 Medium Density Residential Districts.

- a) Permitted Principal Uses:
 - 1. Duplex.
 - 2. Single family attached dwellings with no more than 8 contiguous units.

3. Public, non-profit and community facilities; recreation areas and uses and ancillary structures such as, but not limited to, picnic grounds, playgrounds, stadiums, swimming pools, tennis courts and baseball fields including stands and fences; community center; libraries and museums.
4. Business and professional offices.
5. Hospital, clinic, mental health clinic, and related medical office uses.
6. Animal hospitals/clinics.
7. Buildings and meeting rooms which are associated with charitable, philanthropic, civic, or professional clubs.
8. Assisted living facilities, independent living facilities, nursing homes and retirement center.
9. Local government, state or federal uses, public utility building, telephone exchange, transformer station, and electrical transmission towers; providing such use will promote the general welfare of the community and will have no material adverse effect upon the district in which it is located.
10. Religious institutions.
11. Private and public educational institutions.
12. Bed and Breakfast (Inn).

(b) Permitted Accessory Uses:

1. Any use customarily incidental to the permitted principal uses, including office uses having to do with the management and administration of any permitted use.
2. Home occupations as defined in Article II and meets the requirements of Section 3.11.

(c) Special Exceptions Requiring Board of Zoning Appeals Approval:

1. Public, non-profit and community facilities; recreation areas and uses and ancillary structures such as, but not limited to, picnic grounds, playgrounds, stadiums, swimming pools, tennis courts and baseball fields including stands and fences; community centers; libraries and museums.
2. Cemetery.
3. Family day care home, group day care homes, and adult day care facility,
4. Permanent and transient group care facilities.

(d) Area, Height, Bulk and Placement Regulations

Maximum Usable Floor Area (footprint of the building) to Lot Area 30% for permitted uses and 60% for Special Exceptions.

Minimum Size of Lot per Principle building: 3,600 square feet per dwelling unit and not to exceed 12 units per acre.

Minimum Required Setback Dimensions in Feet: Front – 25 feet; Side – 10 feet for <3 stories, + 10 feet for each additional story but not to exceed 50 feet; Rear – 30 feet.

Maximum Height in feet: 55.

NOTE: See Articles XIII and XVI of this ordinance for applicable site plan review regulations.

Also note that in Article IX, Section 9.09 of the Zoning ordinance, the MDO setbacks for principle buildings and accessory buildings is 5 feet at the front, side and rear property lines.

Land Use Plan
Proposed Ordinance

Nathalie Schmidt
Nathalie A. Schmidt, AICP, Senior Planner

City Manager's Comments:

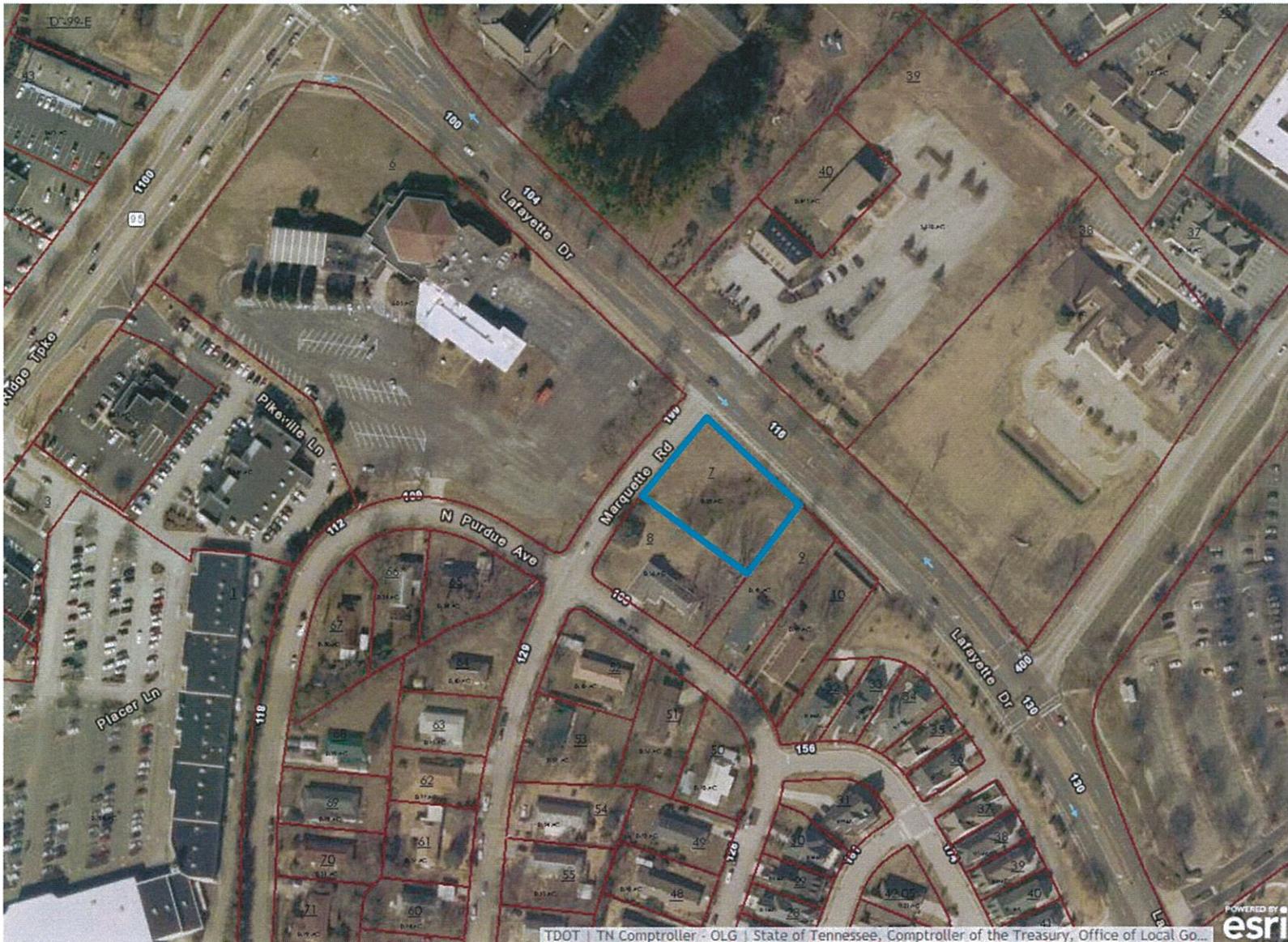
I have reviewed the above issue and recommend Council action as outlined in this document.

Mark S. Watson
Mark S. Watson

10/22/18
Date

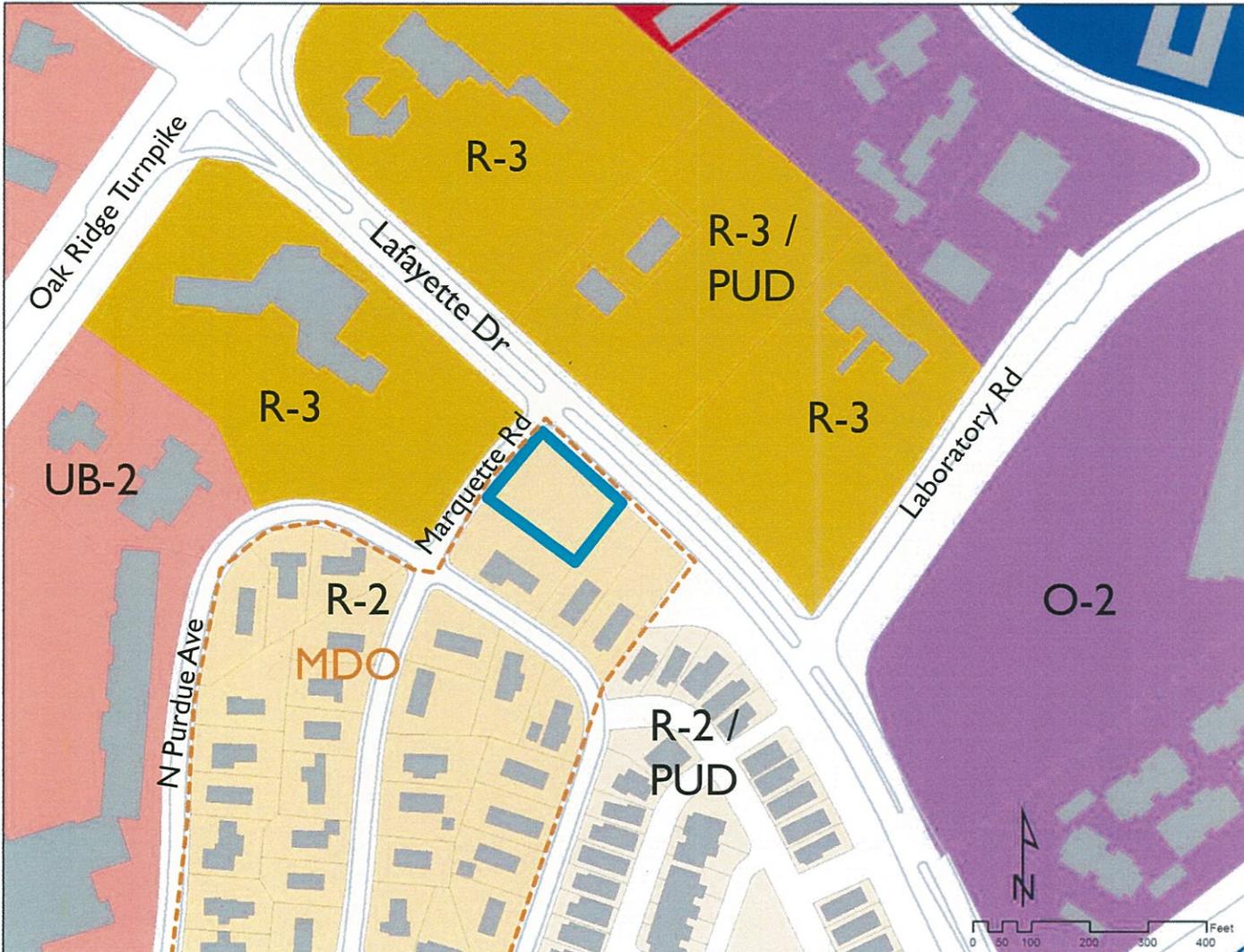
Rezoning Request – Aerial

Anderson County Tax Map 00H, Group A, Parcel 007.00, at the corner of Marquette Rd and Lafayette Dr

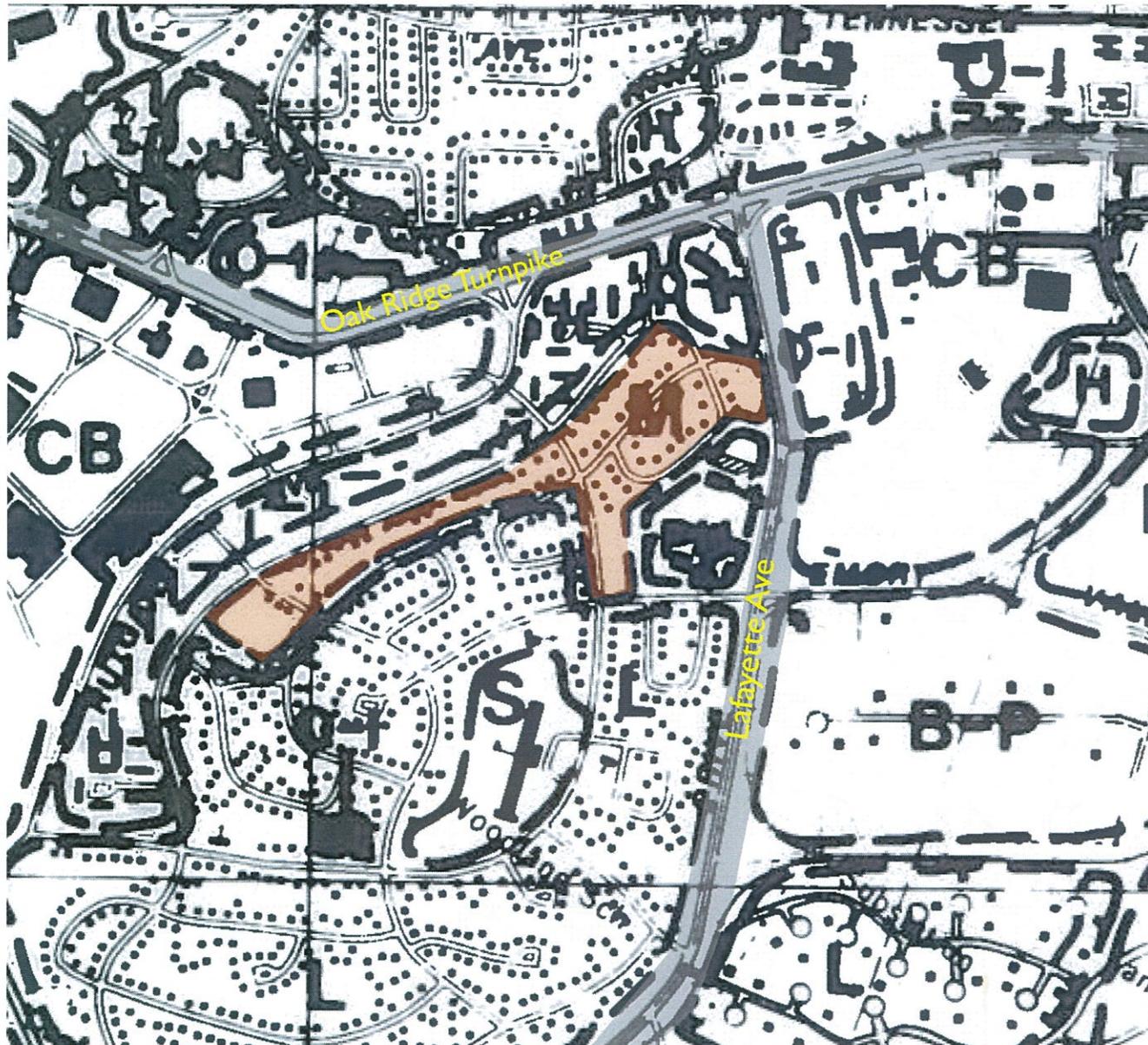


Rezoning Request – Surrounding Zoning

Anderson County Tax Map 00H, Group A, Parcel 007.00, at the corner of Marquette Rd and Lafayette Dr



Comprehensive Plan – Land Use Plan



Land Use Plan

- L Low-Density Housing
- M Mid-Density Housing
- H High-Density Housing
- NB Neighborhood Business
- CB Community Business
- OI Office-Institutional
- BP Business Park
- G General Industrial
- PU Public
- P Park
- S School
- G Greenbelt
- U Unimproved



TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 007.00, ANDERSON COUNTY TAX MAP 100H, GROUP A, (APPROXIMATELY 0.59 ACRES) FROM R-2, LOW DENSITY RESIDENTIAL, TO R-3, MEDIUM DENSITY RESIDENTIAL; SAID PARCEL BEING LOCATED AT THE SOUTHEAST CORNER OF LAFAYETTE DRIVE AND MARQUETTE ROAD.

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 subject to certain conditions; and

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

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

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

<u>Property Description</u>	<u>Location</u>	<u>Present Zoning District</u>	<u>New Zoning District</u>
Parcel 007.00 Map 100H, Group A (± 0.59 Acres)	Southeast corner of Lafayette Drive and Marquette Road	R-2, Low Density Residential	R-3, Medium Density Residential

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

First Reading: 10/29/2018
Publication Date: 11/01/2018
Public Hearing: _____
Second Reading: _____
Publication Date: _____
Effective Date: _____

RESOLUTIONS

PUBLIC WORKS DEPARTMENT MEMORANDUM
18-80

DATE: October 25, 2018

TO: Mark S. Watson, City Manager

THROUGH: Shira A. McWaters, P.E., Public Works Director **S A M**

FROM: Patrick Berge, P.E., Utility Manager

SUBJECT: SUPPLEMENT FOR TRESTLES, LLC FOR PROFESSIONAL ENGINEERING SERVICES AGREEMENT – TURTLE PARK PUMP STATION CONSTRUCTION ADMINISTRATION, RESIDENT PROJECT REPRESENTATION AND POST CONSTRUCTION SERVICES

Introduction

An item for City Council's consideration is the recommendation of a resolution to amend the professional services agreement with Trestles, LLC, Nashville, TN, in the amount of \$30,000 for professional services in connection with Resident Project Representation (RPR) associated with the Turtle Park Pump Station Improvement Project, Phase II.

Funding

Funding for professional services is available from the TDEC State Revolving Fund (SRF), loan CWSRF 2017-396, Resolution 5-40-2017, which was approved by City Council on May 31, 2017, in the amount of \$3,100,000, which includes construction and professional services associated with this project.

Background

City Council approved resolution 8-95-2017, a professional services agreement with Trestles, LLC, on August 14, 2017, to provide professional services in connection with the Turtle Park Pump Station Improvement Project, Phase II, in an amount not to exceed \$166,000. Contract FY2018-001 was awarded to Design & Construction Services, Inc., Knoxville, TN, on September 11, 2017, for the construction of improvements at the Turtle Park Pump Station in the amount of \$2,168,000.

Analysis

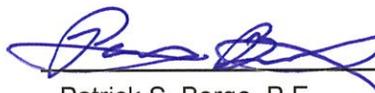
The original completion date for this project was July 2, 2018, but has been revised to December 31, 2018. The project was delayed due to not receiving materials until July 2018. This resulted in a delay of over four (4) months. All further delays in the project have been properly accounted for and would not have resulted in the need for increased fees.

Construction Administration fees were minimized during the delay; however, RPR costs continued to accrue due to ongoing work at the site. RPR costs incurred on this project have been minimized to the extent possible, however, due to the significantly extended timeline, the budget for RPR will be exceeded during November 2018. RPR expenses through September 2018 were \$64,500. The initial estimate for the length of construction for this project was approximately nine (9) months and Trestles, LLC has been able to extend this timeline an additional four (4) months without incurring additional costs. However, the extension to December 2018 could not have been reasonably foreseen when estimating costs. In order to provide the funds necessary to continue to provide RPR services during the remainder of this project, an additional \$30,000 is being requested.

Recommendation

Trestles, LLC has provided oversight throughout this project and has worked closely with staff to reduce further delays and costs. Due to the extended nature of the delays during this project the exceedance of initial estimated the RPR costs is not unreasonable. Therefore staff recommends approval of the request.

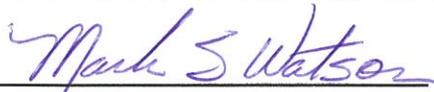
Attachment(s)
September 21, 2018 letter from Mr. Dudley Fox, P.E. with Trestles, LLC
July 27, 2018 letter from Ms. Paula Mitchell with TDEC



Patrick S. Berge, P.E.

City Manager's Comments:

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



Mark S. Watson

11-8-18

Date



September 21, 2018

Mrs. Shira McWaters
Director – Public Works Department
City of Oak Ridge
P.O. Box 1
Oak Ridge, Tennessee 37831-0001

Re: Turtle Park Pump Station
RPR Services – Additional Fees

Dear Shira,

We are requesting additional RPR budget for the Turtle Park Pump Station project. As you are aware, the project has experienced delays due to material availability and that has caused the construction project schedule to be extended by approximately four (4) months. The original completion date was July 2, 2018 and the revised date is December 31, 2018. As a result the previously established RPR budget is nearing its limit. We therefore request the following additional fees.

Current Fee- RPR	Time & Materials Not-to-Exceed	\$80,000
Additional Fee - RPR	Time & Materials Not-to-Exceed	\$30,000
Total Revised RPR Fee	Time & Materials Not-to-Exceed	\$110,000

RPR services are provided on a time and materials basis so Oak Ridge will only be charged the actual amount expended.

We appreciate the opportunity to provide this request. We look forward to continuing our work with Oak Ridge. Should you have any questions about this, please do not hesitate to contact me at (615) 476-0706 or dudneyfox@trestlesllc.com.

Sincerely,

Dudley Fox, PE
Principal



Division of Water Resources / State Revolving Fund Loan Program
William R. Snodgrass TN Tower, 12th Floor
312 Rosa L. Parks Avenue, Nashville TN 37243
Phone: (615) 532-0445

July 27, 2018

The Honorable Warren L. Gooch, Mayor
City of Oak Ridge
Email Transmittal To: wgooch@oakridgetn.gov

RE: Amended Project Schedule
Oak Ridge (Anderson and Roane Counties), Tennessee
Loan No. SRF 2017-396, Wastewater Pump Station Improvements Project
Turtle Park Pump Station Improvements Contract

Dear Mayor Gooch:

The City of Oak Ridge was awarded a State Revolving Fund (SRF) loan, Loan No. SRF 2017-396 in the amount of \$3,100,000 on June 22, 2017, relative to a construction project that included the Turtle Park Pump Station Improvements contract. The SRF Loan Program appreciates the opportunity to assist the City of Oak Ridge with its funding needs.

In order to obtain the Clean Water loan funding, the City of Oak Ridge entered into a loan agreement with the SRF Loan Program, executed by Mr. Mark Watson, City Manager, as the Authorized Representative. The project schedule as can be seen in the loan agreement included milestone dates for completion of certain relative tasks associated with the project. The SRF Loan Program received two letters from the City of Oak Ridge dated May 5, 2018, and July 27, 2018, requesting additional time to meet the American Iron and Steel requirements in the loan agreement. The SRF Loan Program has reviewed your request and is pleased to inform you that your project schedule has been extended as follows:

- a. Initiate operation on or before November 30, 2018
- b. Complete construction on or before December 31, 2018

Please implement any and all efforts to ensure adherence to the amended project schedule. Failure to adhere to the project schedule established above will constitute a breach of contract pursuant to Division Rule 0400-46-06-.07 (10) and may result in loss of principal forgiveness, loss of interest rate reduction, or both.

Thank you for your interest in the SRF Loan Program. Please do not hesitate to contact me at (615) 532-0663 or paula.mitchell@tn.gov if you have any questions.

Sincerely,

Paula Mitchell, Deputy Director of Operations
Division of Water Resources

cc: Mr. Mark Watson, City Manager, Oak Ridge, TN
(via email at mwatson@oakridgetn.gov)
Ms. Janice McGinnis, Finance Director, Oak Ridge, TN
(via email at jmcginnis@oakridgetn.gov)
Ms. Shira McWaters, Director, Public Works Department, Oak Ridge, TN
(via email at smcwaters@oakridgetn.gov)
Mr. Patrick Berge, Utility Manager, Public Works Department, City of oak Ridge
(via email at pberge@oakridgetn.gov)
Mr. Dudley Fox, P.E., Trestles, LLC, Nashville, TN
(via email at dudneyfox@trestlesllc.com)
Ms. Felicia Freeman, Environmental Manager, SRF Loan Program (via email)
Ms. Andrea Fenwick, Manager, Administrative and Financial Sections, SRF Loan Program (via email)

RESOLUTION

A RESOLUTION TO AMEND RESOLUTION 8-95-2017, WHICH RESOLUTION APPROVED A PROFESSIONAL SERVICES AGREEMENT WITH TRESTLES, LLC, NASHVILLE, TENNESSEE, FOR ENGINEERING SERVICES RELATED TO THE TURTLE PARK WASTEWATER PUMP STATION CONSTRUCTION PROJECT, TO INCREASE THE COMPENSATION BY \$30,000.00.

WHEREAS, by Resolution 8-95-2017, City Council authorized a professional services agreement with Trestles, LLC, Nashville, Tennessee, for engineering services to provide construction administration, resident project representation (RPR), and post construction services for the Turtle Park Wastewater Pump Station construction project in an amount not to exceed \$166,000.00; and

WHEREAS, completion of the project has been delayed from July 2, 2018 to December 31, 2018 due to a delay in receiving materials; and

WHEREAS, such a delay could not have been reasonably foreseen by Trestles, LLC, when estimating RPR costs and an additional \$30,000.00 is requested in order to account for this extension of RPR services; and

WHEREAS, the City Manager recommends an amendment to Resolution 8-95-2017 to authorize additional compensation for the added RPR services.

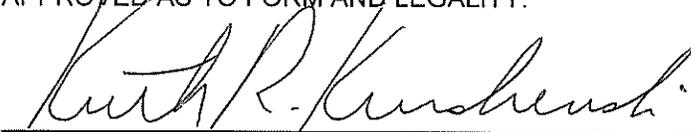
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and Resolution 8-95-2017, which resolution authorized a Professional Services Agreement with Trestles, LLC, Nashville, Tennessee, for engineering services to provide construction administration, resident project representation (RPR), and post construction services for the Turtle Park Wastewater Pump Station construction project, is hereby amended to increase the compensation by \$30,000.00 for a new total not-to-exceed amount of \$196,000.00.

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

This the 12th day of November 2018.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

CITY
MANAGER'S
REPORT



REC'D CITY MGR'S OFFICE
'18 OCT 12 AM 8:45

Department of Energy

Oak Ridge Office of Environmental Management
P.O. Box 2001
Oak Ridge, Tennessee 37831

October 9, 2018

DISTRIBUTION

MEMBER RECRUITMENT FOR THE OAK RIDGE SITE SPECIFIC ADVISORY BOARD

The U.S. Department of Energy (DOE) Oak Ridge, Tennessee, is seeking volunteers to fill future vacancies on the Oak Ridge Site Specific Advisory Board, Citizens' Panel. The Panel provides independent advice and recommendations to DOE on environmental cleanup issues on the Oak Ridge Reservation.

The Board was chartered in 1995 under the Federal Advisory Committee Act and is composed of up to 22 members, who are chosen to reflect diversity of gender, race, occupation, and interests of persons living in this area. The enclosed recruitment notice provides general information. Additional information may be obtained by calling (865) 241-4583 or (865) 241-4584 or visiting the Board's website at www.energy.gov/orssab.

Advertisements have been placed in newspapers and other media in your area to solicit applications, but we would welcome your mentioning this opportunity to anyone you feel would be appropriate. There are no restrictions on the number of members from any locale who may apply or be appointed; however, we do strive for broad representation. Technical expertise is not required for membership, as a wide range of backgrounds and viewpoints is preferred.

Also enclosed is an application form. You may copy that form or obtain copies at the DOE Information Center, 1 Science.gov Way, Oak Ridge, Tennessee 37830. You may also call the numbers above or go to the Board's website. The deadline for submitting applications is January 16, 2019.

Completed applications may be returned to the DOE Information Center at the address above or to me.

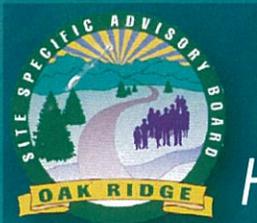
Sincerely,

A handwritten signature in blue ink that reads "Melyssa P. Noe".

Melyssa P. Noe
Alternate Deputy Designated Federal Officer
Oak Ridge Site Specific Advisory Board

Enclosures:

1. Recruitment Notice
2. Application Form



Your voice matters

Help ensure a safe, healthy future for your community

Oak Ridge Site Specific Advisory Board

Contribute to shaping the
U.S. Department of Energy's environmental
cleanup and monitoring activities in Oak Ridge

—
Volunteer just 3 hours per month, on average

—
No technical expertise necessary

APPLY TODAY!

www.energy.gov/orssab

(865) 241-4584

orssab@orem.doe.gov

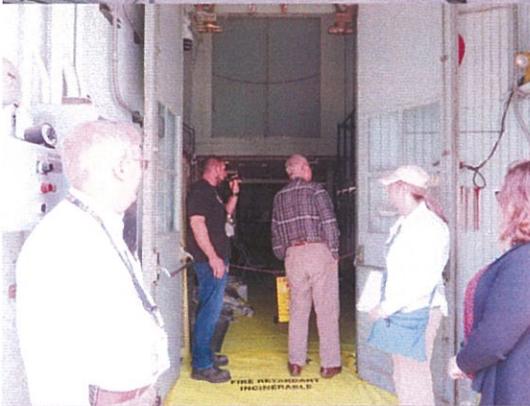
The Oak Ridge Site Specific Advisory Board (ORSSAB) is a federally chartered volunteer citizens' advisory board to the U.S. Department of Energy's (DOE) Oak Ridge Environmental Management (OREM) program.

Members are chosen to reflect the diversity of gender, race, occupations and interests of people living near the DOE Oak Ridge Reservation.

The board meets at **6 p.m.** on the
2nd & 4th Wednesdays of most months.



U.S. DEPARTMENT OF
ENERGY



U. S. DEPARTMENT OF ENERGY
ENVIRONMENTAL MANAGEMENT SITE-SPECIFIC ADVISORY BOARD (EM SSAB)
Oak Ridge Site Specific Advisory Board

Application No. (Please leave blank) _____

Updated 9/24/18

MEMBERSHIP APPLICATION

The EM SSAB (or Board) provides meaningful opportunity for collaborative dialogue among the diverse communities at the Department of Energy (DOE) Environmental Management (EM) clean-up sites. At the request of the Assistant Secretary or the Site Manager/Assistant Manager for Environmental Management, the Board provides advice and recommendations concerning EM site-specific issues.

The Board's membership is carefully considered to reflect a full diversity of viewpoints in the affected community and region.

Currently, the EM SSAB comprises eight local boards, which are located near DOE sites across the country: Hanford, Idaho, Nevada, Northern New Mexico, Oak Ridge, Paducah, Portsmouth, and Savannah River. If appointed, you will be serving on the **Oak Ridge Site Specific Advisory Board**.

Members appointed by DOE to serve on the EM SSAB are subject to conflict-of-interest principles in order to maintain the integrity of the EM SSAB's work. Upon appointment, members are provided with details regarding the specific conflict-of-interest principles.

Membership Terms

1. EM SSAB members are appointed for a two-year term. Appointments may be renewed twice for a maximum period of service of six years.
2. EM SSAB members are not compensated for their service.
3. DOE provides reimbursement for authorized travel and subsistence (federal per diem) expenses for eligible members.

You must be a U.S. Citizen or a legal resident to serve on the EM SSAB.

U.S. federal government employees are ineligible to serve on the EM SSAB.

If you would like to be considered for membership on the EM SSAB, please complete pages 2 - 4 of this application and forward it and your resume, if available, to the contact for your local EM SSAB listed below. For more information on the EM SSAB, visit <http://energy.gov/em/services/communication-engagement/em-site-specific-advisory-board-em-ssab> or the Web site for your local board, www.energy.gov/orssab.

Please send your application to us at: orssab@orem.doe.gov
or mail to
Oak Ridge Site Specific Advisory Board
U.S. Department of Energy
P.O. Box 2001, EM-94
Oak Ridge, TN 37831

*****Please attach your current resume or curriculum vitae to this application, if available.
Please return promptly.

NOTE: Processing EM SSAB membership applications can take as long as five months.

U. S. DEPARTMENT OF ENERGY
ENVIRONMENTAL MANAGEMENT SITE-SPECIFIC ADVISORY BOARD (EM SSAB)
(INSERT SITE NAME HERE)

Application No. (Please leave blank) _____

MEMBERSHIP APPLICATION

Why do you want to serve on the EM SSAB?

The EM SSAB is chartered under the Federal Advisory Committee Act (FACA) and, as such, must represent a diversity of views. To better understand the issues and concerns that have led you to apply for membership on this board, please indicate your primary interest(s) or the perspective that you believe you most represent.

Please limit your choices to **two (2) categories** and indicate your selections with a checkmark. In addition, please briefly explain those checked interests on the lines below the categories.

- | | |
|--|--|
| <input type="checkbox"/> County/City/Tribal Government | <input type="checkbox"/> Civic Issues |
| <input type="checkbox"/> Educational Issues | <input type="checkbox"/> Environmental Issues |
| <input type="checkbox"/> Minority Issues | <input type="checkbox"/> Public Health |
| <input type="checkbox"/> Labor Issues | <input type="checkbox"/> Business Issues |
| <input type="checkbox"/> Other (please explain) | <input type="checkbox"/> Economic Development Issues |

Please list all groups or organizations that you **currently** belong to and the **dates of membership**. Specify if you hold an office, chair a committee, etc. Note: Membership in an organization is NOT a requirement for membership in the EM SSAB.

The EM SSAB is looking for members from organizations including, but not limited to: County/City/Tribal governments, public or private educational institutions, minority groups, labor organizations, civic groups, environmental groups, public health and health care organizations, business groups, neighborhood groups.

<u>Name of Organization</u>	<u>Dates of Membership</u>	<u>Role (member, chair, president, etc.)</u>
-----------------------------	----------------------------	--

U. S. DEPARTMENT OF ENERGY
ENVIRONMENTAL MANAGEMENT SITE-SPECIFIC ADVISORY BOARD (EM SSAB)
(INSERT SITE NAME HERE)

Application No. (Please leave blank) _____

MEMBERSHIP APPLICATION

Please note that a degree, certification, or technical background is NOT required for board membership. Members with different educational backgrounds all contribute to a diversity of opinions and experiences.

<u>Degree/Certification</u>	<u>Field</u>	<u>School/Institution</u>

Diversity Information (optional)

To meet the diversity membership criteria in the EM SSAB Guidance, DOE requests certain cultural and geographic information about applicants. Information in this section will be used for that specific purpose only.

Race/Ethnicity:

- Caucasian African American Hispanic or Latino Native American Asian-American
 Other minority _____

Gender: M F

Age: Under 30 30-45 45-65 Over 65

How did you hear about the EM SSAB? Please check all that apply.

- | | |
|---|---|
| <input type="checkbox"/> Newspaper advertisement
Name of newspaper _____ | <input type="checkbox"/> Social media (Facebook, Twitter, etc.) |
| <input type="checkbox"/> EM SSAB website | <input type="checkbox"/> EM SSAB member |
| <input type="checkbox"/> E-mail Announcement | <input type="checkbox"/> DOE Mailings |
| <input type="checkbox"/> Other (please explain) _____ | |

=====

Membership Commitment

If selected to serve on the EM SSAB, I agree to attend board meetings and related training events, review background materials, and work cooperatively with the membership to fulfill the purpose of the board. Furthermore, I understand that the commitment of time expected is about 3 to 10 hours per month on average. I also understand that I will be a representative of my community and my work with the board will be directed toward issues affecting the EM program.

Print Name _____

Signature _____ Date _____