

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

September 14, 2020 - 7:00 p.m.

AGENDA

I. INVOCATION

Pastor James Raffety, Central Baptist Church

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. PROCLAMATIONS AND PUBLIC RECOGNITIONS

Public Recognitions

a. Introduction of new Personnel Director Janice Harris

Proclamations

a. A proclamation honoring former Oak Ridge Fire Chief Darryl Kerley

b. A proclamation honoring Boston Government Services, LLC

c. A proclamation designating September, 2020 as Suicide Prevention Awareness Month

d. A proclamation designating September, 2020 as Recovery Month

e. A proclamation designating September, 2020 as Big Brothers Big Sisters Month

V. CONSENT AGENDA

a. Approval of August 10, 2020 City Council regular meeting minutes

b. Approval of Youth Advisory Board Annual Goals

c. A RESOLUTION AUTHORIZING FISCAL YEAR 2021 EXPENDITURES IN THE ESTIMATED AMOUNT OF \$55,000.00 TO XEROX CORPORATION.

d. A RESOLUTION APPROVING A CONTRACT WITH AT&T FOR FIRSTNET CELLULAR COMMUNICATION SERVICES FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$50,000.00 FOR FISCAL YEAR 2021 UTILIZING STATE CONTRACT PRICING.

e. A RESOLUTION ACCEPTING TWO (2) GRANTS FROM THE TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY FOR THE POLICE DEPARTMENT IN THE AMOUNTS OF \$22,000.00 AND \$20,000.00, WITH NO LOCAL MATCH REQUIREMENT.

f. A RESOLUTION TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES AND REGULATIONS, AND TO PROVIDE FOR A SAFETY DIRECTOR AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN.

VI. SPECIAL REPORTS

(NONE)

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 DELETING SUBSECTION (A) OF SECTION 3.02, TITLED, "GENERAL LAND USE PROVISIONS," AND SUBSTITUTING THEREFOR A NEW SECTION 3.02(A) TO ADDRESS POSSESSION OF CHICKENS IN RESIDENTIAL AREAS; BY DELETING THE REFERENCE TO "SECTION 2.07" IN SECTION 3.10(A) AND THE REFERENCE TO "2.08(R)" IN SECTION 3.11(B) AND REPLACING BOTH WITH A REFERENCE TO "ARTICLE II" FOR CORRECTNESS; BY DELETING THE FOLLOWING SECTIONS WITHOUT REPLACEMENT: SECTION 3.13, SECTION 5.05(C)(1), SECTION 7.03(C)(7), AND SECTION 8.01(B)(10) TO REMOVE REDUNDANT PROVISIONS; AND BY DELETING SUBSECTION (A) OF SECTION 16.16, TITLED, "REVIEWS AND PERFORMANCE STANDARDS," AND SUBSTITUTING THEREFOR A NEW SECTION 16.16(A) TO CORRECT TYPOGRAPHICAL ERRORS. **(Public hearing will be held on second reading.)**

VIII. FINAL ADOPTION OF ORDINANCES

(NONE)

IX. RESOLUTIONS

(NONE)

X. APPEARANCE OF CITIZENS

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

a. Elections/Appointments

- i. Appointment of City Council Budget and Finance Committee

b. Announcements

c. Scheduling

- i. Discussion of special meeting prior to September 22nd work session to vote on a bid award for roof projects

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. SUMMARY OF CURRENT EVENTS

a. CITY MANAGER'S REPORT

b. CITY ATTORNEY'S REPORT

XIV. ADJOURNMENT

PROCLAMATIONS

CITY CLERK MEMORANDUM
20-17

DATE: September 4, 2020
TO: Honorable Mayor and Members of City Council
FROM: Mary Beth Hickman, City Clerk
SUBJECT: PROCLAMATIONS FOR THE SEPTEMBER 14, 2020 CITY COUNCIL MEETING
AGENDA

The following proclamations are presented for the September 14, 2020 City Council meeting for the City Council's consideration:

A proclamation honoring former Oak Ridge Fire Chief Darryl Kerley

This request was submitted by Councilmember Jim Dodson and City Manager Mark Watson to recognize former Chief Darryl Kerley for his years of service. Chief Kerley served his last day as Fire Chief for the City of Oak Ridge on August 21, 2020.

A proclamation honoring Boston Government Services, LLC

This request was submitted by Councilmember Jim Dodson to recognize Boston Government Services, LLC (BGS), an Oak Ridge based, minority-owned company recently named to the Inc. 5000 List of Fastest Growing Companies in America.

A proclamation designating September, 2020 as Suicide Prevention Awareness Month

This request was submitted by Stacey Pratt, Project Director of ASAP of Anderson to designate September, 2020 as Suicide Prevention Awareness Month. 2020 marks the Tennessee Suicide Prevention Network's 20th Anniversary.

A proclamation designating September, 2020 as Recovery Month

This request was submitted by Oak Ridge resident Caroline Beidler, who serves as a volunteer with Recovery Advocacy Project TN to designate September, 2020 as Recovery Month in order to increase awareness of the resources available to people suffering from mental and substance use disorders.

A proclamation designating September, 2020 as Big Brothers Big Sisters Month

This request was submitted by Mayor Warren Gooch to designate September, 2020 as Big Brothers Big Sisters Month in order to educate the public as to the benefits of mentoring through this program.



Mary Beth Hickman

Attachment:
Proclamations

PROCLAMATION

WHEREAS, Oak Ridge Fire Chief Darryl Kerley is transitioning from forty-three years of active fire service with four different fire departments and twenty-two years serving as Fire Chief for three of those departments to a position as a full-time Fire Service Instructor and Coordinator with the State of Tennessee; and

WHEREAS, on Friday, August 21, 2020, Chief Kerley served the last day of his six-year appointment to the Tennessee Commission on Firefighter Standards and Education and his last day as Fire Chief for the City of Oak Ridge; and

WHEREAS, Chief Kerley began his career in 1978 working as a construction inspector for the Tennessee Valley Authority (TVA) Materials Engineering Laboratory in Louisville, Tennessee; and

WHEREAS, Chief Kerley completed the Rural/Metro Fire Department recruit training and began working twenty-four hour shifts on his days off from working full-time at TVA; and

WHEREAS, in 1982, Chief Kerley and his family moved to Seymour, Tennessee, where he began his thirty-year career with the Seymour Volunteer Fire Department, where he served in several roles, including Assistant Fire Chief for six years and Fire Chief for three; and

WHEREAS, Chief Kerley also spent nine years as an adjunct Fire Service Instructor with the Tennessee Fire Service and Codes Enforcement Academy, three years as a field services manager at Singleton Laboratory, and nine years as an office manager with Batson Himes Novell & Poe, Engineers and Land Surveyors; and

WHEREAS, Chief Kerley became a Fire Protection Specialist with the K-25 Fire Department in 2001, serving as the Fire Chief from 2003 to 2006 before transferring to the City of Oak Ridge Fire Department (ORFD); and

WHEREAS, in 2006, Chief Kerley began his role as Fire Projects Manager with ORFD to plan and execute the transition of the Department of Energy (DOE) Fire Department located at the East Tennessee Technology Park into the City of Oak Ridge as a municipal fire station; and

WHEREAS, Chief Kerley served as Deputy Fire Chief of the ORFD from 2008 to 2011 before being promoted to Fire Chief, and during his tenure as Chief, he replaced four Class A fire engines, remodeled three fire stations, wrote three successful Assistance to Firefighter Grants, and led the City of Oak Ridge to an Insurance Service Organization (ISO) rating of two, putting the city in an elite company among the "best of the best" fire departments in Tennessee; and

WHEREAS, Chief Kerley was a significant contributing member of the senior leadership team of the City and furthered the advancement and progress of the City of Oak Ridge.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that in recognition of his distinguished service and contributions to the Oak Ridge community, the City of Oak Ridge hereby pays tribute to

CHIEF DARRYL KERLEY

and wish him the best as he enters the next phase of his illustrious career.

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 14th day of September in the year 2020.

WARREN L. GOOCH, MAYOR

PROCLAMATION

WHEREAS, Boston Government Services, LLC (BGS) is an Oak Ridge based, minority-owned engineering, technology, and security firm serving clients across the country; and

WHEREAS, BGS was founded in Oak Ridge in 2007 and is engaged in Nuclear Technology, Alternative Energy Technology, and Information Infrastructure Security; and

WHEREAS, BGS employs more than 250 engineers, scientists, and technical professionals who are passionate about their work and making a difference for each client; and

WHEREAS, BGS was recently named the fifth largest minority-owned business in the region based on the number of employees; and

WHEREAS, BGS supports several core competencies, including complex federal programs and projects from strategy to implementation, challenging research and development activities, engineering, technology, and security needs in complex, secure, and highly regulated environments, sustainable cyber security technology solutions and risk-based security services to protect critical infrastructure and information, and custom software development, data analytics, and business and technology solutions; and

WHEREAS, BGS was recently named to the Inc. 5000 List of Fastest Growing Companies in America for the second consecutive year by growing almost 200 percent; and

WHEREAS, BGS business practices are grounded in integrity, quality and commitment to clients, staff and partners; and

WHEREAS, BGS consistently demonstrates its commitment to the Oak Ridge community through support of numerous organizations, including the Free Medical Clinic of Oak Ridge, Girls, Inc., Oak Ridge Community Playhouse, Oak Ridge Fire Fighters Association, STEM Scouts, and United Way; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that in recognition of significant accomplishments and contributions to the Oak Ridge community, the City of Oak Ridge hereby pays tribute to

BOSTON GOVERNMENT SERVICES, LLC

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 14th day of September in the year 2020.

WARREN L. GOOCH, MAYOR

PROCLAMATION

WHEREAS, suicide is one of the most disruptive and tragic events a family and a community can experience, with more than 1100 lives lost in Tennessee each year and an estimated twenty-five attempted suicides for each suicide death; and

WHEREAS, suicide is the ninth leading cause of all deaths in Tennessee, the second leading cause of death among youth ages ten to twenty-four, and the leading cause of death for children ages ten to seventeen; and

WHEREAS, more than three lives a day are lost to suicide in Tennessee, which means we lose twenty-two Tennesseans each week and ninety-seven people per month; and

WHEREAS, Tennessee veterans, active-duty military, and National Guardsmen face a disproportionate risk as compared to the general population, with more dying from suicide than combat; and

WHEREAS, public awareness of this tragic problem is the key to preventing further suffering and loss of life; and the risk for human self-destruction can be reduced through awareness, education and treatment as the highest risk for suicide is among the survivors of those who died by suicide or those who have attempted suicide; and

WHEREAS, suicide prevention has been declared a state priority by the Governor; and the Tennessee Legislature has declared teen suicide prevention as a state priority in partnership with the Tennessee Suicide Prevention Network to implement the Tennessee Strategy for Suicide Prevention; and

WHEREAS, the Tennessee Suicide Prevention Network is a grassroots collaboration of Tennesseans and organizations working to eliminate the stigma of suicide, educate the community about the warning signs of suicide, and ultimately reduce the rate of suicide in our state; and

WHEREAS, 2020 marks the Tennessee Suicide Prevention Network's 20th year of dedicated efforts to reach every Tennessean in every county; and

WHEREAS, every member of our community should understand that throughout life's struggles we all need an occasional reminder that we are all silently fighting our own battles; and

WHEREAS, all Tennesseans are encouraged to take the time to inquire as to the wellbeing of their family and friends and to genuinely convey appreciation for their existence by any gesture they deem appropriate, as a simple phone call, message or encouraging word can go a long way toward helping someone realize that suicide is not the answer.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE that the month of September, 2020 be proclaimed

SUICIDE PREVENTION AWARENESS MONTH

in the City of Oak Ridge, Tennessee, and that all citizens work to prevent suicide and to raise awareness and tolerance for all people affected by this tragedy.

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 14th day of September in the year 2020.

WARREN L. GOOCH, MAYOR

PROCLAMATION

WHEREAS, behavioral health is an essential part of one's health and overall wellness; and

WHEREAS, mental health promotion and substance use prevention works; treatment is effective; and people recover in our area and around the nation; and

WHEREAS, effectively managing mental and substance use disorders is essential to achieving healthy lifestyles, both physically and emotionally; and

WHEREAS, relatives and friends of people with mental and substance use disorders must be encouraged to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

WHEREAS, many Tennesseans are affected by mental and substance use disorders; and

WHEREAS, to help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA) the White House Office of National Drug Control Policy (ONDCP), the Tennessee Department of Mental Health and Substance Abuse Services (TDMHSAS), the Tennessee Association of Mental Health Organizations (TAMHO), and the Tennessee Association of Alcohol, Drug and other Addiction Services (TAADAS) invite all residents to participate in Recovery Month; and

WHEREAS, residents are also encouraged to observe this month with appropriate programs, activities, and ceremonies to support this year's Recovery Month theme, *Join the Voices for Recovery: Invest in Health, Home, Purpose and Community*.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE that the month of September, 2020 be proclaimed

RECOVERY MONTH

in the City of Oak Ridge, Tennessee, and that all citizens work to increase awareness of the resources that are available to loved ones suffering from mental and substance use disorders.

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 14th day of September in the year 2020.

WARREN L. GOOCH, MAYOR

PROCLAMATION

WHEREAS, for more than a century, Big Brothers Big Sisters has operated under the belief that inherent in every child is the ability to succeed and thrive in life; and

WHEREAS, Big Brothers Big Sisters of East Tennessee enables life-changing mentoring relationships to ignite the power and promise of youth in our community; and

WHEREAS, investing in young people's futures pays off, with a social return on investment of \$18-to-1 through improved economic, health, and social outcomes for young people with mentors; and

WHEREAS, by changing the course of young lives, we shape our community's social and economic future; and

WHEREAS, Big Brothers Big Sisters of East Tennessee has created numerous matches each year by partnering with parents/guardians, volunteers, and others in the community to help youth achieve higher aspirations, greater confidence, and better relationships, along with avoidance of risky behaviors and educational success; and

WHEREAS, the agency's goal is to recruit more volunteers based on the needs of young people in our community.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE that the month of September, 2020 be proclaimed

BIG BROTHERS BIG SISTERS MONTH

in the City of Oak Ridge, Tennessee, and that all citizens are encouraged to volunteer with this worthwhile organization in order to ignite the potential of youth in our community and mentor tomorrow's future leaders.

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 14th day of September in the year 2020.

WARREN L. GOOCH, MAYOR

CONSENT AGENDA

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

August 10, 2020

Minutes

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on August 10, 2020 in the Municipal Building Courtroom.

INVOCATION

The invocation was given by Reverend Bailey Norman, St. Stephens Episcopal Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Jim Dodson.

ROLL CALL

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

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

ELECTIONS/APPOINTMENTS

Elect one (1) high school representative to the Environmental Quality Advisory Board for a two-year term commencing at time of appointment.

Councilmember Smith moved to elect Sophia Krusen by acclamation, and Councilmember Hammond seconded. The motion was approved unanimously by voice vote.

Elect one (1) high school representative to the Traffic Safety Advisory Board for a one-year term commencing at time of appointment.

Councilmember Hammond moved to elect Luca Filigenzi by acclamation, and Mayor Pro Tem Chinn seconded. The motion was approved unanimously by voice vote.

Confirm the appointment of Sharon Kohler as the Oak Ridge Municipal Planning Commission representative to the Traffic Safety Advisory Board.

Mayor Gooch moved to confirm the appointment, and Councilmember Smith seconded. The motion was approved unanimously by voice vote.

Election of one (1) City Council representative to the Oak Ridge Municipal Planning Commission.

Councilmember Jim Dodson was elected on the first ballot.

Appointment of City Manager Evaluation Committee

Mayor Gooch moved for the appointment of Councilmembers Kelly Callison, Chuck Hope and Jim Dodson to the City Manager Evaluation Committee, with Councilmember Callison to serve as Chair. Councilmember Smith seconded, and the motion was approved unanimously by voice vote.

Appointment of City Attorney Evaluation Committee.

Mayor Gooch moved for the appointment of Councilmembers Ellen Smith and Derrick Hammond and Mayor Pro Tem Rick Chinn to serve on the City Attorney Evaluation Committee with Councilmember Smith serving as Chair. Councilmember Smith seconded, and the motion was approved unanimously by voice vote.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation honoring Morgan Smith, President and Chief Executive Officer of Consolidated Nuclear Security, LLC.

Mayor Gooch moved for approval of the proclamation, and Councilmember Callison 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 September 6, 2020 as Oak Ridge-85 Students Day.

Councilmember Hammond moved for approval of the proclamation, and Councilmember Smith 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 Hope moved for approval of the Consent Agenda, and Councilmember Callison seconded.

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

Approval of the July 13, 2020 City Council regular meeting minutes

Approval of the July 20, 2020 City Council special meeting minutes

Approval of the June 21, 2020 City Council special meeting minutes

Resolution No. 8-77-2020

A RESOLUTION ACCEPTING A LIBRARY SERVICES AND TECHNOLOGY GRANT FROM THE STATE OF TENNESSEE FOR THE OAK RIDGE PUBLIC LIBRARY IN THE AMOUNT OF \$2,408.00, WITH A LOCAL MATCH REQUIREMENT OF \$2,408.00.

Resolution No. 8-78-2020

A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$303,008.07 FROM THE EQUIPMENT REPLACEMENT FUND AND WATERWORKS FUND FOR THE PURCHASE OF FOUR (4) VEHICLES AND ONE (1) EQUIPMENT ITEM FOR THE PUBLIC WORKS

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

(NONE)

FINAL ADOPTION OF ORDINANCES

Ordinance No. 7-2020

AN ORDINANCE TO AMEND TITLE 11, TITLED "MUNICIPAL OFFENSES," CHAPTER 1, TITLED "MISCELLANEOUS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY AMENDING SECTION 11-111, CURRENTLY A DELETED SECTION, AND SUBSTITUTING THEREFOR A NEW SECTION 11-111, TITLED "SMOKING AT PLAYGROUNDS PROHIBITED," TO PROHIBIT SMOKING AT PLAYGROUNDS.

Councilmember Dodson moved for adoption of the ordinance, and Councilmember Smith seconded.

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

Ordinance No. 8-2020

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 003.11, TAX MAP 099L, GROUP A, FROM UB-2/PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY, TO B- 2/PUD, GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY; AND TO AMEND THE MAIN STREET OAK RIDGE PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN TO ADD SELF-STORAGE FACILITIES TO SAID PARCEL.

Mayor Pro Tem Chin moved for adoption of the ordinance, and Councilmember Callison seconded. Electric Department Director Jack Suggs provided an overview of the ordinance and answered questions from Council.

City Manager Mark Watson detailed a substitute ordinance that includes language pertaining to a Memorandum of Understanding between the City of Oak Ridge and the developer. At the request of Councilmember Dodson, the City Manager provided an overview of the points of the Memorandum of Understanding.

Mayor Pro Tem Chinn moved to bring the substitute ordinance to the floor, and Councilmember Callison seconded. The motion was approved by board vote with Councilmembers Callison, Dodson, Hammond, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye," and Councilmember Hope voting "No."

Jerry Wheeler, 500 Scarboro Road, Oak Ridge, spoke in opposition to the ordinance and asked Council to think about why no one is asking for a storage facility to be built in other areas of the city.

Wayne Kline, 617 Main Street, Knoxville, spoke as an attorney for a group called Save Our Downtown Oak Ridge in opposition to the ordinance, and stated that the City Council could not override the vote of the Planning Commission.

Steve Long, 150 Cairo Lane, Oak Ridge, spoke in opposition to the ordinance and stated that the use the developer is requesting does not fit the use for this area.

Jay Adams, 105 Cottage Court, Oak Ridge, spoke in opposition to the ordinance and stated that building a storage facility in this area would ruin the downtown.

Joe Lee, 99 E. Pasadena Road, Oak Ridge, spoke in favor of the ordinance and stated that the city needs to keep moving forward with development in the downtown area.

Aaron Peacock, 133 Wolf Creek Lane, Oak Ridge, spoke in opposition to the ordinance and questioned why the developer had to have approval of the storage facility before downtown development could continue.

The ordinance was adopted by board vote with Councilmembers Callison, Hammond, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye," and Councilmembers Dodson and Hope voting "No."

RESOLUTIONS

Resolution No. 8-79-2020

A RESOLUTION TO ABANDON A PORTION OF RIGHT-OF-WAY ON WEDGEWOOD ROAD ADJACENT TO 400 WEST OUTER DRIVE.

Councilmember Dodson moved for approval of the resolution, and Mayor Pro Tem Chinn seconded. Community Development Director Wayne Blasius provided an overview of the resolution and answered questions from Council.

The resolution was approved by board vote with Councilmembers Callison, Dodson, Hammond, Hope and Smith and Mayor Pro Tem Chinn voting "Aye," and Mayor Gooch voting "No."

Resolution No. 8-80-2020

A RESOLUTION AWARDED A CONTRACT TO PLAYWORLD PREFERRED, INC., HUNTERVILLE, NORTH CAROLINA, FOR INSTALLATION OF A NEW PLAYGROUND AT SCARBORO PARK IN AN AMOUNT NOT TO EXCEED \$120,000.00.

Councilmember Hammond moved for approval of the resolution, and Councilmember Callison seconded. Recreation and Parks Director Jon Hetrick 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."

Resolution No. 8-81-2020

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH ROOFCONNECT®, SHERIDAN, ARKANSAS, FOR SERVICES RELATED TO TWO ROOF REPLACEMENT PROJECTS IN AN AMOUNT NOT TO EXCEED \$137,000.00.

Councilmember Smith moved for approval of the resolution, and Councilmember Callison seconded. Public Works Director Shira McWaters 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."

Resolution No. 8-82-2020

A RESOLUTION AUTHORIZING THE CITY MANAGER TO REQUEST, AND ACCEPT IF AWARDED, AN ECONOMIC DEVELOPMENT GRANT FROM THE TENNESSEE VALLEY AUTHORITY IN THE AMOUNT OF \$40,000.00 TO BE USED FOR CONSULTING SERVICES ASSOCIATED WITH THE OAK RIDGE GENERAL AVIATION AIRPORT.

Mayor Pro Tem Chinn moved for approval of the resolution, and Councilmember Smith seconded. Electric Department Director Jack Suggs 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

Martin McBride, 954 W. Outer Drive, Oak Ridge, who also serves as Co-Chair of the 65th Anniversary Committee to celebrate school integration, provided an updated on planned activities commemorating the 65th Anniversary of school integration in Oak Ridge.

Rose Weaver, 142 Hendrix Drive, Oak Ridge, who also serves as Co-Chair of the 65th Anniversary Committee, also addressed Council regarding the celebration and detailed plans for an afternoon worship service and an evening event at Oak Ridge High School where plans for a proposed plaque honoring the 85 students will be unveiled.

Trina Watson, 100 Hardinberry Street, Oak Ridge, who also serves on the 65th Anniversary Committee, stated that the committee is taking donations for assistance with getting certificates printed to present to the 85 students.

ANNOUNCEMENTS AND SCHEDULING

Announcements

(NONE)

Scheduling

City Manager Mark Watson requested that the meeting of the Budget and Finance Committee for August be moved to one hour before the City Council work session due to a conflict with a meeting of the Metropolitan Knoxville Airport Authority meeting.

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Mayor Pro Tem Chinn asked for updates on the Blankenship Field and Gateway Projects.

Councilmember Dodson requested an update on the status of the resolution that was sent to the Governor pertaining to municipal authority to make decisions regarding masks.

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

City Manager Mark Watson informed Council that the City has received \$436,000 from the State for COVID-related expenses.

Councilmember Ellen Smith provided an update regarding COVID-19 cases in Anderson and Roane counties.

CITY ATTORNEY'S REPORT

ADJOURNMENT: 9:30 p.m.



YOUTH ADVISORY BOARD MEMORANDUM

DATE: August 20, 2020

TO: Beth Hickman, City Clerk

THROUGH: Matt Reedy, Advisor to the YAB 

FROM: Maggie Froning & Jayden Ellis, YAB Co-Chairs

SUBJECT: Youth Advisory Board Approval of Annual Goals

At the August 19, 2020 meeting of the Oak Ridge Youth Advisory Board, YAB members discussed goals and events for the upcoming year. Board members voted unanimously to approve the attached set of goals for the 2020-2021 term of office.

If there are any questions about this statement from the Youth Advisory Board, contact City-Staff Liaison Matt Reedy at 425-3442.

Thank you,

Maggie Froning
YAB Chairwoman

Jayden Ellis
YAB Chairwoman

mr

2020-2021 YAB Goals and Objectives

Sponsor recreational activities for students

1. Graduation Celebration – May 27, 2021
2. Investigate the need for teen space at the Oak Ridge Public Library/Civic Center
3. Breakfast with Santa & Santa Letters Box – December 5, 2020
4. City Halloween Drive-Thru Event – October 29, 2020
5. YAB Field Night/Color War/Dodgeball Event – May 2021
6. Drive-in Movie for Students - October 2020
7. Winter Formal at ORHS – TBD

Sponsor educational events or programs

1. Offer a Virtual Jobs Fair for Teens – Fall 2020
2. Water Awareness for Kids – May 2020
3. YAB Leadership Trip to Nashville – February 2020
4. Co-Sponsor an event for special needs students with ORHS Interact Club – TBD
5. Sponsor an Art in the Park/Virtual Art Auction event

Offer community volunteer services

1. Provide holiday support to families in need (Toy Drive/Holiday Giveback)
2. Support the City Easter Eggspo Event

Increase communication within Oak Ridge Schools

1. Communicate regularly with Student Affairs and Guidance
2. Promote Graduation Celebration
3. Partner with ORHS Student Council, ORHS Senior Steering, ASAP, Wildcat Mentoring, and Key Club
4. Make regular announcements via Channel 15, school bulletin
5. Offer a Survey of Students – Sept 2020

Increase public's awareness of YAB programs

1. City website updates
2. Facebook/Instagram/Twitter/Group Me for YAB Events – updated weekly
3. News Releases to local news, school bulletins, Canvas, and ORHS Twitter pages

Increase communication and participation within the Board and with City Council

1. Focus on attendance at meetings and events
2. State of the Youth Address - Summer 2021
3. Implement YAB Icebreaker Events to increase board communication
4. Seek funding for needed upgrades for the City Skate Park

FINANCE DEPARTMENT MEMORANDUM

20-08

DATE: September 2, 2020
TO: Mark S. Watson, City Manager
FROM: Janice E. McGinnis, Finance Director
SUBJECT: Annual Expenditure Authorization Xerox Corporation

Introduction

An item for City Council's consideration is the approval of fiscal 2021 expenditures in the estimated amount of \$55,000 with Xerox Corporation for the lease and related usage costs of a high capacity copier.

Funding

Funding will be allocated between the Electric, Waterworks and General Funds.

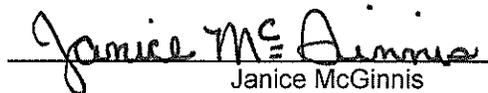
Background

In 2015, the City entered into a lease with Xerox for a high capacity color copier that is utilized to produce the City's various documents, manuals, presentations, etc. and to serve as a central copier and scanner for the City's municipal building. The volume of usage for this copier has increased significantly with the transition of property tax and utility bills from a postcard to a letter sized bill. The transition to a monthly letter sized utility mailing provided the City a mechanism to include additional information and enhance communication from the City to residents and business located in Oak Ridge. The Xerox copier is used to print utility and tax bills as well flyers, newsletters, etc. that may be included with utility bill mailings. The estimated cost for lease and related usage of this copier in fiscal 2021 is estimated at \$55,000. The cost will vary based on actual print usage during the fiscal year.

Recommendation

Staff recommends approval of the attached resolution.

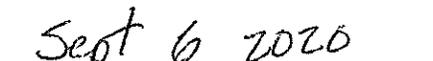
Attachment


Janice McGinnis

City Manager's Comments:

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


Mark S. Watson


Date

RESOLUTION

A RESOLUTION AUTHORIZING FISCAL YEAR 2021 EXPENDITURES IN THE ESTIMATED AMOUNT OF \$55,000.00 TO XEROX CORPORATION.

WHEREAS, in 2015, the City entered into a lease with Xerox Corporation for a high capacity color copier and scanner for the Municipal Building; and

WHEREAS, this copier/scanner is used to produce various documents, manuals, presentations, newsletters, flyers, and other city documents; and

WHEREAS, volume usage of the copier/scanner has increased significantly with the transition of property taxes and utility bills from a postcard to a letter sized document, which enables the City to provide enhanced communication to residents and businesses; and

WHEREAS, due to increased use, the lease cost for Fiscal Year 2021 is estimated at \$55,000.00 but will vary based on actual print usage during the year; and

WHEREAS, the City Manager recommends authorization to expend \$55,000.00 (estimated) with Xerox Corporation during Fiscal Year 2021 for the Municipal Building's central copier/scanner.

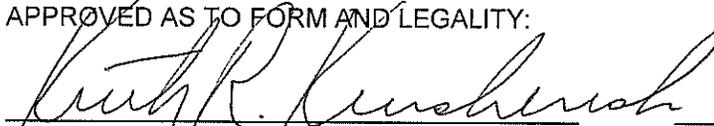
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is authorized to expend funds for the Municipal Building's central high capacity color copier/scanner for FY2021 (July 1, 2020 through June 30, 2021) in the estimated amount of \$55,000.00 to Xerox Corporation.

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

This the 14th day of September 2020.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

POLICE DEPARTMENT MEMORANDUM
20-08

DATE: August 20, 2020
TO: Mark S. Watson, City Manager
FROM: Charles R. Smith, Chief of Police
SUBJECT: PAYMENT OF AT&T FIRSTNET CELLULAR COMMUNICATIONS SERVICES

Introduction

An item for the agenda to approve the fiscal year 2021 monthly payments for AT&T cellular voice and data communications services for the police department.

Funding

The total monthly payments for FY 2021 will not exceed \$50,000.00. Pricing is covered under Tennessee State Contract # 60837. Funding is available in the approved FY2021 Police Department's approved budget.

Consideration

AT&T FirstNet cellular voice and data services allow for police vehicles and officers to communicate via computer aided dispatch (CAD) to the Emergency Communications Center (ECC) and the public.

Recommendation

Approval of the attached resolution is recommended.



Charles R. Smith

Attachments: Proposed Resolution

City Manager's Comments:

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


Mark S. Watson


Date

RESOLUTION

A RESOLUTION APPROVING A CONTRACT WITH AT&T FOR FIRSTNET CELLULAR COMMUNICATION SERVICES FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$50,000.00 FOR FISCAL YEAR 2021 UTILIZING STATE CONTRACT PRICING.

WHEREAS, FirstNet services are available to state and local government agencies from AT&T Mobility National Accounts, LLC, Vienna, Virginia, under Tennessee’s Statewide Contract R911 (SWC# R911) for the period of November 9, 2019 through November 6, 2023; and

WHEREAS, FirstNet consists of a portfolio of wireless voice, texting, and data service plans along with ancillary equipment, services, features, and functionalities developed by AT&T under authority granted to it by the First Responder Network Authority created under the Middle Class Tax Relief and Job Creation Act of 2012 as an independent federal authority within the National Telecommunications & Information Administration of the United States Department of Commerce; and

WHEREAS, FirstNet is designed to maximize wireless communications by and between first responders and the personnel and entities that support them; and

WHEREAS, FirstNet’s cellular voice and data services will allow Oak Ridge Police Department vehicles and personnel to communicate via computer aided dispatch (CAD) to the Emergency Communications Center (ECC) and the public; and

WHEREAS, costs for Fiscal Year 2021 (July 1, 2020 through June 30, 2021) will not exceed \$50,000.00 and funds are available in the Police Department’s approved budget; and

WHEREAS, the City Manager recommends utilization of the state contract and award be made to AT&T for FirstNet 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 award is hereby made to AT&T for their FirstNet services under Tennessee’s Statewide Contract R911 (SWC# R911) for Fiscal Year 2021 (July 1, 2020 through June 30, 2021) in an amount not to exceed \$50,000.00.

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

This the 14th day of September 2020.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

**POLICE DEPARTMENT MEMORANDUM
20-09**

DATE: September 01, 2020
TO: Mark S. Watson, City Manager
FROM: Charles R. Smith, Chief of Police
SUBJECT: Acceptance of Two (2) Tennessee Highway Safety Office Grants

Introduction

An item for the agenda is to accept two (2) grants for traffic safety provided by the Tennessee Highway Safety Office.

Funding

The Oak Ridge Police Department was awarded two grants by the Tennessee Highway Safety Office; Community Based Traffic Enforcement and Education (PT-20-57) in the amount of \$22,000., and Network Coordinator (PT-20-58) in the amount of \$20,000.

Background

The Oak Ridge Police Department has been receiving grants from the Tennessee Highway Safety Office for many years to assist in allowing officers to work overtime to enforce traffic safety. These funds also allow officers to attend training in the field of training safety, DUI Enforcement, and crash investigation. In 2018, the Police Department received a second grant for the Network Coordinator position that assist at the state level and works as a liaison between 22 agencies in our area and the THSO.

Recommendation

Approval of these grants is recommended



Charles R. Smith

Attachment: Tennessee Highway Safety Office Grants (2)

City Manager's Comments:

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


Mark S. Watson


Date

RESOLUTION

A RESOLUTION ACCEPTING TWO (2) GRANTS FROM THE TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY FOR THE POLICE DEPARTMENT IN THE AMOUNTS OF \$22,000.00 AND \$20,000.00, WITH NO LOCAL MATCH REQUIREMENT.

WHEREAS, grant funds are available from the Tennessee Department of Safety and Homeland Security, Tennessee Highway Safety Office (THSO), for traffic enforcement and traffic safety; and

WHEREAS, the Oak Ridge Police Department applied for grants through the THSO and is the recipient of a \$22,000.00 Community-Based Traffic Safety Enforcement and Education award and a \$20,000.00 Network Coordinator award, which awards do not require a local match; and

WHEREAS, the grant terms begin October 1, 2020 and end September 30, 2021; and

WHEREAS, the City Manager recommends acceptance of both grants.

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

That the recommendation of the City Manager is approved and the City hereby accepts a Community-Based Traffic Safety Enforcement and Education grant in the amount of \$22,000.00 and a Network Coordinator grant in the amount of \$20,000.00 from the Tennessee Department of Safety and Homeland Security, Tennessee Highway Safety Office to be used by the Oak Ridge Police Department in accordance with the terms of the grant agreements for traffic enforcement and traffic safety.

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

This the 14th day of September 2020.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

PERSONNEL DEPARTMENT MEMORANDUM
20-514

DATE: August 5, 2020
TO: Mark S. Watson, City Manager
FROM: Cindi G. Gordon, Human Resources/Risk Program Administrator
SUBJECT: OCCUPATIONAL SAFETY AND HEALTH PLAN UPDATE

Introduction

An item for City Council's consideration is a resolution recommending an update to the Occupational Safety and Health Program Plan for the City of Oak Ridge as required by the Tennessee Occupational Safety and Health Standards Act (TOSHA).

Funding

No additional funding is required for the TOSHA program update.

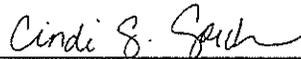
Background

The accompanying resolution provides for updating the Occupational Safety and Health Program Plan for the City of Oak Ridge. The Tennessee Department of Labor and Workforce Development, requires necessity of updating such plans. The City must manage its own program of compliance with the Tennessee Occupational Safety and Health Act of 1972, as amended, or be treated as a private employer under the act.

The City originally established its program by Ordinance Number 22-73 that became effective on November 30, 1973 and revised the program by resolution on March 18, 2013. The updated plan contains essentially the same provisions as the revised 2013 plan, but has been modified to reflect changes in department names and titles, organization structure, the City's policy and procedure #F-410 (Attending To and Reporting Accidents), and minor wording in certain sections. The City will continue to operate in the same manner as we have done for the past forty-seven (47) years, and will continue to work with both Tennessee Occupational Safety and Health Standards Act (TOSHA) employees and Public Entity Partners (PEP) loss control consultants to provide a safe and healthy work environment for City employees.

Recommendation

Staff recommends approval of this resolution to comply with the mandate of the Department of Labor and Workforce Development.

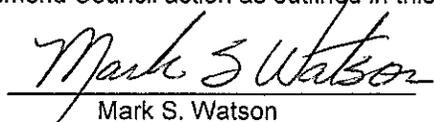


Cindi G. Gordon

Attachment: Resolution

City Manager's Comments:

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

 9/6/2020
Mark S. Watson Date

RESOLUTION

A RESOLUTION TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES AND REGULATIONS, AND TO PROVIDE FOR A SAFETY DIRECTOR AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN.

WHEREAS, pursuant to Tennessee Code Annotated § 50-3-101 *et seq.* (Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972), the City of Oak Ridge has maintained an occupational safety and health program; and

WHEREAS, by Ordinance No. 22-73, City Council authorized the City Manager to establish and implement a plan which encompasses the issues and standards promulgated by applicable state standards and designated the City Manager as Director of such program; and

WHEREAS, in accordance with said ordinance, the then City Manager established and implemented such a program entitled "Occupational Safety and Health Program for the City of Oak Ridge"; and

WHEREAS, the City's existing occupational safety and health program was adopted in 1974, and is in need of updating in order to comply with current Tennessee Occupational Health and Safety Administration standards.

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

The attached occupational safety and health program dated September 2020 is hereby approved in compliance with the provisions of the Occupational Safety and Health Act of 1972.

BE IT FURTHER RESOLVED that the City in electing to update the established program plan will maintain an effective occupational safety and health program for its employees and shall:

- 1) Provide a safe and healthful place and condition of employment that includes:
 - a) Top management commitment and employee involvement;
 - b) Continually analyze the worksite to identify all hazards and potential hazards;
 - c) Develop and maintain methods for preventing or controlling existing or potential hazards; and
 - d) Train managers, supervisors, and employees to understand and deal with worksite hazards.
- 2) Acquire, maintain and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees.
- 3) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- 4) Consult with the State Commissioner of Labor and Workforce Development regarding the adequacy of the form and content of records.

- 5) Consult with the State Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems that are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the State.
- 6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this program, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.
- 7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this program.

BE IT FURTHER RESOLVED that the provisions of the Occupational Safety and Health Program Plan for the employees of the City of Oak Ridge shall apply to all employees of each administrative department, commission, board, division, or other agency of the City of Oak Ridge, whether part-time or full-time, seasonal or permanent.

BE IT FURTHER RESOLVED that the occupational safety and health standards adopted by the City of Oak Ridge are the same as, but are not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with Section 6 of the Tennessee Occupational Safety and Health Act of 1972 (Tennessee Code Annotated Title 50, Chapter 3).

BE IT FURTHER RESOLVED that the City of Oak Ridge may, upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, request an order granting a temporary variance from any approved standards; such applications for variances shall be in accordance with the Rules of Tennessee Department of Labor and Workforce Development, Occupational Safety, Chapter 0800-1-2, as authorized by Tennessee Code Annotated Title 50, and prior to requesting such temporary variance, the City shall notify or serve notice to employees and interested parties and present them with an opportunity for a hearing and the posting of said notice on the main bulletin board as designated by the City Manager shall be deemed sufficient notice to employees.

BE IT FURTHER RESOLVED that for the purpose of this resolution, the City Manager is designated as the Director of Occupational Safety and Health to perform duties and to exercise powers assigned so as to plan, develop, and administer the program, and the City Manager shall develop a plan of operation for the program and said plan shall become a part of this resolution when it satisfies all applicable sections of the Tennessee Occupational Safety and Health Act of 1972 and Part IV of the Tennessee Occupational Safety and Health Plan.

BE IT FURTHER RESOLVED that sufficient funds for administering and staffing the program pursuant to this resolution shall be made available as authorized by the City Council.

BE IT FURTHER RESOLVED that if any section, sub-section, sentence, clause, phrase, or portion of this resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

BE IT FURTHER RESOLVED that this resolution revises the former Occupational and Safety Health Program Resolution 3-13-2013 set forth on the 18th day of March 2013 and shall take effect from and after its adoption, the public welfare requiring it.

This is the 14th day of September, 2020.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in cursive script, reading "Kenneth R. Krushenski". The signature is written in black ink and is positioned above a horizontal line.

Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

**SAFETY AND HEALTH PROGRAM
FOR THE EMPLOYEES OF THE CITY OF OAK RIDGE**

Revised September 2020

**PLAN OF OPERATION FOR THE OCCUPATIONAL SAFETY AND HEALTH PROGRAM FOR THE
EMPLOYEES OF THE CITY OF OAK RIDGE**

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I. PURPOSE AND COVERAGE

The purpose of this plan is to provide guidelines and procedures for implementing the Occupational Safety and Health Program for the employees of the City of Oak Ridge. This plan is applicable to all employees, part-time or full-time, seasonal or permanent.

The City of Oak Ridge, in electing to establish and maintain an effective occupational safety and health program for its employees, will:

- A. Provide a safe and healthful place and condition of employment.
- B. Require the use of safety equipment, personal protective equipment, and other devices where reasonably necessary to protect employees.
- C. Make, keep, preserve, and make available to the Commissioner of Labor, his designated representatives, or persons within the Department of Labor to whom such responsibilities have been delegated, including the Director of the Division of Occupational Safety and Health, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- D. Consult with the Commissioner of Labor or his designated representative with regard to the adequacy of the form and content of such records.
- E. Consult with the Commissioner of Labor regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be resolved under an occupational safety and health standard promulgated by the State.
- F. Assist the Commissioner of Labor or his monitoring activities to determine program effectiveness and compliance with the occupational safety and health standards.
- G. Make a report to the Commissioner of Labor annually, or as may otherwise be required, including information on occupational accidents, injuries, and illnesses and accomplishments and progress made toward achieving the goals of the occupational and health program.
- H. Provide reasonable opportunity for and encourage the participation of employees in the effectuation of the objectives of this program, including the opportunity to make anonymous complaints concerning conditions or practices which may be injurious to employees' safety and health.

II. DEFINITIONS

For the purposes of this program, the following definitions apply:

- A. **COMMISSIONER OF LABOR AND WORKFORCE DEVELOPMENT** means the chief executive officer of the Tennessee Department of Labor and Workforce Development. This includes any person appointed, designated, or deputized to perform the duties or to exercise the powers assigned to the Commissioner of Labor.
- B. **EMPLOYER** means the City of Oak Ridge and includes each administrative department, board, commission, division, or other agency of the City of Oak Ridge.
- C. **WORKPLACE SAFETY COORDINATOR** means the person designated by the establishing resolution to perform duties or to exercise powers assigned so as to plan, develop, and administer the occupational safety and health program for the City of Oak Ridge.
- D. **INSPECTOR(S)** means the individual(s) appointed or designated by the Workplace Safety Coordinator to conduct inspections provided for herein. If no such compliance inspector(s) is

appointed, inspections shall be conducted by the Workplace Safety Coordinator.

- E. **APPOINTING AUTHORITY** means any official or group of officials of the City having legally designated powers of appointment, employment, or removal there from for a specific department, division, or other agency of the City of Oak Ridge.
 - F. **EMPLOYEE** means any person performing services for the City and listed on the City payroll, as part-time, full-time, seasonal, or permanent. It also includes any persons normally classified as volunteers provided such persons received remuneration of any kind for their services. This definition shall not include independent contractors, their agents, servants, and employees.
 - G. **PERSON** means one or more individuals, partnerships, associations, corporations, business trusts, or legal representatives of any organized group of persons.
 - H. **STANDARD** means an occupational safety and health standard promulgated by the Commissioner of Labor in accordance with Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972 which requires conditions or the adoption or the use of one or more practices, means, methods, operations, or processes or the use of equipment or personal protective equipment necessary or appropriate to provide safe and healthful conditions and places of employment.
 - I. **IMMINENT DANGER** means any conditions or practices in any place of employment which are such that a hazard exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such hazard can be eliminated through normal compliance enforcement procedures.
 - J. **ESTABLISHMENT or WORKSITE** means a single physical location under the control of this employer where business is conducted, services are rendered, or industrial type operations are performed.
 - K. **SERIOUS INJURY or HARM** means that type of harm that would cause permanent or prolonged impairment of the body in that:
 - 1. a part of the body would be permanently removed (e.g., amputation of an arm, leg, finger(s); loss of an eye) or rendered functionally useless or substantially reduced in efficiency on or off the job (e.g., leg shattered so severely that mobility would be permanently reduced), or
 - 2. a part of an internal body system would be inhibited in its normal performance or function to such a degree as to shorten life or cause reduction in physical or mental efficiency (e.g., lung impairment causing shortness of breath)
- On the other hand, simple fractures, cuts, bruises, concussions, or similar injuries would not fit either of these categories and would not constitute serious physical harm.
- L. **ACT or TOSH Act** shall mean the Tennessee Occupational Safety and Health Act of 1972 as amended or modified.
 - M. **GOVERNING BODY** means the City Council of the City of Oak Ridge.
 - N. **CHIEF EXECUTIVE OFFICER** means the City Manager of the City of Oak Ridge.

III. CITY'S RIGHTS AND DUTIES

Rights and duties of the City of Oak Ridge shall include, but are not limited to, the following provisions:

- A. City shall furnish to each employee conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.
- B. City shall comply with occupational safety and health standards and regulations promulgated pursuant to Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972.
- C. City shall refrain from any unreasonable restraint on the right of the Commissioner of Labor to inspect the City's place(s) of business. City shall assist the Commissioner of Labor in the performance of their monitoring duties by supplying or by making available information, personnel, or aids reasonably necessary to the effective conduct of the monitoring activity.
- D. City is entitled to participate in the development of standards by submission of comments on proposed standards, participation in hearing on proposed standards, or by requesting the development of standards on a given issue under Section 6 of the Tennessee Occupational Safety and Health Act of 1972.
- E. City is entitled to request an order granting a variance from an occupational safety and health standard.
- F. City is entitled to protection of its legally privileged communication.
- G. City shall inspect all worksites to insure the provisions of this program are complied with and carried out.
- H. City shall notify and inform any employee who has been or is being exposed in a biologically significant manner to harmful agents or material in excess of the applicable standard and of corrective action being taken.
- I. City shall notify all employees of their rights and duties under this program.

IV. EMPLOYEE'S RIGHTS AND DUTIES

Rights and duties of employees shall include, but are not limited to, the following provisions:

- A. Each employee shall comply with occupational safety and health act standards and all rules, regulations, and orders issued pursuant to this program and the Tennessee Occupational Safety and Health Act of 1972 which are applicable to his or her own actions and conduct.
- B. Each employee shall be notified by the placing of a notice upon bulletin boards, or other places of common passage, of any application for a permanent or temporary order granting the City a variance from any provision of the TOSH Act or any standard or regulation promulgated under the Act.
- C. Each employee shall be given the opportunity to participate in any hearing which concerns an application by the City for a variance from a standard or regulation promulgated under the Act.
- D. Any employee who may be adversely affected by a standard or variance issued pursuant to the Act or this program may file a petition with the Commissioner of Labor or whoever is responsible for the promulgation of the standard or the granting of the variance.

- E. Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by any applicable standard shall be provided by the City with information on any significant hazards to which they are or have been exposed, relevant symptoms, and proper conditions for safe use or exposure. Employees shall also be informed of corrective action being taken.
- F. Subject to regulations issued pursuant to this program, any employee or authorized representative of employees shall be given the right to request an inspection and to consult with the Workplace Safety Coordinator or Inspector at the time of the physical inspection of the worksite.
- G. Any employee may bring to the attention of the Workplace Safety Coordinator any violation or suspected violations of the standards or any other health or safety hazards.
- H. No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceeding or inspection under or relating to this program.
- I. Any employee who believes that he or she has been discriminated against or discharged in violation of subsection (h) of this section may file a grievance or appeal against such discrimination in accordance with the City's Personnel Ordinance. Such employee may also, within thirty (30) days after such violation occurs, file a complaint with the Commissioner of Labor alleging such discrimination.
- J. Nothing in this or any other provisions of this program shall be deemed to authorize or require any employee to undergo medical examination, immunization, or treatment for those who object thereto on religious grounds, except where such is necessary for the protection of the health or safety or others or when a medical examination may be reasonably required for performance of a specific job.
- K. Employees shall report any accident, injury, or illness resulting from their job, however minor it may seem to be, to their supervisor in accordance with the City's policy regarding injury notification.

V. ADMINISTRATION

- A. The Workplace Safety Coordinator is designated to perform duties or to exercise powers assigned so as to administer this Occupational Safety and Health Program.
 - 1. The Workplace Safety Coordinator may designate person or persons as he deems necessary to carry out his powers, duties, and responsibilities under this program.
 - 2. The Workplace Safety Coordinator may delegate the power to make inspections, provided procedures employed are as effective as those employed by the Workplace Safety Coordinator.
 - 3. The Workplace Safety Coordinator shall employ measures to coordinate, to the extent possible, activities of all departments to promote efficiency and to minimize any inconveniences under this program.
 - 4. The Workplace Safety Coordinator may request qualified technical personnel from any department or section of government to assist him in making compliance inspections, accident investigations, or as he may otherwise deem necessary and appropriate in order to carry out his duties under this program.

5. The Workplace Safety Coordinator shall prepare the report to the Commissioner of Labor required by subsection (g) of Section 1 of this plan.
 6. The Workplace Safety Coordinator shall make or cause to be made periodic and follow-up inspections of all facilities and worksites where employees of this City are employed. He shall make recommendations to correct any hazards or exposures observed. He shall make or cause to be made any inspections required by complaints submitted by employees or inspections requested by employees.
 7. The Workplace Safety Coordinator shall assist any officials of the City in the investigation of occupational accidents or illnesses.
 8. The Workplace Safety Coordinator shall maintain or cause to be maintained records required under Section VIII of this plan.
 9. The Workplace Safety Coordinator shall, in the eventuality that there is a fatality or an accident resulting in the hospitalization of three or more employees, insure that the Commissioner of Labor receives notification of the occurrence within eight (8) hours.
- B. The administrative or operational head of each department, division, board, or other agency of this City shall be responsible for the implementation of this occupational safety and health program within their respective areas.
1. The administrative or operational head shall follow the directions of the Workplace Safety Coordinator on all issues involving occupational safety and health of employees as set forth in this plan.
 2. The administrative or operational head shall comply with all abatement orders issued in accordance with the provisions of this plan or request a review of the order with the Workplace Safety Coordinator within the abatement period.
 3. The administrative or operational head should make periodic safety surveys of the establishment under his or her jurisdiction to become aware of hazards or standards violations that may exist and make an attempt to immediately correct such hazards or violations.
 4. The administrative or operational head shall investigate all occupational accidents, injuries, or illnesses reported to him or her. He or she shall report such accidents, injuries, or illnesses to the Workplace Safety Coordinator along with his findings and/or recommendations in accordance with APPENDIX III of this plan.

VI. STANDARDS AUTHORIZED

The standards adopted under this program are the applicable standards developed and promulgated under Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972 or which may, in the future, be developed and promulgated. Additional standards may be promulgated by the governing body of this City as that body may deem necessary for the safety and health of employees.

VII. VARIANCE PROCEDURE

The Workplace Safety Coordinator may apply for a variance as a result of a complaint from an employee or of his knowledge of certain hazards or exposures. The Workplace Safety Coordinator should definitely

believe that a variance is needed before the application for a variance is submitted to the Commissioner of Labor. The procedure for applying for a variance to the adopted safety and health standards is as follows:

- A. The application for a variance shall be prepared in writing and shall contain:
 1. A specification of the standard or portion thereof from which the variance is sought.
 2. A detailed statement of the reason(s) why the City is unable to comply with the standard supported by representations by qualified personnel having first-hand knowledge of the facts represented.
 3. A statement of the steps City has taken and will take (with specific date) to protect employees against the hazard covered by the standard.
 4. A statement of when the City expects to comply and what steps have or will be taken (with dates specified) to come into compliance with the standard.
 5. A certification that the City has informed employees, their authorized representative(s), and/or interested parties by giving them a copy of the request, posting a statement summarizing the application (to include the location of a copy available for examination) at the places where employee notices are normally posted and by other appropriate means. The certification shall contain a description of the means actually used to inform employees and that employees have been informed of their right to petition the Commissioner of Labor for a hearing.
- B. The application for a variance should be sent to the Commissioner of Labor by registered or certified mail.
- C. The Commissioner of Labor will review the application for a variance and may deny the request or issue an order granting the variance. An order granting a variance shall be issued only if it has been established that:
 1. The City
 - a. Is unable to comply with the standard by the effective date because of unavailability of professional or technical personnel or materials and equipment required or necessary construction or alteration of facilities or technology.
 - b. Has taken all available steps to safeguard employees against the hazard(s) covered by the standard
 - c. Has as effective program for coming into compliance with the standard as quickly as possible.
 2. The employee is engaged in an experimental program as described in subsection (b), section 13 of the Act.
- D. A variance may be granted for a period of no longer than is required to achieve compliance or one (1) year, whichever is shorter.
- E. Upon receipt of an application for an order granting a variance, the Commissioner to whom such application is addressed may issue an interim order granting such a variance for the purpose of permitting time for an orderly consideration of such application. No such interim order may be effective for longer than one hundred eighty (180) days

- F. The order or interim order granting a variance shall be posted at the worksite and employees notified of such order by the same means used to inform them of the application for said variance (see subsection (a)(5) of this section).

VIII. RECORD-KEEPING AND REPORTING

- A. Recording and reporting of all occupational accident, injuries, and illnesses shall be in accordance with instructions and on forms prescribed in the booklet, RECORD-KEEPING REQUIREMENTS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 (Revised 1978) or as may be prescribed by the Tennessee Department of Labor.
- B. Details of how reports of occupational accidents, injuries, and illnesses will reach the record keeper are specified by ACCIDENT REPORTING PROCEDURES, Appendix III to this plan.

IX. EMPLOYEE COMPLAINT PROCEDURE

If any employee feels that he or she is assigned to work in conditions which might affect his or her health, safety, or general welfare at the present time or at any time in the future, he or she should file a grievance in accordance with the City's Personnel Ordinance.

If after the grievance process has been followed and the complainant is still not satisfied with the results, he or she may then file a complaint with the Commissioner of Labor. Any complaint filed with the Commissioner of Labor in such cases shall include copies of all related grievance documentation. Copies of all grievances and answers thereto will be filed by the Workplace Safety Coordinator who shall make them available to the Commissioner of Labor or his designated representative upon request.

X. EDUCATION AND TRAINING

- A. Workplace Safety Coordinator and/or Compliance Inspector(s):
 - 1. Arrangements will be made for the Workplace Safety Coordinator and/or Compliance Inspector(s) to attend training seminars, workshops, etc., conducted by the State of Tennessee or other agencies.
 - 2. Reference materials, manuals, equipment, etc., deemed necessary for use in conducting compliance inspections, conducting local training, writing technical reports, and informing officials, supervisors, and employees of the existence of safety and health hazards will be furnished.
- B. All Employees (including supervisory personnel):

A suitable safety and health training program for employees will be established. This program will, as a minimum:

- 1. Instruct each employee in the recognition and avoidance of hazards or unsafe conditions and of standards and regulations applicable to the employee's work environment to control or eliminate any hazards, unsafe conditions, or other exposures to occupational illness or injury.
- 2. Instruct employees who are required to handle poisons, acids, caustics, explosives, and other harmful or dangerous substances in the safe handling and use of such items and make them aware of the potential hazards, proper handling procedures, personal protective measures,

person hygiene, etc., which may be required.

3. Instruct employees who may be exposed to environments where harmful plants or animals are present of the hazards of the environment, how to best avoid injury or exposure, and the first aid procedures to be followed in the event of injury or exposure.
4. Instruct employees required to handle or use flammable liquids, gases, or toxic materials in their safe handling and use and make employees aware of specific requirements contained in Subparts H and M and other applicable subparts of TOSHAct standards (1910 and/or 1926).
5. Instruct employees on hazards and dangers of confined or enclosed spaces
 - a. **Confined or enclosed space** means space having a limited means of egress and which is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, boilers, ventilation or exhaust ducts, sewers, underground utility accesses, tunnels, pipelines, and open top spaces more than four feet (4 ft.) in depth such as pits, tubs, vaults, and vessels.
 - b. Employees will be given general instruction on hazards involved, precautions to be taken, and on use of personal protective and emergency equipment required. They shall also be instructed on all specific standards or regulations that apply to work in dangerous or potentially dangerous areas.
 - c. The immediate supervisor of any employee who must perform work in a confined or enclosed space shall be responsible for instructing employees on danger of hazards which may be present, precautions to be taken, and use of personal protective and emergency equipment, immediately prior to their entry into such an area and shall require use of appropriate personal protective equipment.

XI. GENERAL INSPECTION PROCEDURES

It is the intention of the governing body and responsible officials to have an occupational safety and health program that will insure the welfare of employees. In order to be aware of hazards, periodic inspections must be performed. These inspections will enable the finding of hazards or unsafe conditions or operations that will need correction in order to maintain safe and healthful worksites. Inspections made on a pre-designated basis may not yield the desired results. Inspections will be conducted, therefore, on a random basis at intervals not to exceed thirty (30) calendar days.

- A. In order to carry out the purposes of this program, the Workplace Safety Coordinator and/or Compliance Inspector(s), if appointed, is authorized:
 1. To enter at any reasonable time, any establishment, facility, or worksite where work is being performed by an employee when such establishment, facility, or worksite is under the jurisdiction of the City; and
 2. To inspect and investigate during regular working hours and at other reasonable times, within reasonable limits, and in a reasonable manner, any such place of employment and all pertinent conditions, processes, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any supervisor, operator, agent, or employee working therein.
- B. If an imminent danger situation is found, alleged, or otherwise brought to the attention of the Workplace Safety Coordinator or Inspector during a routine inspection, he shall immediately inspect the imminent danger situation in accordance with Section XII of this plan before

- inspecting the remaining portions of the establishment, facility, or worksite.
- C. An administrative representative of the Department and a representative authorized by the employees shall be given an opportunity to consult with and/or to accompany the Workplace Safety Coordinator or Inspector during the physical inspection of any worksite for the purpose of aiding such inspection.
 - D. The right of accompaniment may be denied any person whose conduct interferes with a full and orderly inspection.
 - E. The conduct of the inspection shall be such as to preclude unreasonable disruptions of the operation(s) of the workplace.
 - F. Interviews of employees during the course of the inspection may be made when such interviews are considered essential to investigative techniques.
 - G. Advance Notice of Inspections.
 - 1. Generally, advance notice of inspections will not be given as this precludes the opportunity to make minor or temporary adjustments in an attempt to create misleading impression of conditions in an establishment.
 - 2. There may be occasions when advance notice of inspections will be necessary in order to conduct an effective inspection or investigation. When advance notice of inspection is given, employees or their authorized representative(s) will also be given notice of the inspection.
 - H. The Workplace Safety Coordinator need not personally make an inspection of each and every worksite once every thirty (30) days. He may delegate the responsibility for such inspections to supervisors or other personnel provided:
 - 1. Inspections conducted by supervisors or other personnel are at least as effective as those made by the Workplace Safety Coordinator.
 - 2. Records are made of the inspections and of any discrepancies found and are forwarded to the Workplace Safety Coordinator.
 - I. The Workplace Safety Coordinator shall maintain records of inspections to include identification of worksite inspected, date of inspection, description of violations of standards or other unsafe conditions or practices found, and corrective action taken toward abatement. Said inspection records shall be subject to review by the Commissioner of Labor or his authorized representative.

XII. IMMINENT DANGER PROCEDURES

- A. Any discovery, any allegation, or any report of imminent danger shall be handled in accordance with the following procedures:
 - 1. The Workplace Safety Coordinator shall immediately be informed of the alleged imminent danger situation and he shall immediately ascertain whether there is a reasonable basis for the allegation.
 - 2. If the alleged imminent danger situation is determined to have merit by the Workplace Safety Coordinator, he shall make or cause to be made an immediate inspection of the alleged imminent danger location.

3. As soon as it is concluded from such inspection that conditions or practices exist which constitutes an imminent danger, the Workplace Safety Coordinator or Compliance Inspector shall attempt to have the danger corrected. All employees at the location shall be informed of the danger and the supervisor or person in charge of the worksite shall be requested to remove employees from the area, if deemed necessary.
4. The administrative or operational head of the workplace in which the imminent danger exists, or his authorized representative, shall be responsible for determining the manner in which the imminent danger situation will be abated. This shall be done in cooperation with the Workplace Safety Coordinator or Compliance Inspector and to the mutual satisfaction of all parties involved.
5. The imminent danger shall be deemed abated if:
 - a. The imminence of the danger has been eliminated by removal of employees from the area of danger.
 - b. Conditions or practices which resulted in the imminent danger have been eliminated or corrected to the point where an unsafe condition or practice no longer exists.
6. A written report shall be made by or to the Workplace Safety Coordinator describing in detail the imminent danger and its abatement. This report will be maintained by the Workplace Safety Coordinator in accordance with subsection (i) of Section XI of this plan.

B Refusal to Abate.

1. Any refusal to abate an imminent danger situation shall be reported to the Workplace Safety Coordinator and Chief Executive Officer immediately.
2. The Workplace Safety Coordinator and/or Chief Executive Officer shall take whatever action may be necessary to achieve abatement.

XIII. ABATEMENT ORDERS AND HEARINGS

- A. Whenever, as a result of an inspection or investigation, the Workplace Safety Coordinator or Compliance Inspector(s) finds that a worksite is not in compliance with the standards, rules or regulations pursuant to this plan and is unable to negotiate abatement with the administrative or operational head of the worksite within a reasonable period of time, the Workplace Safety Coordinator shall:
 1. Issue an abatement order to the head of the worksite
 2. Post, or cause to be posted, a copy of the abatement order at or near each location referred to in the abatement order.
- B. Abatement orders shall contain the following information:
 1. The standard, rule, or regulation which was found to violated.
 2. A description of the nature and location of the violation.
 3. A description of what is required to abate or correct the violation
 4. A reasonable period of time during which the violation must be abated or corrected

- C. At any time within ten (10) days after receipt of an abatement order, anyone affected by the order may advise the Workplace Safety Coordinator in writing of any objections to the terms and conditions of the order. Upon receipt of such objections, the Workplace Safety Coordinator shall act promptly to hold a hearing with all interested and/or responsible parties in an effort to resolve any objections. Following such hearing, the Workplace Safety Coordinator shall, within three (3) working days, issue an abatement order and such subsequent order shall be binding on all parties and shall be final.

XIV. PENALTIES

Any employee, regardless of status, who willfully and/or repeatedly violates, or causes to be violated, any safety and health standard, rule, or regulation or any abatement order shall be subject to disciplinary action in accordance with the City discipline guidelines, up to and including termination.

XV. CONFIDENTIALITY OF PRIVILEGED INFORMATION

All information obtained by or reported to the Workplace Safety Coordinator pursuant to this plan of operation or the legislation (Ordinance, or executive order) enabling this occupational safety and health program which contains or might reveal information which is otherwise privileged shall be considered confidential. Such information may be disclosed to other officials or employees concerned with carrying out this program or when relevant in any proceeding under this program. Such information may also be disclosed to the Commissioner of Labor or their authorized representatives in carrying out their duties under the Tennessee Occupational Safety and Health Act of 1972.

XVI. COMPLIANCE WITH OTHER LAWS NOT EXCUSED

- A. Compliance with any other law, statute, resolution, or ordinance, as applicable, which regulates safety and health in employment and places of employment shall not excuse the City, the employee, or any other person from compliance with the provisions of this program.
- B. Compliance with any provisions of this program or any standard, rule, regulation, or order issued pursuant to this program shall not excuse the City, the employee, or any other person from compliance with the law, statute, Ordinance, or executive order, as applicable, regulating and promoting safety and health unless such law, statute, Ordinance, or executive order, as applicable, is specifically repealed.

Work Location – Name	Address	Contact Person	Phone #	# Employees
Municipal Building	200 S. Tulane Avenue, Oak Ridge, TN 37830	Mark Watson Cindi Gordon	865-425-3550 865-425-3559	150
Civic Center	1403 Oak Ridge Turnpike, Oak Ridge, TN 37830	Jon Hetrick Matt Reedy	865-425-3447	79
Senior Center	1405 Oak Ridge Turnpike, Oak Ridge, TN 37830	Jon Hetrick	865-425-3447	3
Central Services Complex	100 Woodbury Rd. Oak Ridge, TN 37830	Shira McWaters	865-425-1804	116
Waste Water Treatment Plant	Monterey Road Oak Ridge, TN 37830	Patrick Berge	865-425-1870	12
Water Treatment Plant	1515 Bear Creek Road Oak Ridge, TN 37830	Patrick Berge	865-425-1807	24
Oak Ridge Public Library	1401 Oak Ridge Turnpike, Oak Ridge, TN 37830	Julie Forkner	865-425-3468	23
Scarboro Community Center 148 Carver Avenue Oak Ridge, TN 37830	148 Carver Avenue Oak Ridge, TN 37830	Jon Hetrick	865-425-3447	4
Animal Shelter	395 Belgrade Road	Matt Tedford	865-425-3513	4
Fire Station #1	1097 Oak Ridge Turnpike Oak Ridge, TN 37830	Fire Chief	865-425-3521	12
Fire Station #2	609 Oak Ridge Turnpike Oak Ridge, TN 37830	Fire Chief	865-425-3521	12

Fire Station #3	333 Tuskegee Avenue Oak Ridge, TN 37830	Fire Chief	865-425-3521	18
Fire Station #4	1010 Highway 58 Oak Ridge, TN 37830	Fire Chief	865-425-3521	24
Centennial Golf Course	101 Centennial Blvd. Oak Ridge, TN 37830	Jon Hetrick	865-425-3447	14
TOTAL				495

Total number of employees includes Full, Part-time and Seasonal.

OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN

APPENDIX II – OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN

NOTICE TO ALL EMPLOYEES OF THE CITY OF OAK RIDGE:

The Tennessee Occupational Safety and Health Act of 1972 provides job safety and health protection for Tennessee workers through the promotion of safe and healthful working conditions. Under a plan reviewed by the Tennessee Department of Labor, this government, as an employer, is responsible for administering the Act to its employees. Safety and health standards are the same as State standards and jobsite inspections will be conducted to insure compliance with the Act.

Employees shall be furnished conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.

Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this program which are applicable to his or her own actions and conduct.

Each employee shall be notified by the placing upon bulletin boards or other places of common passage of any application for a temporary variance from any standard or regulation.

Each employee shall be given the opportunity to participate in any hearing which concerns an application for a variance from a standard.

Any employee who may be adversely affected by a standard or variance issued pursuant to this program may file a petition with the Workplace Safety Coordinator.

Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by an applicable standard shall be notified by the City and informed of such exposure and corrective action being taken.

Subject to regulations issued pursuant to this program, any employee or authorized representative(s) of employees shall be given the right to request an inspection.

No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceedings or inspection under, or relating to, this program

Any employee who believes he or she has been discriminated against or discharged in violation of these sections may file a grievance or appeal in accordance with the City's Personnel Ordinance or file a complaint with the Commissioner of Labor alleging such discrimination.

A copy of the Occupational Safety and Health Program for the Employees of the City of Oak Ridge is available for inspection by any employee at the Personnel Department during regular office hours.

City Manager

Date

OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN

APPENDIX III - ACCIDENT REPORTING PROCEDURES

Attached is a copy of the City's Administrative Policy and Procedure #F-410; Attending To and Reporting Accidents, pertaining to the City of Oak Ridge's accident reporting process to include the First Report of Work Injury and City Incident Report regarding work related injuries.

**CITY OF OAK RIDGE, TENNESSEE
ADMINISTRATIVE POLICY AND PROCEDURE MANUAL**

Policy: Attending to and Reporting Accidents

Number #: F-410

Effective Date: July 24, 2020

Revision #: 6



- 1.0 **POLICY STATEMENT:** It is the policy of the City of Oak Ridge that all employees take active responsibility for minimizing the harm to persons or the loss to property that might result from accidents, and that employees conscientiously analyze the cause of all accidents and take all reasonable steps to prevent or reduce the likelihood of similar accidents from recurring.
- 2.0 **PROCEDURES:** The following procedures shall be operative:
- 2.1 **Medical Care for Work Related Employee Injuries.** The Tennessee Workers' Compensation Act, Tennessee Code Annotated, Section 50-6-204, requires the identification of physicians whom employees may utilize for work related injuries. The following health care providers are to be used for work related injuries exclusively, unless permission is otherwise granted by the Personnel Department or through Tennessee Municipal League (TML), the City's workers' compensation claims manager:
- MMC Healthworks
990 Oak Ridge Turnpike
Physician's Plaza, Suite L-50
Oak Ridge, TN 37830
Phone #: 865-835-4320
Monday – Friday; 7:30 am – 5:00 pm
Sunday – Closed
- Methodist Medical Center Emergency Room
990 Oak Ridge Turnpike
Oak Ridge, TN 37830
Phone #: 865-481-1000
After Hours and Emergencies:
Methodist Medical Center Emergency Room
- Fast Pace Urgent Care Clinic
441 S. Illinois Ave.
Oak Ridge, TN 37830
Phone #: 865-685-0767
Monday – Friday; 8:00 a.m. – 8:00 p.m.
Saturday – 8:00 a.m. – 6:00 p.m.
Sunday – 1:00 p.m. – 5:00 p.m.
- 2.1.1 If an employee is seriously injured, 911 should be called so that the employee can be transported to the emergency room.
- 2.1.2 If the injury is not serious, but medical attention is needed, the employee should be driven to one of the health care providers listed above in 2.1
- 2.1.3 Emergency room physicians provide emergency care. Methodist Medical Center Emergency Room should be used in the event of emergency, stitches, x-ray's, or after-hours care

- 2.1.4 Any employee injured on the job may receive medical attention regardless of the severity. Supervisors shall ensure that employees receive medical attention if the supervisor feels it is advisable, regardless of the employees' refusal of treatment. An employee shall seek medical attention for a work related injury as soon as the injury occurs.
- 2.1.5 Any employee seeking treatment for a work related injury must complete the attached forms. In the event of a non-emergency injury, the employee should complete the forms as noted below, in the Personnel Department, prior to visiting a health care provider. For emergent injuries, the forms should be completed as soon as reasonably possible. Failure to complete the forms could result in denial of workers' compensation claim by insurance carrier.
- City Incident Report (Form 2-2-3).
 - First Report of Work Injury form must be completed within twenty-four (24) hours. In the event of a non-emergency injury, the employee should complete prior to visiting a health care provider.
 - Medical Waiver and Consent form.
 - TN Department of Labor Agreement Between Employer/Employee Choice of Physician.
 - Prescription medication referral form to be completed by the Personnel Department (when medications are prescribed for injury). The attached prescription medication referral form is an example only as service providers may have changed.
- 2.1.5.1 Work related incidents resulting in hospitalization or loss of eye/limb.
- Any work related injury resulting in the loss of an eye, amputation or patient hospitalization must file online TOSHA Employee Injury/Illness Incident Report; https://stateoftennessee.formstack.com/forms/tosha_injury_rpt
- 2.1.5.2 Work related fatality.
- Any work related fatality must be reported to the Tennessee Occupational Safety and Health Administration (TOSHA) within eight (8) hours by phone.
- 2.1.6 Any employee in the workers' compensation program must present a "Return To Work" form completed by the health care provider in order to resume work in a full duty or restricted duty capacity.
- 2.1.7 Employees participating in the workers' compensation program must follow all health care provider care instructions and attend follow-up or referral appointments as scheduled. In the event of emergency, the employee will contact their case manager and the Personnel Department to reschedule an appointment.
- 2.1.7.1 Care resulting in a referral to a specialty physician: The employee will choose a specialty physician from a panel, available in the Personnel Department.
- 2.1.8 In the event the City's designated physician removes the employee from active duty, the employee is required to immediately submit for a same-day drug and alcohol screening. Prior to returning to active duty the employee will be required to complete a follow up drug and alcohol screening.

- 2.2 Attending to Non-employees Injured on City Facilities or in Connection with City Operations. When a non-employee is injured, employees should use their best judgment, taking into consideration the following general rules:
- 2.2.1 Decisions regarding medical care for a non-employee shall rest, when possible, with the injured adult, or if an injured child, the adult responsible for the child. If an employee has written authorization to make medical care decisions, those decisions should be reasonable and conservative. In the event the employee does not have written authorization to make medical care decisions and no other authorized employee is available to make such decisions, they should provide only such care and make only such decisions they believe should not be postponed.
 - 2.2.2 Employees shall not discuss the City's liability. Any questions regarding the City's liability should be directed to the Personnel Department.
- 2.3 Vehicular/Equipment Accidents
- 2.3.1 The procedures for medical care as described in sections 2.1 and 2.2 are applicable for all injuries.
 - 2.3.2 Any vehicular accident on a public roadway or involving more than one vehicle shall result in the Police Department being called. The vehicles should not be moved until the Police Department gives instructions to move the vehicles.
 - 2.3.3 Any employee involved in a vehicle or equipment accident while conducting City business shall immediately submit for Post-Accident Drug and Alcohol Testing (Drug & Alcohol Testing, Policy F-602).
 - 2.3.4 In the event of any accident involving loss of life, all employees directly involved in the accident will be required to submit to alcohol and drug testing, regardless of perceived fault or cause of the accident (Drug & Alcohol Testing, Policy No. F-602). This requirement is not limited to accidents involving equipment or vehicles.
 - 2.3.5 Employees shall not discuss liability or fault. Any questions regarding the City's liability should be directed to the Personnel Department.
- 2.4 Damage To Private Property In Connection With City Operations
- 2.4.1 In the event private property is damaged in connection with City operations, reasonable steps may be taken to prevent further damage or to remove any immediate hazards.
 - 2.4.2 Employees shall not discuss the City's liability. Any questions regarding the City's liability should be directed to the Personnel Department.
- 2.5 Reporting Accidents. City Form 2-2-3 (Incident Report) should be used to report (1) all work related injuries, (2) injuries to non-employees in connection with City operations that require medical treatment or that may have the potential for liability claims against the City, (3) all vehicular accidents, (4) any damage to private property in connection with City operations, (5) any significant damage to City property where an accident occurred or nearly occurred that could have resulted in significant damage or injury.
- 2.5.1 All relevant sections of the Incident Report (2-2-3) shall be completely filled out. The employee most involved should complete all sections except Preventative Measures, which should be completed by the supervisor, manager or Director. If the employee is not available, the supervisor or another involved employee may complete those sections.

2.5.2 The report will be signed by the employee providing the information for the descriptive sections of the report and by the Department Director and forwarded to the Personnel Department immediately or at a maximum of two (2) working days.

2.5.2.1 Written witness statements, if witnesses are present, should accompany the Incident Report.

3.0 RESPONSIBILITY: All Department Directors are responsible for ensuring that this policy is followed within their areas of responsibility. The Personnel Department is additionally responsible for administration of the City's Risk Management Program and for monitoring the accident information that is provided.

APPROVED:

Mark S. Watson
City Manager

Original: 3/15/88
Revisions: 7/27/92; 8/1/94; 4/12/11; 12/28/18; 7/20/2020

Attachments: Form 2-2-3 Incident Report
First Report of Work Injury Form
TOSHA Employee Injury/Illness Incident Report
Medical Waiver and Consent Form
Agreement Between Employer/Employee Choice of Physician Form
Prescription Medication Referral Form Example

Incident Location _____

Date _____ Time _____ am pm Complete reverse for all incidents.

Bodily Injury

Name _____ Birth Date _____

Home Address _____ Home Phone _____

Employee: Department _____ Job Title _____

Type of injury and specific body part _____

Medical attention required _____

Will injury leave be required? (Describe) _____

Vehicular Damage

City Vehicle Driver _____ Vehicle type and # _____

Passengers _____ Estimated Damage \$ _____

Driver of Other Vehicle _____ Phone Number _____

Address _____ Passengers _____

Vehicle: Year _____ Make _____ Model _____ Damage \$ _____

Owner (if not driver) _____ Insurance Agent _____

Non-vehicle Property Damage

Employee Most Involved _____ Department _____

Describe Property and Damage _____

City Owned Other Owner _____ Phone _____

Address _____ Estimated Damage \$ _____

Other Property and Damage _____

City Owned Other Owner _____ Phone _____

Address _____ Estimated Damage \$ _____

CITY OF OAK RIDGE, TENNESSEE
INCIDENT REPORT - PAGE 2

Circumstances of Incident
(To be completed by involved employee, if available.)

Describe how incident occurred, what was each involved person doing, what objects or equipment were involved, what was the direct cause, etc....

Describe any contributing factors (unusual circumstances, weather, etc...).

Draw diagram if it will clarify the incident. Separate sheet may be used.

Witnesses not already listed

Preventative Measures
(To be completed by supervisor or Director, not employee.)

Describe measures which were in effect to prevent this type of incident.

Describe additional steps which are being taken to prevent or reduce the chances of this type of incident recurring. Include employee training, counseling employee(s), discussion during safety meetings, changes in procedure, new equipment or modification to equipment, etc....

If no additional steps are being taken, explain.

_____ Employee	_____ Date	_____ Prepared By	_____ Date
_____ Supervisor	_____ Date	_____ Director	_____ Date

**TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
TENNESSEE EMPLOYER'S FIRST REPORT OF WORK INJURY**

CLAIMS ADM/CARRIER	JURISDICTION CLAIM # (State File#)		CLAIM TYPE CODE <input type="checkbox"/> MED ONLY <input type="checkbox"/> INDEMNITY <input type="checkbox"/> BECAME LOST TIME <input type="checkbox"/> BECAME MED ONLY <input type="checkbox"/> NOTIFY ONLY <input type="checkbox"/> TRANSFER		<p>The Use of this Form is Required Under the Provisions of the Tennessee Workers' Compensation Law and Must be Completed and Filed With Your Insurance Carrier Immediately After Notice of Injury.</p> <p><i>It is a crime to knowingly provide false, incomplete or misleading information to any party to a workers' compensation transaction for the purpose of committing fraud. Penalties include imprisonment, fines and denial of insurance benefits.</i></p> <p>If you have questions, the State now has a benefit review system where a Tennessee Department of Labor Workers' Compensation Specialist can provide assistance. Call 1-800-332-2667 (TDD).</p>				
	CLAIMS ADM # (Insurer Claim#)		CARRIER FEIN 62-1074045						
	OSHA CASE LOG #		FEIN OF CLAIMS ADM 59-2863407						
	NAME OF INSURANCE CARRIER TML Risk Management Pool		CLMS ADJ PHONE # 615/370-4180 800/288-0829						
	CLAIMS ADMIN FIRM NAME (if different from carrier) TML Pool Claims		CITY Brentwood,					STATE TN	ZIP 37027
	CLAIMS ADJUSTER NAME Fax: 1-877/469-7611		CLAIMS HANDLING OFFICE ADDRESS LINE 1 AND LINE 2 5100 Maryland Way						
EMPLOYER	EMPLOYER NAME CITY OF OAK RIDGE		EMPLOYER FEIN 62-6018662		SIC CODE		PHONE NUMBER (865) 425-3564		
	EMPLOYER ADDRESS LINE 1 AND LINE 2 P.O. BOX 1				NATURE OF BUSINESS MUNICIPAL				
	CITY OAK RIDGE	STATE TN	ZIP 37830	INSURED REPORT NUMBER		EMPLOYER LOCATION #			
POLICY	INSURED NAME (parent co. if different than employer)		POLICY NUMBER EFF DATE		EMPLOYMENT STATUS CODE <input type="checkbox"/> FULL TIME/REGULAR <input type="checkbox"/> PART TIME <input type="checkbox"/> PIECE WORKER <input type="checkbox"/> SEASONAL <input type="checkbox"/> VOLUNTEER <input type="checkbox"/> APPRENTICE FULL TIME <input type="checkbox"/> APPRENTICE PART TIME				
	SELF INSURED? <input type="checkbox"/> YES <input type="checkbox"/> NO		EXP DATE						
EMPLOYEE	EMPLOYEE LAST NAME		PHONE INCL AREA CODE		GENDER <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE <input type="checkbox"/> UNKNOWN				
	FIRST	MI	DEPARTMENT REGULARLY WORKED		OCCUPATION DESCRIPTION				
	ADDRESS LINE 1 & 2								
	CITY	STATE	ZIP	MARITAL STATUS <input type="checkbox"/> UNMARRIED, SINGLE, DIVORCED		<input type="checkbox"/> MARRIED	NCCI CLASS CODE		
	SSN	DATE OF BIRTH	DATE OF HIRE	<input type="checkbox"/> SEPARATED		<input type="checkbox"/> UNKNOWN			
WAGE	WAGE \$	PERIOD <input type="checkbox"/> HOURLY <input type="checkbox"/> DAILY	<input type="checkbox"/> WEEKLY <input type="checkbox"/> BI-WEEKLY <input type="checkbox"/> MONTHLY	NUMBER OF DAYS WORKED PER WEEK	SALARY CONTINUED IN LIEU OF COMPENSATION <input type="checkbox"/> YES <input type="checkbox"/> NO				
					FULL WAGES PAID FOR DATE OF INJURY <input type="checkbox"/> YES <input type="checkbox"/> NO				
ACCIDENT/INJURY	DATE OF INJURY		TIME OF INJURY <input type="checkbox"/> AM <input type="checkbox"/> PM <input type="checkbox"/> COULD NOT BE DETERMINED		TIME EMPLOYEE BEGAN WORK ON INJURY DATE <input type="checkbox"/> AM <input type="checkbox"/> PM				
	DATE EMPLOYER NOTIFIED OF INJURY		BODY PART AFFECTED CODE		NATURE OF INJURY CODE		CAUSE OF INJURY CODE		
	DATE CLAIM ADM NOTIFIED OF INJURY		How injury or illness occurred. Describe the incident including what the employee was doing just before, the part of the body affected and how, and object or substance that directly harmed the employee.						
	DATE LAST DAY WORKED								
	DATE DISABILITY BEGAN								
	RETURN TO WORK DATE (IF APPLICABLE)								
	DATE OF DEATH (IF APPLICABLE)		IF DEATH CLAIM, GIVE # DEPENDENTS FOR EACH RELATIONSHIP <input type="checkbox"/> WIDOW <input type="checkbox"/> FATHER <input type="checkbox"/> SISTER <input type="checkbox"/> DAUGHTER <input type="checkbox"/> BROTHER <input type="checkbox"/> MOTHER <input type="checkbox"/> SON <input type="checkbox"/> HANDICAPPED CHILD <input type="checkbox"/> OTHER TOTAL # DEPENDENTS						
	DID INJURY/ ILLNESS OCCUR ON EMPLOYER'S PREMISES? <input type="checkbox"/> YES <input type="checkbox"/> NO								
ADDRESS WHERE INJURY OCCURRED (if other than employer's premises) CITY				STATE	ZIP	COUNTY OF INJURY			
TREATMENT	PHYSICIAN NAME			HOSPITAL OR OFF SITE TREATMENT NAME					
	ADDRESS LINE 1 AND 2			ADDRESS LINE 1 AND 2					
	CITY	STATE	ZIP	CITY	STATE	ZIP			
	INITIAL TREATMENT <input type="checkbox"/> NO MEDICAL TREATMENT		<input type="checkbox"/> MINOR BY EMPLOYER <input type="checkbox"/> MINOR BY CLINIC/HOSPITAL		<input type="checkbox"/> HOSPITALIZED > 24 HRS <input type="checkbox"/> EMERGENCY CARE		<input type="checkbox"/> FUTURE MAJOR MEDICAL/LOST TIME ANTICIPATED		
OTHER	DATE PREPARED		PREPARER'S NAME & TITLE		PREPARER'S COMPANY NAME		PHONE NUMBER		

Tennessee Occupational Safety and Health Administration

Employee Injury/Illness Incident Report

This form is to be used by Tennessee employers to report work-related employee incidents that result in the loss of an eye, an amputation, or inpatient hospitalization (generally an overnight stay) within 24 hours of the incident. If you have questions about this form please call 800-249-8510.

Work-related fatalities must be reported by calling 800-249-8510.

Emergency room visits that do not result in admission to the hospital are not required to be reported.

If an employee is treated and released without admission or admitted for observation only a report is not required.

Type of Injury/Illness outcome being reported

Inpatient Hospitalization Amputation Loss of an eye

Describe the injury/illness*

Employer Information

Establishment/Business Name*

Address*

Address Line 1

Address Line 2

City

State

ZIP Code

Type of Business

e.g.- metal stamping, saw mill, car sales

Number of Employees

Site Contact Information

Name*

First Name

Last Name

Title

Email

Phone*

LB-3292

RDA#819



Save and Resume Later

Progress



Form secured by Formstack



TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
Division of Workers' Compensation

MEDICAL WAIVER AND CONSENT

It is a crime to knowingly provide false, incomplete or misleading information to any party to a workers' compensation transaction for the purpose of committing fraud. Penalties include imprisonment, fines and denial of insurance benefits.

THIS MEDICAL AUTHORIZATION FORM ONLY PERMITS THE EMPLOYER OR THE EMPLOYER'S REPRESENTATIVE OR THE DIVISION OF WORKERS' COMPENSATION TO OBTAIN MEDICAL INFORMATION THROUGH ORAL OR WRITTEN COMMUNICATION, INCLUDING, BUT NOT LIMITED TO, CHARTS, FILES, RECORDS, AND REPORTS IN THE POSSESSION OF A MEDICAL PROVIDER AUTHORIZED BY THE EMPLOYER PURSUANT TO T.C.A. § 50-6-204 AND A MEDICAL PROVIDER THAT IS REIMBURSED BY THE EMPLOYER FOR THE EMPLOYEE'S TREATMENT.

I, _____
Having filed a claim for workers' compensation benefits, do hereby authorize

"All Medical records related to my injury that occurred _____ (Date)
(Name of Medical Provider)

to furnish to my employer or my employer's representative, such as adjusters, case managers, UR staff, and/or the Division of Workers' Compensation any information verbally or written material reasonably related to my work-related injury for which I am claiming compensation.

I further authorize the release of the same information to me or my attorney upon request.

The authorization includes, but is not restricted to, a right to review and obtain copies of all records, x-rays, x-ray reports, medical charts, prescriptions, diagnoses, opinions and courses of treatment.

A photocopy of the authorization may be accepted in lieu of the original.

Dated:

Patient

Social Security last four numbers

Witness

PRIMARY CARE

FORM C-42 (G)

**TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
Division of Workers' Compensation
Nashville, Tennessee 37243-0661**

AGREEMENT BETWEEN EMPLOYER/EMPLOYEE CHOICE OF PHYSICIAN

It is a crime to knowingly provide false, incomplete or misleading information to any party to a workers' compensation transaction for the purpose of committing fraud. Penalties include imprisonment, fines and denial of insurance benefits.

In compliance with The Tennessee Workers' Compensation Law, T.C.A. Section 50-6-204(4)

The injured employee shall accept the medical benefits afforded hereunder; provided, that the employer shall designate a group of three (3) or more reputable physicians or surgeons not associated together in practice, if available in that community, from which the injured employee shall have the privilege of selecting the operating surgeon or the attending physician.

1.	FAST PACE URGENT CARE		865-685-0767
	PHYSICIAN'S NAME	OAK RIDGE	PHONE
	441 S. ILLINOIS AVE		IN 37830
	OFFICE ADDRESS	CITY	STATE ZIP
2.	MMC HEALTHWORKS		865-835-4320
	PHYSICIAN'S NAME	OAK RIDGE	PHONE
	990 OAK RIDGE TURNPIKE		TN 37830
	OFFICE ADDRESS	CITY	STATE ZIP
3.	MMC ER---ER VISIT & AFTER HRS ONLY		865-835-1000
	PHYSICIAN'S NAME	OAK RIDGE	PHONE
	990 OAK RIDGE TURNPIKE		TN 37830
	OFFICE ADDRESS	CITY	STATE ZIP
4.	WELL KEY URGENT CARE		865-558-3038
	PHYSICIAN'S NAME	Knoxville	PHONE
	6606 CLINTON HWY		TN 37912
	OFFICE ADDRESS	CITY	STATE ZIP

If the injured employee refuses to comply with any reasonable request for examination or to accept the medical or specialized medical services which the employer is required to furnish under the provisions of this law, such injured employee's right to compensation shall be suspended and no compensation shall be due and payable while such injured employee continues such refusal.

According to the provisions of this agreement, I hereby have selected the following physician from the list provided to me by my employer.

Physician chosen: _____
Date of selection: _____

Date of injury: _____
Date of appointment: _____

CITY OF OAK RIDGE
EMPLOYER'S NAME
200 SOUTH TULANE AVE
STREET ADDRESS
OAK RIDGE TN 37830
CITY STATE ZIP
865-425-3564
PHONE
EMPLOYER'S SIGNATURE

EMPLOYEE'S NAME
ADDRESS
CITY STATE ZIP
PHONE
EMPLOYEE'S SIGNATURE

Physician's signature: _____

Date of treatment _____



MAKING IT EASY... TO GET WORKERS' COMPENSATION PRESCRIPTIONS FILLED.

Optum has been chosen to manage your workers' compensation pharmacy benefits for your employer or their insurer. Below is your First Fill card that will allow you to receive your injury-related prescriptions at your local pharmacy. Please fill out the card based on the instructions below. *Please note this First Fill card is valid for 10 days from initial use. However, if your claim is accepted and set up with Public Entity Partners, you will need to process your prescriptions using your permanent pharmacy card, even if it is within that 10 day period.*

Injured Employee:



If you need a prescription filled for a work-related injury or illness, go to an Optum Tmesys® network pharmacy. Give this temporary card to the pharmacist. The pharmacist will fill your prescription at low or no cost to you.



If your workers' compensation claim is accepted, you will receive a more permanent pharmacy card in the mail. Please use that card for other work-related injury or illness prescriptions.



Most pharmacies, including Walgreens, our preferred provider, and all major chains, are included in the network. To find a network pharmacy call 1-866-940-4459 or visit tmesys.com.

If you have any questions or need assistance, please contact or have the pharmacy contact Optum at:



1-866-940-4459

Public Entity Partners
Workers Compensation Program

WORKERS' COMPENSATION PRESCRIPTION DRUG PROGRAM

Public Entity Partners
CARRIER/TPA _____ EMPLOYER _____

INJURED WORKER NAME _____

Please provide directly to Pharmacist
SOCIAL SECURITY NUMBER _____ DATE OF INJURY (YYMMDD) _____

Notice to Cardholder: Present this card to the pharmacy to receive medication for your work-related injury. To locate a pharmacy: tmesys.com.

Attention Pharmacists: Enter RxBIN, RxPCN and GROUP Member ID # format is the date of injury and SSN combined as follows: YYMMDD123456789

Tmesys is the designated PBM for this patient.

Tmesys Pharmacy Help Desk
1-866-940-4459

	NDC	or	Envoy
RxBIN	004261	or	002538
RxPCN	CAL	or	Envoy Acct. #
GROUP	TNMLFF		

NOTE: This First Fill card is only valid for your workers' compensation injury or illness.



Employer:

Immediately upon receiving notice of injury, fill in the information above and give this form to the employee.

PUBLIC HEARINGS
AND
FIRST READING OF
ORDINANCES

COMMUNITY DEVELOPMENT MEMORANDUM
20-65

DATE: August 25, 2020
TO: Mark S. Watson, City Manager
THROUGH: Wayne E. Blasius, Community Development Director **WB**
FROM: Jennifer L. Williams, Senior Planner
SUBJECT: ZONING ORDINANCE HOUSEKEEPING TEXT AMENDMENT

Introduction

An item for City Council's consideration is an ordinance to adopt seven 'housekeeping' zoning text amendments. These amendments are meant to correct errors or inconsistencies in the ordinance.

Funding

No funding is associated with this item.

Analysis

The seven proposed housekeeping amendments are described below.

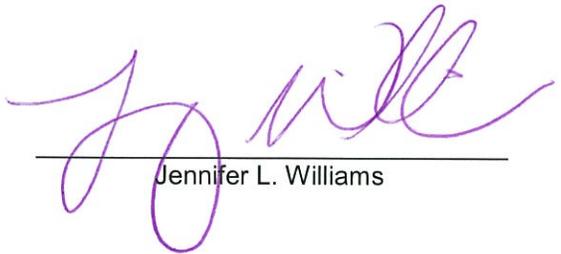
1. **Section 3.02(a):** Keeping chickens in residential zoning districts.
 - **Explanation:** Section 3.02(a) states that the keeping of poultry is not allowed in any residential zoning district except RG-1. This is no longer true, chickens have been allowed in all residential districts since 2016. (See Oak Ridge City Code Title 10, Chapter 5)
 - **Proposed Change:** Add a sentence to this section referencing the chicken ordinance.
2. **Sections 3.10(a) and 3.11(b):** Reference to old numbering system.
 - **Explanation:** Sections 3.10(a) and 3.11(b) of the Ordinance reference 'Section 2.07' and 'Section 2.08(r)' of the Zoning Ordinance. These are references to an old numbering system in Article II Definitions. Article II no longer numbers individual definitions.
 - **Proposed Change:** Remove the old numbering reference and replace with a general reference to Article II.
3. **Sections 3.13 and 3.23** are nearly identical.
 - **Explanation:** Sections 3.13 and 3.23, which deal with different types of daycare homes, are nearly identical. The only apparent difference is that Section 3.23 includes adult day care and has one additional standard regarding modifications to dwelling units used as day care facilities. Section 3.23 was added to the Ordinance in a 2008 amendment. It appears to have been intended as an update to Section 3.13.
 - **Proposed Change:** Delete Section 3.13.
4. **Section 5.05**, the R-3 District, includes uses that are listed as both "permitted by right" and also listed "by special exception." Proposed change fixes this.
 - **Explanation:** "*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*" are listed in the R-3 zone as a use permitted by right.

Uses not 'permitted by right' may be requested by petition to the the Board of Zoning Appeals. Other uses permitted by right in the R-3 district include government uses, schools, churches, assisted living facilities, offices, and hospitals. Many of the uses listed above are similar or overlap with other uses permitted by right.

- **Proposed Change:** Allow these uses by right and remove "by special exception."
5. **Section 7.03**, the B-2 District, includes uses that are listed as both "permitted by right" and also listed "by special exception." Proposed change fixes this.
- **Explanation:** "Veterinary clinic and small animal hospital, provided there be no animal pens or runs outside the building" is listed in the B-2 zone as a use permitted by right and a use that requires Special Exception approval from the Board of Zoning Appeals. The B-2 district permits a wide variety of other medical and services uses by right. In addition, the veterinary hospital use prohibits animals being kept outside, which could impact adjacent properties if allowed.
 - **Proposed Change:** Allow these uses by right and remove "by special exception."
6. **Section 8.01(b)** lists the same use twice.
- **Explanation:** Section 8.01(b) lists allowed uses in the IND-1 District. "Offices, administrative, technical, and professional services" is listed twice. Once as item 3, and once as item 10.
 - **Proposed Change:** Remove item 10.
7. **Section 16.16(a)** references an old numbering system and has a typo.
- **Explanation:** Section 16.16(a), which lists the evaluation standards for Site Plans, includes a reference to an old numbering system. In addition the word 'maxim' appears where 'maximum' should be.
 - **Proposed Change:** Remove the old numbering reference and fix the typo.

Recommendation

Approval of the attached ordinance is recommended.



Jennifer L. Williams

Attachments: Bold/Strikethrough of Proposed Amendments
Proposed ordinance

City Manager's Comments:

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



Mark S. Watson 9/8/20
Date

1. Section 3.02(a)

- (a) No animals ~~or livestock, or poultry~~ of any kind shall be raised, bred or kept in any residential zoning district except RG-1 except that, subject to the provisions herein, dogs, cats or other customary pets may be kept provided that they are not kept, bred or maintained for any commercial purpose or in a manner constituting a public or private nuisance. In all cases, the Board of Zoning Appeals shall determine what is a customary pet in the event of dispute. **In addition, chickens shall be permitted in residential districts in accordance with Oak Ridge City Code Title 10, Chapter 5.** The provision shall in no way be construed to abrogate any person's responsibility or liability under this or any other city ordinance dealing with noise or nuisance.

2. Section 3.10(a) and 3.11(b)

3.10(a) Principal Building.

The required front, rear and side building setback shall be measured from the property line as set forth in **Article II Section 2.07** to the furthestmost projection of the exterior wall of the building nearest the point of measurement at the property line except as otherwise provided in this code.

- 3.11(b) Home occupations, as defined in **Article II Section 2.08(r)**, shall be allowed in all residentially zoned districts subject to all of the following regulations:

3. Section 3.13/3.23

~~Section 3.13 Family Day Care and Group Day Care Homes~~

~~The following supplementary provisions shall apply to family day care and group day care homes in each respective zone. All state licenses are required and need to be displayed on-site.~~

- (a) ~~The maximum number of children permitted in any family day care home or child care center shall be that number approved by the State of Tennessee for such facility; provided, however, that in the case of a family day care home operated in a dwelling unit, there shall be no more than seven (7) children in attendance at the facility at any given time including resident children aged five (5) years and younger. This number may be increased up to twelve (12) children in cases where the Board of Zoning Appeals determines that the additional children in attendance will have no material adverse impact on traffic or upon the value, use or enjoyment of any residential property within 500 feet of such facility.~~
- (b) ~~Each family day care home and group day care home shall be licensed by the State of Tennessee, and shall post such license or otherwise make it available for public inspection.~~
- (c) ~~No family day care home or group day care home proposed to be operated in a dwelling unit shall be located within 500 feet from the lot of an existing family day care home, child care center or private educational institution except in such cases where the Board of Zoning Appeals determines that a new family day care home or group day care home will have no material adverse impact on traffic or upon the value, use or enjoyment of any residential property within 500 feet of such facility.~~
- (d) ~~The owner/operator of any family day care home or group day care home operated in a dwelling unit shall be required to maintain actual residence in that dwelling unit, and is authorized to have additional employees as may be required by the State of Tennessee.~~

- ~~(e) Each child care center or private education institution shall provide a safe drop-off and pick-up area for children on the property, so that any vehicle using such drop-off area shall enter the property and return to the abutting public street by forward motion.~~
- ~~(f) Each family day care home and group day care home, licensed by the State of Tennessee and approved by the Board of Zoning Appeals, or approved as a use customarily incidental to the permitted principal use, on or before April 1, 1990, may continue to provide care for the number of children authorized under the current state license not to exceed the number approved under such license as of April 1, 1990, and shall continue to meet yard space standards and drop-off or pick-up space provisions required at the time of approval by the Board of Zoning Appeals. Such authorization shall continue so long as the facility remains in compliance with said standards and provisions.~~

Sec. 3.23 Family Day Care, Group Day Care Homes and Adult Day Care Facility

- (a) The maximum number of children permitted in any family day care home or child care center (which is inclusive of family day care, group day care homes and adult day care) shall be that number approved by the State of Tennessee for such facility; provided, however, that in the case of a family day care home operated in a dwelling unit, there shall be no more than seven (7) children in attendance at the facility at any given time including resident children aged five (5) years and younger. This number may be increased up to twelve (12) children in cases where the Board of Zoning Appeals determines that the additional children in attendance will have no material adverse impact on traffic or upon the value, use or enjoyment of any residential property within 500 feet of such facility.
- (b) Each family day care home and group day care home shall be licensed by the State of Tennessee, and shall post such license or otherwise make it available for public inspection.
- (c) No family day care home or group day care home proposed to be operated in a dwelling unit shall be located within 500 feet from the lot of an existing family day care home, child care center or private educational institution except in such cases where the Board of Zoning Appeals determines that a new family day care home or group day care home will have no material adverse impact on traffic or upon the value, use or enjoyment of any residential property within 500 feet of such facility.
- (d) The owner/operator of any family day care home or group day care home operated in a dwelling unit shall be required to maintain actual residence in that dwelling unit, and is authorized to have additional employees as may be required by the State of Tennessee.
- (e) Each child care center or private education institution shall provide a safe drop-off and pick-up area for children on the property, so that any vehicle using such drop off area shall enter the property and return to the abutting public street by forward motion.
- (f) Each family day care home and group day care home, licensed by the State of Tennessee and approved by the Board of Zoning Appeals, or approved as a use customarily incidental to the permitted principal use, on or before April 1, 1990, may continue to provide care for the number of children authorized under the current state license not to exceed the number approved under such license as of April 1, 1990, and shall continue to meet yard space standards and drop-off or pick-up space provisions required at the time of approval by the Board of Zoning Appeals. Such authorization shall continue so long as the facility remains in compliance with said standards and provisions.
- (g) The Board may limit either interior or exterior modifications of any structure built as a dwelling to those modifications which would not hamper reconversion of the dwelling to its original state upon cessation of the child care operation.

(Ord. No. 27-08 Revised Effective 10/2/08)

4. Section 5.05

(a) Permitted Principal Uses:

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 centers; libraries and museums.

(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.~~

5. Section 7.03

(a) Permitted Principal Uses:

22. Veterinary clinic and small animal hospital, provided there be no animal pens or runs outside the building.

(Ord. No. 11-06 Revised Effective 8/03/06)

- (c) Special Exception Requiring Board of Zoning Appeals Approval: (Ord. 5-2014 Revised Effective 6/12/2014) Under such conditions as the Board of Appeals may impose to ensure that the following uses will not cause undue traffic congestion; create a traffic hazard; or otherwise impair the public health, safety, morals, convenience, comfort, prosperity, or other aspects of the general welfare.

- ~~7. Veterinarian clinic and small animal hospital, provided there be no animal pens or runs outside a building.~~

(Ord. No. 26-91 Revised Effective 12/19/91)

6. Section 8.01(b)

(b) Permitted Principal Uses:

3. Offices, administrative, technical, and professional services.

(Ord. No. 11-06 Revised Effective 9/03/06)

- ~~40. Offices, administrative, technical and professional.~~

7. Section 16.16(a)

Section 16.16 Reviews and Performance Standards. The site plan and associated plans shall be evaluated for:

- (a) Provision and compliance with the various zoning ordinance and locational information requirements, including appropriate zoning, minimum building and parking setbacks, building height limitations, ~~maxim~~ **maximum** allowable floor area and other information specified in ~~Section 6-920~~ of this ordinance.

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY DELETING SUBSECTION (A) OF SECTION 3.02, TITLED, "GENERAL LAND USE PROVISIONS," AND SUBSTITUTING THEREFOR A NEW SECTION 3.02(A) TO ADDRESS POSSESSION OF CHICKENS IN RESIDENTIAL AREAS; BY DELETING THE REFERENCE TO "SECTION 2.07" IN SECTION 3.10(A) AND THE REFERENCE TO "2.08(R)" IN SECTION 3.11(B) AND REPLACING BOTH WITH A REFERENCE TO "ARTICLE II" FOR CORRECTNESS; BY DELETING THE FOLLOWING SECTIONS WITHOUT REPLACEMENT: SECTION 3.13, SECTION 5.05(C)(1), SECTION 7.03(C)(7), AND SECTION 8.01(B)(10) TO REMOVE REDUNDANT PROVISIONS; AND BY DELETING SUBSECTION (A) OF SECTION 16.16, TITLED, "REVIEWS AND PERFORMANCE STANDARDS," AND SUBSTITUTING THEREFOR A NEW SECTION 16.16(A) TO CORRECT TYPOGRAPHICAL ERRORS.

WHEREAS, the City of Oak Ridge is continually reviewing the Zoning Ordinance to update provisions and make it more understandable to the general public; and

WHEREAS, this amendment contains various housekeeping updates to correct errors and inconsistencies in the Zoning Ordinance including keeping chickens (hens) in residential districts for consistency with the City Code, removing references to the old numbering system, and removing redundant provisions; and

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. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," Section 3.02, titled "General Land Use Provisions," is hereby amended by deleting subsection (a) and substituting therefor a new subsection (a) which shall read as follows:

Section 3.02 General Land Use Provisions

- (a) No animals or livestock of any kind shall be raised, bred or kept in any residential zoning district except RG-1 except that, subject to the provisions herein, dogs, cats or other customary pets may be kept provided that they are not kept, bred or maintained for any commercial purpose or in a manner constituting a public or private nuisance. In all cases, the Board of Zoning Appeals shall determine what is a customary pet in the event of dispute. In addition, chickens shall be permitted in residential districts in accordance with Oak Ridge City Code Title 10, Chapter 5. The provision shall in no way be construed to abrogate any person's responsibility or liability under this or any other city ordinance dealing with noise or nuisance.

Section 2. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," Section 3.10, titled "Building Setback," Subsection (a), titled "Principal Building" is hereby amended by deleting the reference to "Section 2.07" and replacing it with "Article II" to eliminate the reference to an old numbering system.

Section 3. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," Section 3.11, titled "Home Occupations," is hereby amended by deleting the reference to "Section 2.08(r)" in Subsection (b) and replacing it with "Article II" to eliminate the reference to an old numbering system.

Section 4. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," Section 3.13, titled "Family Day Care and Group Day Care Homes," is

hereby deleted without replacement as these provisions are already addressed in Section 3.23, titled "Family Day Care, Group Day Care Homes and Adult Day Care Facility."

Section 5. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.05, titled "R-3, Medium Density Residential District," Subsection (c), titled "Special Exceptions Requiring Board of Zoning Appeals Approval," is hereby amended by deleting subsection 1 without replacement as this use is already listed as a permitted principal use in Section 5.05(a)(3).

Section 6. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.03, titled "B-2, General Business Districts," Subsection (c), titled "Special Exception Requiring Board of Zoning Appeals Approval," is hereby amended by deleting subsection 7 without replacement as this use is already listed as a permitted principal use in Section 7.03(a)(22).

Section 7. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VIII, titled "Industrial Districts," Section 8.01, titled "IND-1, Industrial Districts," Subsection (b), titled "Permitted Principal Uses," is hereby amended by deleting subsection 10 without replacement as this use is already listed as a permitted principal use in Section 8.01(b)(3).

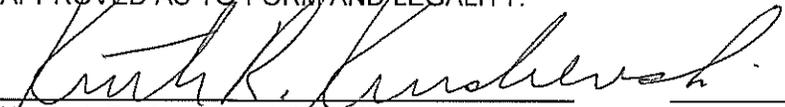
Section 8. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article XVI, titled "Administration and Enforcement," Section 16.16, titled "Reviews and Performance Standards," is hereby amended by deleting subsection (a) in its entirety and substituting therefor a new subsection (a), which new subsection shall read as follows:

Section 16.16 Reviews and Performance Standards

- (a) Provision and compliance with the various zoning ordinance and locational information requirements, including appropriate zoning, minimum building and parking setbacks, building height limitations, maximum allowable floor area and other information specified in this ordinance.

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

APPROVED AS TO FORM AND LEGALITY:



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: _____

**ELECTIONS
AND
APPOINTMENTS**

MAYOR'S MEMORANDUM
20-03

DATE: September 2, 2020
TO: Members of City Council
FROM: Warren L. Gooch, Mayor
SUBJECT: APPOINTMENTS TO BUDGET AND FINANCE COMMITTEE

At the September 14, 2020 City Council meeting, City Council will be asked to confirm appointments to the Budget and Finance Committee.

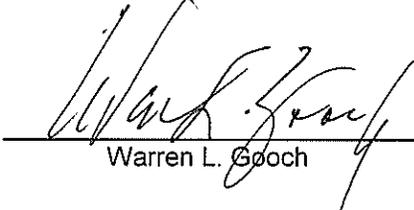
With the adoption of Resolution 09-90-2014, City Council reestablished the Budget and Finance Committee with the mission to assist City Council in providing guidance to the City Manager with respect to budget preparation, as required by Article V, Section 10 of the City Charter.

The FY2020 Budget and Finance Committee was comprised of Kelly Callison, Chair, Mayor Pro Tem Rick Chinn, and Ellen Smith. For FY2021, I am making no changes and thus the following composition is recommended:

Budget and Finance Committee

Kelly Callison, Chair
Rick Chinn
Ellen Smith

It is the Mayor's recommendation to confirm the appointment of the Budget and Finance Committee as presented above.



Warren L. Gooch