

OAK RIDGE CITY COUNCIL MEETING

Municipal Building Courtroom

February 8, 2010 – 7:00 p.m.

AGENDA

1. **INVOCATION**

Pastor Robert May, Oak Ridge Family Bible Church

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **APPEARANCE OF CITIZENS**

5. **APPROVAL OF AGENDA**

6. **RECOGNITION OF VISITORS**

7. **PROCLAMATIONS AND COURTESY RESOLUTIONS**

A proclamation designating February 16, 2010 as "League of Women Voters *Making Democracy Work Day.*"

8. **PUBLIC HEARING** – None

9. **CONSENT AGENDA**

- a. Approval of the Minutes of the January 4, 2010 City Council meeting.
- b. Approval of the Minutes of the January 11, 2010 City Council meeting.
- c. Adoption of a proclamation designating March 5, 2010 as "Arbor Day."
- d. Adoption of a resolution authorizing the submittal of an application for set-aside Emergency Shelter Grant Program (ESGP) funds from the Tennessee Housing Development Agency, through the U.S. Department of Housing and Urban Development Emergency Shelter Grant Program, in the estimated amount of \$33,856 to fund ESGP activities and to aid qualified organizations in their application efforts for competitive ESGP funding.
- e. Adoption of a resolution approving the transfer of funds from the Electric Fund and Waterworks Fund to the General Fund with such funds to then be distributed to the respective taxing jurisdictions as follows: from the Electric Fund to (1) the City of Oak Ridge in the amount of \$1,230,708, (2) Anderson County in the amount of \$311,397, and (3) Roane County in the amount of \$45,905; and from the Waterworks Fund to the City of Oak Ridge in the amount of \$1,269,807.

10. **SPECIAL REPORTS**

- a. **Mayor and City Council**

- b. Special Committees
- c. Boards and Commissions
- d. Other

11. **APPROVAL OF MINUTES**

12. **ORDINANCES**

a. First Reading of New Ordinances

AN ORDINANCE TO AMEND TITLE 12, TITLED "BUILDING, UTILITY, ETC., CODES," CHAPTER 4, TITLED "BOARD OF ELECTRICAL EXAMINERS," AND CHAPTER 8, TITLED "BOARD OF PLUMBING EXAMINERS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SECTION 12-410 TITLED "EXAMINATION OF APPLICANTS," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SECTION 12-410, TITLED "EXAMINATION OF APPLICANTS," AND BY DELETING SECTION 12-808, TITLED "GENERAL POWERS AND DUTIES," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SECTION 12-808, TITLED "GENERAL POWERS AND DUTIES; EXAMINATION OF APPLICANTS," IN ORDER TO UPDATE THE STANDARDS FOR COMPETENCY EXAMINATIONS FOR ELECTRICIANS AND PLUMBERS, AS WELL AS PLACE A TIME LIMIT ON THE VALIDITY OF TEST SCORES.

b. Adoption of Ordinances (Second Reading) - None

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," CHAPTER 5, TITLED "SPEED REGULATIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, TO CREATE A NEW SECTION 15-514, TITLED "MAXIMUM SPEED LIMITS ON SPECIFIC STREETS – FIFTEEN MILES PER HOUR," TO ESTABLISH A FIFTEEN MILE PER HOUR SPEED LIMIT FOR THE GRAVEL PORTION OF TUSKEGEE DRIVE.

13. **RESOLUTIONS**

a. General Resolutions

A resolution endorsing the Oak Ridge Convention and Visitors Bureau (ORCVD) application to the *Preserve America* grant program in an amount up to \$250,000 to support education, interpretation, and heritage tourism needs for the City of Oak Ridge, to be matched by an equal amount in in-kind services by the ORCVB.

A resolution authorizing the Interim City Manager and the City Attorney to establish a written framework and timeline for Oak Ridge Revitalization Effort, owner of 210 East Madison Avenue, commonly known as the Alexander Inn, to proceed with necessary repairs for the owner to bring the Alexander Inn into compliance with City Code and to correct the pending violations; and providing that the framework and timeline for compliance shall be presented to the City Court Judge in an Order on March 1, 2010 for his approval, which will set forth deadlines by which Oak Ridge Revitalization Effort will bring the Alexander Inn into compliance with the City Code.

A resolution approving a permanent access to Briarcliff Avenue that will serve Parcel 589.02, Block 21-CG (Anderson County Tax Map 100G, Group D, Parcel 5.00) as shown on an attached drawing.

b. Bids and Contracts

A resolution approving the recommendation of the City Manager Search Committee and authorizing the City to enter into the attached Professional Services Agreement with The Mercer Group, Inc., Atlanta, Georgia, for the provision of executive Search services for the position of City Manager of the City of Oak Ridge, with payment for such services to be \$15,000 in professional fees plus expenses in a not-to-exceed amount of \$8,000.00

A resolution approving a Professional Services Agreement between the City of Oak Ridge and Lamar Dunn & Associates, Inc., Knoxville, Tennessee, for the provision of professional engineering services to prepare plans and specifications to construct a water line, a river bore, two road bores, and a water booster pumping station for the west end of Oak Ridge, as well as services relating to the bidding process and construction oversight, in the estimated amount of \$154,000.00.

14. ELECTIONS

Election of one (1) member to the Oak Ridge Beer Permit Board for a three-year term of office ending on January 3, 2013.

Election of one (1) member to serve on the Board of Electrical Examiners for the balance of an unexpired term of office ending on March 10, 2011.

Election of two (2) members to the Oak Ridge Municipal Planning Commission for four-year terms of office commencing on February 12, 2010.

Notice of Elections

Four (4) elections are scheduled for the March 8, 2010 City Council meeting to appoint:

- Two (2) members to the Board of Electrical Examiners
- Two (2) members to the Board of Plumbing Examiners
- Four (4) members to the Highland View Redevelopment Advisory Board
- Two (2) members to the Industrial Development Board

The deadline for filing is 5:00 p.m. on Tuesday, February 23, 2010.

15. COMMUNICATIONS

A communication from Ms. Karen R. Clark, President of the Oak Ridge Rowing Association, requesting that City Council consider releasing part of the China Palace space to the Rowing Association for expansion.

16. CITY MANAGER'S REPORT

17. CITY ATTORNEY'S REPORT

18. **UNFINISHED BUSINESS**
19. **NEW BUSINESS**
20. **MISCELLANEOUS**
21. **UPCOMING MEETINGS/MAJOR ISSUES**
22. **ADJOURNMENT**

**PROCLAMATIONS
AND COURTESY
RESOLUTIONS**

CITY CLERK MEMORANDUM

10-04

DATE: January 28, 2010
TO: Honorable Mayor and Members of City Council
FROM: Jacquelyn J. Bernard, City Clerk
SUBJECT: PROCLAMATION

League of Women Voters *Making Democracy Work Day*

The accompanying proclamation is presented for the Council's consideration at the request of the Oak Ridge League of Women Voters. Mr. Norman Mulvenon, Co-Chair of the Oak Ridge League, will be present at the council meeting to accept the proclamation.


City Clerk

Attachments

PROCLAMATION

WHEREAS, the League of Women Voters of Oak Ridge is *the* organization where hands-on work to safeguard democracy leads to civic improvement; and

WHEREAS, the League of Women Voters of the United States is a nonpartisan political organization that has fought since 1920 to improve our system of government and impact public policies through citizen education and advocacy; and

WHEREAS, League members are constantly striving to serve their communities to make strong, safe, fair and vibrant places to live; and

WHEREAS, the League of Women Voters of Oak Ridge believes in representative government and in the individual liberties established in the Constitution of the United States; and

WHEREAS, the League of Women Voters of Oak Ridge has always worked to promote the values and processes of representative government; and

WHEREAS, the League of Women Voters of Oak Ridge collaborates with other organizations to achieve mutual goals, increase civic participation, create lasting change in the community and to *Make Democracy Work*; and

WHEREAS, the League of Women Voters of the United States, for 90 years, has held the public trust by respectfully bringing elected leaders and the public together through non-partisan, civil means and through thoughtfully advancing solutions; and

WHEREAS, the City of Oak Ridge, Tennessee, has benefitted greatly from the countless volunteer hours donated by Oak Ridge League members over its 64 year history of enhancing our democracy by registering voters and defending voters rights, informing citizens about their rights and responsibilities, informing the public through in-depth issues analysis, sponsoring candidate debates and public issues forums, and taking action through lobbying for change.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that February 16, 2010, be proclaimed

LEAGUE OF WOMEN VOTERS *MAKING DEMOCRACY WORK DAY*

in the City of Oak Ridge, Tennessee, in honor of the League of Women Voters' 90th Anniversary, and that all citizens be urged to pay great tribute and respect to the League of Women Voters for all they do to make our community healthy, vibrant and strong.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed, this the 8th day of February in the year 2010.

MAYOR

CONSENT AGENDA

CITY CLERK MEMORANDUM

10-05

DATE: January 28, 2010
TO: Honorable Mayor and Members of City Council
FROM: Jacquelyn J. Bernard, City Clerk
SUBJECT: CONSENT AGENDA

The following items are presented for the Council's consideration as the Consent Agenda for the February 8, 2010 City Council meeting.

Approval of Minutes – January 4 and January 11, 2010

Proclamations

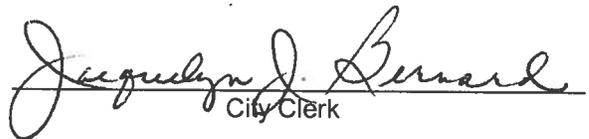
Adoption of a proclamation designating March 5, 2010 as "Arbor Day."

General Resolutions

Adoption of a resolution authorizing the submittal of an application for set-aside Emergency Shelter Grant Program (ESGP) funds from the Tennessee Housing Development Agency, through the U.S. Department of Housing and Urban Development Emergency Shelter Grant Program, in the estimated amount of \$33,856 to fund ESGP activities and to aid qualified organizations in their application efforts for competitive ESGP funding.

Adoption of a resolution approving the transfer of funds from the Electric Fund and Waterworks Fund to the General Fund with such funds to then be distributed to the respective taxing jurisdictions as follows: from the Electric Fund to (1) the City of Oak Ridge in the amount of \$1,230,708, (2) Anderson County in the amount of \$311,397, and (3) Roane County in the amount of \$45,905; and from the Waterworks Fund to the City of Oak Ridge in the amount of \$1,269,807.

The documentation for these items follows this memorandum.


City Clerk

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

January 4, 2010

A special meeting of the City Council of the City of Oak Ridge, Tennessee, convened at 6:30 p.m. on January 4, 2010, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

Pledge of Allegiance

Mr. James R. O'Connor, the City Manager, led the Pledge of Allegiance to the Flag of the United States of America.

Roll Call

Upon roll call, the following members of Council were present: Thomas W. Hayes, L. Charles Hensley, D. Jane Miller, David N. Mosby, Ellen D. Smith, and Mayor Thomas L. Beehan. Councilwoman Anne Garcia Garland arrived later in the meeting.

Adoption of Resolutions

Resolution No. 1-1-10

A resolution accepting the resignation of James R. O'Connor as City Manager of the City of Oak Ridge, effective January 8, 2010, and extending to him the Council's best wishes for a rewarding and productive tenure as City Manager of Winchester, Virginia, and its appreciation for a job well done as City Manager of the City of Oak Ridge.

Councilwoman Smith moved that the resolution be adopted, seconded by Councilwoman Miller.

A brief discussion followed. Members of City Council commended Mr. O'Connor for his service to the City of Oak Ridge; Mr. O'Connor commended the City staff and expressed his appreciation for the opportunity to serve Oak Ridge; and Mr. Martin McBride, 954 West Outer Drive, also commended Mr. O'Connor for his service to the community.

The resolution was adopted by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 1-2-10

A resolution appointing Gary M. Cinder to serve as the Interim City Manager of the City of Oak Ridge, effective January 9, 2010, at an annual salary of \$111,633.60 and in accordance with the provisions of an attached Employment Agreement.

Councilwoman Smith moved that the resolution be adopted. The motion was seconded by Councilman Hensley and after brief deliberation, it carried by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 1-3-10

A resolution creating and establishing the charge of a City Manager Search Committee composed of Mayor Thomas L. Beehan, as Chair, and Council members D. Jane Miller and David N. Mosby, with Councilwoman Ellen D. Smith to serve as an alternate member whose duty shall be to attend all Committee meetings and to assume full voting rights in the event that a regular member of the Committee cannot attend a meeting or becomes unable to serve.

Councilman Hayes moved that the resolution be adopted, seconded by Councilwoman Smith.

Councilman Hensley moved that the resolution be amended by the insertion of the following as part of the charge to the Committee:

If the Charter permits, Council directs the Committee to do the search in two steps: advertise ourselves first and then if necessary and at the appropriate time, maybe two months, expand the process to a broader search, possibly then with a consultant. Otherwise, the process shall be planned to be completed in approximately three months, with milestones.

The motion was seconded by Councilman Hayes who clarified that he did so for purposes of discussion.

Council members Smith, Garcia Garland, Hayes, Miller, Mosby and Mayor Beehan commented on the amendment, generally indicating a lack of support for its adoption. A member of the audience, Mr. Martin McBride, encouraged the Council to confine its search to local candidates.

The amendment failed by roll call vote with Council members Garcia Garland, Hayes, Miller, Mosby, Smith, and Mayor Beehan voting "Nay" and Councilman Hensley voting "Aye."

The resolution was adopted by unanimous roll call vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Adjournment

The meeting adjourned at 7:00 p.m.


City Clerk

MINUTES OF THE OAK RIDGE CITY COUNCIL MEETING

January 11, 2010

The regular meeting of the City Council of the City of Oak Ridge, Tennessee, convened at 7:00 p.m. on January 11, 2010 in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

INVOCATION

Pastor Robert May, Oak Ridge Family Bible Church, gave the Invocation.

PLEDGE OF ALLEGIANCE

Mr. Keys Fillauer, Chairman of the Oak Ridge Board of Education, led the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL

Upon roll call, the following members of Council were present: Anne Garcia Garland, Thomas W. Hayes, L. Charles Hensley, D. Jane Miller, David N. Mosby, Ellen D. Smith, and Mayor Thomas L. Beehan.

Also present were Gary M. Cinder, Interim City Manager; Kenneth R. Krushenski, City Attorney, Steven W. Jenkins, Deputy City Manager; and Jacquelyn J. Bernard, City Clerk.

APPEARANCE OF CITIZENS

Drainage Issues Related to Clark's Preserve

Mr. David Marcum, 104 Targa Lane, brought to the Council's attention some drainage issues he has experienced as a result of the Clark's Preserve development. He advised, however, that today he received a telephone call from Mr. Ray Evans, a principal with Clark's Preserve, who offered to repair the drainage ditch on his property and it is the inclination of himself and his wife to allow Mr. Evans to proceed with those repairs. He concluded by stating that if the repairs do not resolve the drainage issues, he would like City Council to look into other ways to alleviate the problem.

City Manager Search

Mr. Aaron Wells, 101 Scott Lane, spoke in opposition to the engagement of a "private consulting firm" to provide executive search services for a new City Manager for Oak Ridge. He presented petitions signed by 31 local business owners/managers that read as follows:

As a business leader in Oak Ridge I strongly urge City Council to avoid hiring a private consulting firm to screen and interview candidates for the position of City Manager. I suggest that Council uses local business owners to help with the process along with all seven members of City Council, in my opinion this will give the citizens of Oak Ridge fair representation in making the final selection. I also believe it will be in the best interest of the community to hire a candidate that is currently a resident of Oak Ridge.

Mr. Martin McBride, 954 West Outer Drive, also presented a statement in opposition to the engagement of an executive search firm.

Ms. Virginia Jones, 103 Burgess Lane, supported the mounting of a nationwide search for "the very best possible City Manager." She stated, "this is not a time for any amateurs."

APPROVAL OF AGENDA

Councilman Hensley moved that the agenda be approved as published, seconded by Councilwoman Smith.

The Mayor announced that Council members Garcia Garland and Smith have proposed the addition of a resolution urging the State of Tennessee to recognize the service of James D. Harless as a health services employee of the City as equivalent to State of Tennessee service for purposes of determining compensation and benefits in his current position as a State of Tennessee employee.

Councilwoman Garcia Garland moved that the agenda be so amended. The motion was seconded by Councilwoman Smith and carried by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

The agenda was approved, as amended, by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

RECOGNITION OF VISITORS

Mayor Beehan welcomed all visitors to the meeting.

PROCLAMATIONS AND COURTESY RESOLUTIONS

A proclamation designating February 22–27, 2010 as "Invasive Species Awareness Week."

Councilwoman Smith moved that the proclamation be adopted. The motion was seconded by Councilman Hensley and carried by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

The proclamation was presented to Mr. James Groton, Chairman of the City's Environmental Quality Advisory Board.

PUBLIC HEARING

A public hearing was held on the following:

Amendment of Ordinance No. 21-08 which adopted the Fiscal 2009 City budget and appropriations to increase the General Purpose School Fund appropriation by \$456,993, resulting in a total General Purpose School Fund appropriation of \$51,496,933.

The Council was briefed on this proposed amendment by the Interim City Manager, Mr. Gary M. Cinder, and the Superintendent of Schools, Mr. Tom Bailey.

There were no citizen comments.

CONSENT AGENDA

Councilwoman Miller moved that the Consent Agenda be approved as presented. The motion was seconded by Councilman Hensley and was adopted, thereby:

- Approving the Minutes of the December 14, 2009 City Council meeting;

- Adopting **Resolution No. 1-4-10** accepting a grant from the State of Tennessee Emergency Management Agency for U.S. Department of Energy pass-through funding in the amount of \$16,000 for use by the Fire Department for emergency management and/or hazmat response purposes; and
- Adopting **Resolution No. 1-5-10** awarding a contract in the estimated amount of \$46,050.00 to Rogers Group, Inc., Oak Ridge, Tennessee, for the furnishing of all labor, materials, tools, equipment and supplies necessary to perform all work and services for construction of a parking lot at LaSalle Park.

The vote was unanimous with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

SPECIAL REPORTS

City Manager Search Committee

Mayor Beehan, who chairs the Council's City Manager Search Committee, reported that the Committee will hold its first meeting tomorrow, January 12, 2010, at 5:00 p.m. in the Mayor's Office/Conference Room.

APPROVAL OF MINUTES

See Consent Agenda.

ORDINANCES

First Reading of New Ordinances

AN ORDINANCE TO AMEND ORDINANCE NO. 21-08, AS AMENDED, WHICH ORDINANCE IMPOSES A TAX ON ALL PROPERTY WITHIN THE CITY, FIXES THE RATE OF THE TAX, ADOPTS A BUDGET, AND ADOPTS APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, BY AMENDING SAID APPROPRIATIONS.

Councilwoman Miller moved that the ordinance be approved on first reading. The motion was seconded by Councilwoman Smith and after brief deliberation, it carried by unanimous voice vote

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," CHAPTER 5, TITLED "SPEED REGULATIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, TO CREATE A NEW SECTION 15-514, TITLED "MAXIMUM SPEED LIMITS ON SPECIFIC STREETS – FIFTEEN MILES PER HOUR," TO ESTABLISH A FIFTEEN MILE PER HOUR SPEED LIMIT FOR THE GRAVEL PORTION OF TUSKEGEE DRIVE.

Councilwoman Smith moved that the ordinance be approved on first reading, seconded by Councilwoman Miller.

Mr. Ben Redmond, 1369 Tuskegee Drive, presented a statement in support of the adoption of this ordinance.

The ordinance was approved on first reading by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Adoption of Ordinances (Second Reading) - None

RESOLUTIONS

General Resolutions

Resolution No. 1-6-10

A resolution amending the City's FY 2010 Annual Action Plan to add the allocation of \$32,000 for the City's acquisition of blighted properties within the Community Development Block Grant (CDBG) Target Area.

Councilman Hayes moved that the resolution be adopted. The motion was seconded by Councilwoman Smith and after brief deliberation, it carried by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 1-7-10

A resolution approving the CDBG Committee's FY 2011 CDBG Program Model.

Councilwoman Miller moved that the resolution be adopted. The motion was seconded by Councilman Mosby and after brief deliberation, it carried by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 1-8-10

A resolution reducing the speed limit on State Route 95 (the Oak Ridge Turnpike) from a point approximately 0.51 miles west of Southwood Lane to the State Route 95/58 interchange from 55 miles per hour to 45 miles per hour until such time as the current roadway construction project is completed by the State of Tennessee Department of Transportation or until such time as new speed limits are established on the redesigned roadway, whichever occurs first.

Councilwoman Miller moved that the resolution be adopted. The motion was seconded by Councilwoman Smith and after brief deliberation, it carried by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 1-9-10

A resolution urging the National Park Service to rewrite its Draft Special Resource Study/Environmental Assessment on the Manhattan Project Sites to include Oak Ridge and Hanford in the Alternative E option, and inclusion of these key sites in the designation of the *Manhattan Project National Historical Park*.

Councilwoman Smith moved that the resolution be adopted. The motion was seconded by Councilman Hayes and after brief deliberation, it carried by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 1-10-10

A resolution approving an expenditure of \$50,000 from the Economic Diversification Fund for 2010 Secret City Festival expenditures.

Councilwoman Miller moved that the resolution be adopted, seconded by Councilman Hensley.

Councilwoman Miller, who serves on the Secret City Committee, announced that corporate commitments of \$72,500 have already been received for the Secret City Festival and that the headliner for the Saturday night entertainment will be Chubby Checkers.

Both Council members Garcia Garland and Smith requested that information be provided that reflects the true cost of the Secret City Festival.

The resolution was adopted by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 1-11-10

A resolution urging the State of Tennessee to recognize the service of James D. Harless as a health services employee of the City as equivalent to State of Tennessee service for purposes of determining compensation and benefits in his current position as a State of Tennessee employee.

Councilwoman Smith moved that the resolution be adopted, seconded by Councilwoman Miller.

Mr. James D. Harless, 237 Iroquois Road, presented comments in support of this resolution, following which he responded to Council members' questions and comments.

The resolution was adopted by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Bids and Contracts

Resolution No. 1-12-10

A resolution providing that the City of Oak Ridge will sign the Memorandum of Understanding *Establishing a Regional Integrated Transportation Project* in order to participate in the planning and implementation of a regional sustainability initiative that can result in tangible benefits to the Oak Ridge community.

Councilwoman Miller moved that the resolution be adopted. The motion was seconded by Councilwoman Smith and after brief deliberation, it carried by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 1-13-10

A resolution approving Amendment No. 11 to AGREEMENT PILT-OAK RIDGE-002, between the U.S. Department of Energy and the City of Oak Ridge for payment in lieu of taxes for tax year 2009 in the sum of \$1,475,378.94.

Councilwoman Smith moved that the resolution be adopted. The motion was seconded by Councilman Hensley and after brief deliberation, it carried by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 1-14-10

A resolution approving a Professional Services Agreement between the City of Oak Ridge and the Arts Council of Oak Ridge for the provision of entertainment, production support, activities, and programs related to the upcoming 2010 Secret City Festival in an amount not to exceed \$150,000.

Councilwoman Miller moved that the resolution be adopted, seconded by Councilman Hensley.

Ensuing discussion focused again on the cost for the festival with the Director of Recreation and Parks, Mr. Josh Collins, responding to Council members questions and comments in this regard.

The resolution was adopted by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

ELECTIONS

Oak Ridge Municipal Planning Commission

Prior to balloting, statements were presented by Ms. Lauren R. Biloski and Mr. Austin E. Lance, the candidates for the one vacant seat on the Planning Commission.

On first ballot, Ms. Biloski was elected to serve as a member of the Oak Ridge Municipal Planning Commission for the balance of an unexpired term of office ending on February 11, 2013. She received the votes of Council members Garcia Garland, Hayes, Mosby, and Mayor Beehan. Council members Miller and Smith voted for Mr. Lance. Councilman Hensley abstained.

Mayor Beehan announced that three (3) elections are scheduled for the February 8, 2010 City Council meeting to appoint:

- One (1) member to the Beer Permit Board
- One (1) member to the Board of Electrical Examiners
- Two (2) members to the Oak Ridge Municipal Planning Commission

The deadline for filing is 5:00 p.m. on Tuesday, January 29, 2010.

COMMUNICATIONS – None

CITY MANAGER'S REPORT

The Interim City Manager reported the following:

I. Energy Efficiency and Conservation Grant Application

The staff has filed an application for a Tennessee Energy Efficiency and Conservation Block Grant in the amount of \$100,000 from the Tennessee Department of Economic and Community Development Energy Policy Office. Of that amount, \$80,000 is proposed to be used to offset the cost for upgrading the Central Services Complex energy management systems and \$20,000 for public education/community outreach in connection with the Climate Action Plan that is being developed by the Environmental Quality Advisory Board.

II. EPA Visit in October 2009

In late October, the City was visited by representatives of the Environmental Protection Agency (EPA) for purposes of reviewing the records of the City's sewer system, its operation and maintenance, etc. Such visits have been occurring throughout Tennessee which is characterized as a "delegated state," meaning that EPA's authority for sewer regulation has been delegated to the State of Tennessee. As such, Oak Ridge has been dealing with the Tennessee Department of Environment and Conservation (TDEC) in this regard for many years.

The EPA has generated a report to the City based on its visit, and the staff is currently preparing a response to that report. It is unlikely that the City has heard the last from EPA even though TDEC has indicated that it is "very happy" with the City's program.

The Council will be kept apprised of developments in this regard.

CITY ATTORNEY'S REPORT – None

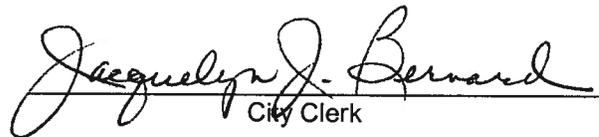
MISCELLANEOUS

Prior to adjournment, the following occurred:

- The Mayor reminded the Council that it will be meeting with Mr. John Eschenberg, the new DOE Assistant Manager for Environmental Management, tomorrow morning.
- Councilman Hensley announced that the Council's Budget & Finance Committee will meet on January 19, 2010 at 5:30 p.m.
- At the request of Councilman Hayes, the Interim City Manager advised that the City does offer a budget billing program which serves to level utility customers' heating costs, and that financial assistance is available through ADFAC (Aid to Distressed Families of Appalachian Counties) and "Project Safe" for those who cannot afford to pay their utility bills.
- Councilman Hayes, Mayor Beehan, and Councilman Hensley commended City employees for outstanding public service, specifically the firefighters who recently extinguished a home fire in Oak Ridge and the road crews who worked to clear the streets of the recent snowfall accumulation.

ADJOURNMENT

The meeting adjourned at 8:40 p.m.


City Clerk

MINUTES OF THE OAK RIDGE CITY COUNCIL SPECIAL MEETING

January 25, 2010

A special meeting of the City Council of the City of Oak Ridge, Tennessee, convened at 6:00 p.m. on January 25, 2010 in the Courtroom of the Municipal with Mayor Thomas L. Beehan presiding.

Invocation

The Invocation was given by Councilman David N. Mosby.

Pledge of Allegiance

Mayor Beehan led the Pledge of Allegiance to the Flag of the United States of America.

Roll Call

Upon roll call, the following members of Council were present: Anne Garcia Garland, Thomas W. Hayes, L. Charles Hensley, D. Jane Miller, David N. Mosby, Ellen D. Smith, and Mayor Thomas L. Beehan.

Also present were Gary M. Cinder, Interim City Manager; Kenneth R. Krushenski, City Attorney; Steven W. Jenkins, Deputy City Manager; and Jacquelyn J. Bernard, City Clerk.

Adoption of Ordinances (Second Reading)

Ordinance No. 1-10

AN ORDINANCE TO AMEND ORDINANCE NO. 21-08, AS AMENDED, WHICH ORDINANCE IMPOSES A TAX ON ALL PROPERTY WITHIN THE CITY, FIXES THE RATE OF THE TAX, ADOPTS A BUDGET, AND ADOPTS APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, BY AMENDING SAID APPROPRIATIONS.

Councilwoman Miller moved that the ordinance be adopted. The motion was seconded by Councilman Mosby and after brief deliberation, it carried by unanimous voice vote with Council members Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Adoption of Resolution

Resolution No. 1-15-10

A resolution approving the recommendation of the City Manager Search Committee and accepting the proposal of The Mercer Group, Inc., Atlanta, Georgia, to conduct a City Manager search for the City of Oak Ridge, subject to the approval of a Professional Services Agreement with the firm; and authorizing the Search Committee to enter into negotiations with The Mercer Group, Inc., with the negotiated agreement to be presented to City Council for approval.

Councilwoman Miller moved that the resolution be adopted, seconded by Councilman Hayes.

Councilman Hensley presented the following statement with a request that it be included in the record:

As you know, I originally advocated doing this process ourselves to add flexibility to selecting a City Manager with unique skills, management ability, and possible prior knowledge of our City. I want to clarify that I am driven by a higher purpose here. My views are driven by what I think is best for the City of Oak Ridge, and nothing more.

I want to cut through all the rhetoric and state that Oak Ridge continues to lose out on opportunities; we have significant available land (both identified and potentially available); we are home to a National Laboratory; we are home to a world leader in manufacturing technology; and we have a highly educated and involved population.

We need a strong City Manager who can identify and be a beacon to opportunities. One who recognizes from the beginning the unique situations this City offers. A manager with a can-do attitude when confronted with even the slightest opening for progress.

I object to paying \$23,000 for services that UT-MTAS has offered basically for free. Who will be the one strong full-time voice speaking for our City? And if we select a generic Manager from out of town, how long will it take for this individual to reach an effective level of understanding and outreach to provide what we so desperately need in Oak Ridge? Will he ever fully understand the symbiotic relationship among the City, federal families, and our unique environmental considerations?

Councilman Hensley moved that the resolution be amended to state that the City shall contract with UT-MTAS (University of Tennessee-Municipal Technical Advisory Service) to assist Oak Ridge in selecting a new City Manager instead of using an outside consultant.

The motion was seconded by Councilwoman Smith and was deliberated at some length with all Council members commenting on the matter. Only one, Councilwoman Smith, advocated the adoption of the amendment, presenting a comparison of the services offered by The Mercer Group and UT-MTAS in support of her position.

The amendment failed by electronic vote with Council members Garcia Garland, Hayes, Miller, Mosby, and Mayor Beehan voting "Nay" and Council members Hensley and Smith voting "Aye."

Two citizens spoke in opposition to the engagement of an executive search firm such as The Mercer Group: Mr. Aaron Wells of 101 Scott Lane and Mr. Martin McBride of 954 West Outer Drive.

The resolution was adopted by electronic vote with Council members Garcia Garland, Hayes, Miller, Mosby, Smith, and Mayor Beehan voting "Aye" and Councilman Hensley voting "Nay."

Adjournment

The meeting adjourned at 6:45 p.m.


City Clerk

CITY CLERK MEMORANDUM
10-02

DATE: January 22, 2010

TO: Honorable Mayor and Members of City Council

FROM: Jacquelyn J. Bernard, City Clerk

SUBJECT: PROCLAMATION

Arbor Day

The accompanying proclamation is required to maintain the City's designation as a "Tree City USA."


City Clerk

Attachment

PROCLAMATION

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

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

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

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

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

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

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

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

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

WHEREAS, this year a willow is being planted at Woodland School in a public ceremony to take place on March 5, 2010, at 10:00 a.m.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that March 5, 2010, be proclaimed

ARBOR DAY

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed, this the 8th day of February in the year 2010.

MAYOR

**PUBLIC WORKS DEPARTMENT MEMORANDUM
10-02**

DATE: January 27, 2010
TO: Gary M. Cinder, P.E., Interim City Manager
FROM: Susan Fallon, Contracts / Grants Coordinator
SUBJECT: **2010 EMERGENCY SHELTER GRANT PROGRAM APPLICATION AND ACCEPTANCE**

The accompanying resolution authorizes the City of Oak Ridge to apply for and accept the 2010 Emergency Shelter Grant Program (ESGP) funds administered by the Tennessee Housing Development Agency (THDA), through the U.S. Department of Housing and Urban Development (HUD), for the State of Tennessee, in the estimated amount of \$33,856. The resolution also authorizes the Interim City Manager to aid qualified organizations in applying for the competitive ESGP funds through THDA.

The 2010 ESGP funding is for the period of July 1, 2010 through June 30, 2011 and will be the third year that the ESGP has been administered by THDA. The proposed allocation is for noncompetitive set-aside funds in the estimated amount of \$33,856 for use by the City of Oak Ridge. The grant application proposes that the City will make an estimated \$32,244 of these funds available to Aid to Distressed Families of Appalachian Counties, Inc. (ADFAC) to provide homeless prevention activities within the City of Oak Ridge. The ESGP requires dollar-for-dollar matching funds with cash or in-kind services, which ADFAC will provide. The ESGP will continue to reimburse the City five percent of the set-aside funds, an estimated \$1,612 to be utilized by staff for grant administration costs.

ADFAC has administered the homeless prevention program for fourteen years. The program has been very successful and is one reason why there is not a homeless population within Oak Ridge. Examples of the assistance provided by the ESGP are payments for rent, mortgage and utilities, which prevents the resident from becoming homeless. Each client receiving funds from the ESGP also receives counseling from a certified social worker. During the period of July 1, 2008 through June 30, 2009, one thousand three hundred and fifty-eight (1,358) persons, benefited from the ESGP provided through ADFAC. The actual amount of matching funds provided by ADFAC during FY2009 was \$88,973.35, far exceeding the required matching funds of \$32,244. The organization does an outstanding job administering the program, providing the required matching funds from a variety of sources and being responsible for the full and proper maintenance of required records.

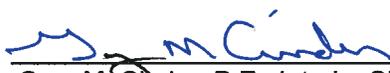
As an entitlement city for the Community Development Block Grant (CDBG) program, the City of Oak Ridge is required to assist persons at risk of becoming homeless. If the City did not utilize the ESGP funds for the homeless prevention program, CDBG entitlement funds would have to be allocated for this activity, which would reduce the amount of funds available for other housing needs.

Staff recommends that the City apply for and accept the 2010 set-aside funds in the estimated amount of \$33,856. Additionally, the Interim City Manager will be authorized to aid other qualified organizations in their application efforts for the competitive ESGP funding from THDA. Staff recommends approval of the attached resolution as submitted.


Susan Fallon

City Manager's Comments:

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


Gary M. Cinder, P.E., Interim City Manager


Date

RESOLUTION

WHEREAS, the provision of emergency assistance to very low and low income people threatened with displacement is a requirement for U.S. Department of Housing and Urban Development (HUD) funding; and

WHEREAS, the Tennessee Housing Development Agency, through HUD's Emergency Shelter Grant Program (ESGP) has budgeted funds which will be available Statewide for set-aside and competitive ESGP applications; and

WHEREAS, Aid to Distressed Families of Appalachian Counties, Inc. (ADFAC) is willing to provide the necessary matching funds as well as provide an accountable and centralized system for distributing limited emergency aid funds combined with a variety of support services aimed at encouraging families to help themselves; and

WHEREAS, nonprofit organizations require the City's certification of approval and ADFAC additionally requires a certification of match for ESGP funding; and

WHEREAS, the Interim City Manager recommends submittal of an application for set-aside ESGP funds from the Tennessee Housing Development Agency, in the estimated amount of \$33,856 to fund ESGP activities.

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

That the recommendation of the Interim City Manager is approved and the City is hereby authorized to submit an application for set-aside Emergency Shelter Grant Program (ESGP) funds from the Tennessee Housing Development Agency, through the U.S. Department of Housing and Urban Development Emergency Shelter Grant Program, in the estimated amount of \$33,856 to fund ESGP activities and to aid qualified organizations in their application efforts for competitive ESGP funding.

BE IT FURTHER RESOLVED that if said application is approved by the Tennessee Housing Development Agency, the Mayor is authorized to accept said funds for the City.

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

This the 8th day of February 2010.

APPROVED AS TO FORM AND LEGALITY:



City Attorney

Mayor

City Clerk

**FINANCE DEPARTMENT MEMORANDUM
10-01**

DATE: January 25, 2010
TO: Gary M. Cinder, Interim City Manager
THROUGH: Steven W. Jenkins, Deputy City Manager
FROM: Janice E. McGinnis, Finance Director
SUBJECT: **Tax Equivalents**

(SP)

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

The City Electric Fund's tax equivalent payment is calculated utilizing guidelines set forth in Sections 7-52-301 and 7-52-307 of the TCA and Section 2 – Terms and Conditions, Revision 1987, of the TVA contract. The tax equivalent is calculated utilizing the net asset value of the Electric System's physical plant (i.e. electric lines, land, traffic signals, street lights, vehicles and substations) on a cost basis and a three-year average of the system's operating revenues, excluding purchased power. The net asset value of the system's property is \$41,624,769 in the Anderson County portion of the City and \$6,136,169 in the Roane County portion of the City. Based on the calculations specified in Section 2 of the TVA contract, the tax equivalent payment from the Electric Fund operations for fiscal 2010 is \$1,588,010.

State law requires City Council to annually approve the amount of the Electric Fund's tax equivalent payments and to allocate 77.5% of the total tax equivalent to the City's General Fund, with the remaining 22.5% allocated to the county taxing jurisdictions. Computations in accordance with these formulas result in the following Electric Fund tax equivalent payments for fiscal 2010:

Portion to Oak Ridge General Fund (77.5%)	\$1,230,708
Portion to Counties (22.5%)	
distributed based on plant value:	
Anderson County	311,397
Roane County	<u>45,905</u>
Total Electric Fund Tax Equivalent	<u>\$1,588,010</u>

The Waterworks Fund disburses tax equivalent payments to the City's General Fund under authorization of TCA 7-34-115. The code provides for a maximum tax equivalent payment to the General Fund not to exceed the amount of taxes payable on privately owned property of a similar nature. The tax equivalent payment can be established at any level below that maximum amount. There is no provision for the Waterworks Fund's tax equivalent payment to be shared with the counties. Tennessee code does require City Council to annually approve the Waterworks Fund tax equivalent payment. This calculation is based on the net book value of waterworks fixed assets at the public utility assessment ratio of 55%, which equates to the assessed value, at the City's equalized property tax rate per \$100 of assessed value. The amount of the tax equivalent payment will fluctuate each year based on the value of new assets added versus depreciation and changes in the appraisal ratio. The current appraisal ratio is .8094 in comparison to .8471 in the prior fiscal year. The amount of tax equivalent on the waterworks system comparable to that of a private enterprise for fiscal 2010 is \$1,019,362.

TCA 7-34-115 also provides for an equity investment charge payable to the General Fund from the waterworks system at a 6% per annum rate. The General Fund's initial investment in the Waterworks system at the 6% rate equates to an annual payment of \$250,445.

The Waterworks Fund's payment to the General Fund for fiscal 2010 will be \$1,269,807, which is the total of these two charges.

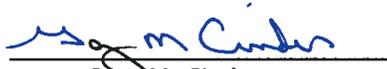
Staff recommends approval of the attached resolution.



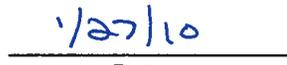
Janice E. McGinnis

City Manager's Comments:

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



Gary M. Cinder



Date

NUMBER _____

RESOLUTION

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

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

WHEREAS, the City Council of the City of Oak Ridge now desires to establish such payment for the fiscal year ending June 30, 2010, and accordingly authorize its distribution between the City and Anderson and Roane Counties, in accordance with State law.

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

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

<u>Electric Fund</u>	
City of Oak Ridge	\$1,230,708
Anderson County	311,397
Roane County	45,905

<u>Waterworks Fund</u>	
City of Oak Ridge	\$1,269,807

This the 8th day of February 2010.

APPROVED AS TO FORM AND LEGALITY:



City Attorney

Mayor

City Clerk

ORDINANCES
FIRST READING

**COMMUNITY DEVELOPMENT MEMORANDUM
CODE ENFORCEMENT DIVISION
10-03**

DATE: January 15, 2010
TO: Gary Cinder, Interim City Manager
THROUGH: Kathryn G. Baldwin, Community Development Director 
FROM: Timothy P. Ward, Community Development Division Manager 
RE: Amendments to City Code of Ordinances §12-410 and §12-808

An item for the agenda is an ordinance to amend City Code §12-410 and §12-808.

Currently, City Code §12-410 and §12-808 uses the Block and Associates competency test for electricians and plumbers, respectively. Block and Associates is no longer the industry standard for competency testing, and the industry standard is now Prometric. Therefore, these two code sections require an amendment. In order to avoid a similar issue in the future, should Prometric be replaced as the industry standard, the proposed ordinance amendment simply indicates the competency test used must be one approved by the respective boards or one approved by the State of Tennessee Licensing boards.

Additionally, while reviewing an applicant in late 2009, the Board of Electrical Examiners discovered City Code §12-410 lacked a time limit between an applicant taking an examination and requesting the issuance of a license. The Board unanimously voted at its November 10, 2009 meeting to request City Council's consideration to amend the current section to address this issue by placing a two-year timeframe on the validity of test scores.

As a result of the Board of Electrical Examiners' action, the Board of Plumbing Examiners voted unanimously on December 10, 2009 to request City Council amend City Code §12-808 to reflect the same language as proposed by the Board of Electrical Examiners.

A bold-strikethrough version of the proposed changes is attached.

Staff recommends approval of the attached ordinance.



Tim Ward

City Manager's Comments:

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



Gary Cinder, Interim City Manager 1/27/10
Date

Proposed Code Amendments

Sec. 12-410. Examination of Applicants.

The Board shall use ~~the Block and Associates competency examination~~ **only Board-approved testing agencies** for the electrical construction industry ~~or any other nationally recognized examination, which shall include the State of Tennessee Licensing Board's approved test~~ designed to measure competency in the electrical profession ~~as the standard written examination.~~ **The test grade shall be current within two (2) years of an applicant appearing before the Board.** All ~~exams~~ **examinations** shall be proctored by a qualified person.

Sec. 12-808. General Powers and Duties; **Examination of Applicants.**¹

- (1) The Board shall establish standards and procedures for the qualification and licensing of master plumbers and journeyman plumbers under the provisions of the plumbing code. Such standards and procedures shall be approved by the City Council. The Board shall exercise the powers and perform the duties provided for in the plumbing code and shall have such other duties and powers as are necessary to carry out the intent and provisions of the plumbing code.
- (2) The Board shall use ~~the Block and Associates competency examination~~ **only Board-approved testing agencies** for the plumbing construction industry ~~or any other nationally recognized examination, which shall include the State of Tennessee Licensing Board's approved test~~ designed to measure competency in the plumbing profession ~~as the standard for the plumbing profession.~~ **The test grade shall be current within two (2) years of an applicant appearing before the Board. All examinations shall be proctored by a qualified person.**

¹ This code section originally contained two un-numbered paragraphs. For ease of use, the proposed amendment splits these into two numbered paragraphs (with the first paragraph remaining unchanged) and adds a section to the title to indicate this is the section on examination of applicants, which is identical to the language used in the title of City Code §12-410.

TITLE

AN ORDINANCE TO AMEND TITLE 12, TITLED "BUILDING, UTILITY, ETC. CODES," CHAPTER 4, TITLED "BOARD OF ELECTRICAL EXAMINERS," AND CHAPTER 8, TITLED "BOARD OF PLUMBING EXAMINERS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SECTION 12-410 TITLED "EXAMINATION OF APPLICANTS," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SECTION 12-410, TITLED "EXAMINATION OF APPLICANTS," AND BY DELETING SECTION 12-808, TITLED "GENERAL POWERS AND DUTIES," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SECTION 12-808, TITLED "GENERAL POWERS AND DUTIES; EXAMINATION OF APPLICANTS," IN ORDER TO UPDATE THE STANDARDS FOR COMPETENCY EXAMINATIONS FOR ELECTRICIANS AND PLUMBERS, AS WELL AS PLACE A TIME LIMIT ON THE VALIDITY OF TEST SCORES.

WHEREAS, the Code of Ordinances, City of Oak Ridge, Tennessee, specifies that the Block and Associates examination be used for testing the competency of electricians and plumbers, or any other nationally recognized examination; and

WHEREAS, the Block and Associates competency examination has been replaced by the Prometric competency examination as the industry standard; and

WHEREAS, the Board of Electrical Examiners and the Board the Plumbing Examiners have requested an amendment to their respective code sections to eliminate the reference Block and Associates; and

WHEREAS, the current City Code does not set forth a time frame for validity of test scores for electricians and plumbers, and City Staff recommends a two-year time limit for such scores; and

WHEREAS, at its November 10, 2009 meeting, the Board of Electrical Examiners unanimously recommended the above changes to the electrical code provisions; and

WHEREAS, at its December 10, 2009 meeting, the Board of Plumbing Examiners unanimously recommended the above changes to the plumbing code provisions.

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

Section 1. Title 12, titled "Building, Utility, Etc. Codes," Chapter 4, titled "Board of Electrical Examiners," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Section 12-410, titled "Examination of Applicants," and substituting therefor a new Section 12-410, titled "Examination of Applicants," which new section shall read as follows:

Sec. 12-410. Examination of Applicants.

The Board shall use only Board-approved testing agencies for the electrical construction industry, which shall include the State of Tennessee Licensing Board's approved test designed to measure competency in the electrical profession. The test grade shall be current within two (2) years of an applicant appearing before the Board. All examinations shall be proctored by a qualified person.

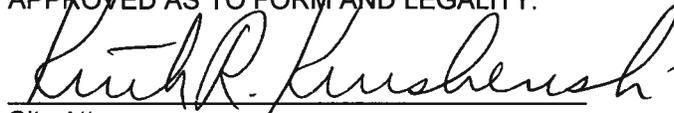
Section 2. Title 12, titled "Building, Utility, Etc. Codes," Chapter 8, titled "Board of Plumbing Examiners," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Section 12-808, titled "General Powers and Duties," and substituting therefor a new Section 12-808, titled "General Powers and Duties; Examination of Applicants," which new section shall read as follows:

Sec. 12-808. General Powers and Duties; Examination of Applicants.

- (1) The Board shall establish standards and procedures for the qualification and licensing of master plumbers and journeyperson plumbers under the provisions of the plumbing code. Such standards and procedures shall be approved by the City Council. The Board shall exercise the powers and perform the duties provided for in the plumbing code and shall have such other duties and powers as are necessary to carry out the intent and provisions of the plumbing code.
- (2) The Board shall use only Board-approved testing agencies for the plumbing construction industry, which shall include the State of Tennessee Licensing Board's approved test designed to measure competency in the plumbing profession. The test grade shall be current within two (2) years of an applicant appearing before the Board. All examinations shall be proctored by a qualified person.

Section 3. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



City Attorney

Mayor

City Clerk

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

ORDINANCES
SECOND READING

PUBLIC WORKS MEMORANDUM
09-40

DATE: December 18, 2009

TO: James R. O'Connor, City Manager

THROUGH: Gary M. Cinder, P.E., Director of Public Works 

FROM: Steven R. Byrd, P.E., City Engineer

SUBJECT: **Tuskegee Drive Gravel Road – Proposed 15 mph Speed Zone**

An item for City Council agenda is an ordinance establishing a new 15 mph speed zone on the gravel road portion of Tuskegee Drive. The enclosed drawing shows the Tuskegee Drive gravel road from Wiltshire Drive to the west end of the old South Hills Golf Course, a distance of 1.1 miles.

On December 3, 2009, City staff met with eight residents that live on the gravel road portion of Tuskegee Drive to discuss traffic safety concerns. City staff completed an investigation and the Traffic Safety Advisory Board (TSAB) reviewed the matter for new traffic control improvements, as provided below. The recommendation to post a new 15 mph speed limit zone along the gravel road portion of Tuskegee Drive requires City Council approval.

The Atomic Energy Commission transferred Tuskegee Drive to the City in 1959 as a 60-foot wide right-of-way. From the 1960's to the 1980's, the road was maintained in a passable condition for trucks to patrol and maintain the 69 KV electric lines that run along the right-of-way. It was generally only re-graded annually. Beginning in the 1980's, large tracts of land were sold and now there are nine homes that have direct access to the gravel road. State law permits the development of large tracts of land in excess of five acres, without Planning Commission review and approval. Subdivision of land in this area occurred without city requirements that the original owner of the property construct roadway and utility infrastructure that meets City Subdivision Regulation standards. The City could not deny requests for building permits for these large tracts of land.

The gravel portion of Tuskegee Drive originally began at Tempura Drive and extended to Wiltshire Drive, an approximate distance of two miles. In the early 1990's, Roane State Community College considered locating opposite the old South Hills Golf Course and there was City interest in opening up the southwest quadrant for development and in creating an east/west connector road between South Illinois Avenue and the Oak Ridge Turnpike. At that time, the City worked with the Tennessee Department of Transportation on an Advance Planning Report to improve the road in stages from Tempura Drive to Oak Ridge Turnpike. The City utilized Federal allocated city funds to construct the first phase of improvements from Tempura Drive to the west end of the golf course, a distance of 4,500 feet at a cost of \$1,000,000. Over the years Roane State relocated to another site. Development in the southwest quadrant area did not materialize and interest decreased in the need for an east/west connector route. These factors, along with a very high roadway construction cost, were the primary reasons the Planning Commission removed the Tuskegee Drive improvements from the City's Capital Improvement Program in the late 1990's. Since that time, Tuskegee Drive has remained an arterial street designation from South Illinois Avenue to Oak Ridge Turnpike. The gravel 1.1 mile road portion of Tuskegee Drive was listed in the 1992 Advance Planning Report as the Phase Two project at an estimated cost of \$2,046,100.

In the early 1980's, approximately five residents lived on Tuskegee Drive. The owners of the residences were advised in writing, with City Council's concurrence, that it would be inappropriate for the City to spend public funds to materially upgrade this section of Tuskegee Drive and that the City would provide minimal maintenance along the gravel road. Throughout the years, several more homes were built on large tracts and the City received more requests for safety improvements. Since the 1980's, the City has installed a couple of cross-road drainage pipes, increased the frequency of maintenance by working and placing new gravel on the road surface, cutting side-road drainage ditches for positive drainage, improving two drainage stream crossings for a more all-weather passable driving condition, and by installing some traffic control warning signs. The City's increased

maintenance effort has improved motorists driving comfort, but to some extent has created a road where some motorists feel comfortable in driving faster and to use the road as a by-pass from the Turnpike to Illinois Avenue. A November 2009 traffic count revealed that approximately 140 vehicles travel the road in a 24-hour period.

The existing Tuskegee Drive residents have requested the City to consider physically closing the road to through traffic, making the road one-way, or other physical barriers to prohibit through traffic. The City Police, Fire and Electric Departments oppose these types of measures due to increasing the amount of response time for emergency and service vehicles to the area.

Staff's traffic investigation included travel trips along the road, collection of crash data and discussions with the local residents. It is staff's opinion that motorists should feel comfortable traveling the gravel road at a speed up to 15 mph, with the exception of several sharp curves. Vehicle crashes along the gravel portion of Tuskegee Drive generally occur within the several sharp curves where the road is very narrow with steep side banks and drop-offs. Crash reports for the last three years revealed one crash in 2007, one crash in 2008 and two crashes through November in 2009. The 2009 crash resulted in two injuries. The local residents have indicated that more "run-off-the-road" crashes and "sliding-to-a-stop" near crashes have occurred on the gravel road without reports to the Police Department.

City staff's recommendation to improve safety and discourage through traffic movements include:

- Install 15 mph speed limit signs at each end of the gravel road. Presently, the last existing speed limit signs viewed are on Wiltshire Drive (25 mph) and the paved portion of Tuskegee Drive (35 mph).
- Install "Caution - Unpaved Road - No Thru Traffic" signs at each end of the gravel road section and on Wiltshire Drive near Oak Ridge Turnpike.
- Install "One Lane Road – Yield to Oncoming Traffic" signs at the beginning of the gravel road and at appropriate locations in advance of the sharp curves.
- Install two sets of plastic pavement marking rumble strips near the end of the paved Tuskegee Drive section to further assist in the identification of the end of pavement. Presently, there are two sets of warning signs that identify where the pavement ends.
- Place additional base stone on the shoulders at the end of the Tuskegee Drive paved section to improve the area for vehicles turn-around.
- Monitor the gravel road section annually by conducting traffic counts and reviewing available crash reports to determine the effectiveness of the recommended measures.

TSAB met December 15, 2009 and approved a motion to recommend to Council a 15 mph speed zone along the gravel road. Other TSAB recommendations for traffic safety control measures are incorporated in the aforementioned staff recommendations.

City staff recommends approval of a new 15 mph speed zone on Tuskegee Drive beginning at Wiltshire Drive and extending 1.1 miles to the beginning of the paved portion of Tuskegee Drive or extending to a point on Tuskegee Drive that lies 0.57 miles west of TeeJay Drive.


Steven R. Byrd

ks

City Manager's Comments:

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


James R. O'Connor

12/29/09
Date



OAK RIDGE TURNPIKE

TUSKEGEE DRIVE
RESERVED
RIGHT OF WAY

WILTSHIRE DRIVE

GRAVEL ROAD
PORTION OF
TUSKEGEE DRIVE
1.1 MILES

PAVED TUSKEGEE DRIVE

1800 Feet

900

0

2009 DEC 28 AM 8: 37

OFFICE OF THE CITY CLERK

COMMUNICATION

Dec 27, 2009

Subject: Proposed Establishment of 15 mph speed limit on gravel road portion of Tuskegee Drive

To: Honorable Mayor and members of City Council:

At the regular meeting of the Traffic Safety Advisory Board on Dec 15 the board was asked to offer a recommendation regarding the question of establishing a posted speed limit for the gravel road section of Tuskegee Drive. Eight of the ten members of the board were present at the meeting, with staff representative and city engineer Steve Byrd, about six city residents who live along the road, and one council member.

Mr Byrd explained that TSAB's input was requested by the City Manager following a staff meeting with eight city residents who live along this roadway. I will not attempt to summarize the historical information about this roadway section, which I assume is provided in your information packet. More than ten years ago I used to regularly run along this road in the afternoon with a friend. We encountered very little vehicle traffic, and that combined with it not being like typical suburbia made it very enjoyable. I rode with one of my daughters on this roadway late Sunday afternoon before our meeting, and we followed a pickup with 3 people, which eventually went west along the Turnpike, and had another car right behind us. This was not consistent with my experience from the past.

Mr Byrd reviewed the history of the roadway, provided some information on input from residents along the road over time, and presented a number of recommended actions staff was proposing to try to address the problems resulting from increased traffic volume coupled with excessive speed. I hope all council members have driven or walked this roadway at least once. This is an approximately one mile long gravel roadway. There are at least two fairly sharp blind curves. There are roadway sections where two cars could not pass. There are sections with banks at one edge of the roadway. There are sections where there are steep slopes at one edge of the roadway. There are sections where both of these issues are present together.

The residents presented their experiences with accidents they have had, and with accidents which have and have not been reported. One resident had correspondence to city staff on concerns from more that 20 years ago. All residents felt the problems were becoming more frequent, and more dangerous. Since the western part of Tuskegee was rebuilt, several large apartment complexes have been constructed along it. A developer is presently building on the old South Hills Golf Coarse. Present roadway construction on the Turnpike may be tempting people to divert to this roadway as a way around that inconvenience. Tuskegee roadway residents indicated they see seasonal traffic rises with spring and summer, as well as afternoon spikes consistent with the high school letting out.

The problem is not the increased traffic volume itself, it is that coupled with speeding. When approaching a blind curve on a one lane road, if someone comes toward you with no regard for the fact that you may be there, then the choice is to wait for them to run into you, or to go off the road to avoid hitting them, opting instead for banks, ditches, rocks or trees.

Staff is recommending establishment of a posted 15 mph speed limit on the gravel section of Tuskegee Drive, along with a number of signage changes at both ends of the roadway, and around the blind curves. This speed limit will hopefully slow down the average citizen. It may deter some of the cut through traffic using this roadway as a "shortcut". It may also minimize the problems in the blind curves, and one lane sections of the roadway. A posted limit will also allow for the possibility of speed enforcement activities.

Following a short discussion and interaction with the guests, it was moved and seconded that TSAB support establishment of a posted 15 mph speed limit for the gravel section of Tuskegee Drive. This motion passed by a vote of 8 to 0.

Respectfully Submitted,

A handwritten signature in cursive script that reads "William A Davis".

William A Davis
Chairman, Traffic Safety Advisory Board

TITLE

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," CHAPTER 5, TITLED "SPEED REGULATIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, TO CREATE A NEW SECTION 15-514, TITLED "MAXIMUM SPEED LIMITS ON SPECIFIC STREETS – FIFTEEN MILES PER HOUR," TO ESTABLISH A FIFTEEN MILE PER HOUR SPEED LIMIT FOR THE GRAVEL PORTION OF TUSKEGEE DRIVE.

WHEREAS, the Code of Ordinances, City of Oak Ridge, Tennessee, specifies a maximum speed limit for all roads, streets and lanes open to public travel within the city limits; and

WHEREAS, City Staff has conducted a traffic investigation along the gravel portion of Tuskegee Drive in response to concerns from the residents along this portion of the roadway; and

WHEREAS, as a result of this traffic investigation, City Staff recommends a speed limit of fifteen (15) miles per hour along the gravel portion of Tuskegee Drive, and at its December 15, 2009 meeting, the Traffic Safety Advisory Board recommended the same.

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

Section 1. Title 15, titled "Motor Vehicles, Traffic and Parking," Chapter 5, titled "Speed Regulations," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by creating a new Section 15-514, titled "Maximum speed limits on specific streets – fifteen miles per hour," which new section shall read as follows:

Sec. 15-514. Maximum speed limits on specific streets – fifteen miles per hour.

A maximum speed limit of fifteen (15) miles per hour is hereby established on the following streets and roads, or parts thereof, and it shall be unlawful for any person to operate a vehicle at a speed in excess thereof:

- (1) Tuskegee Drive beginning at Wiltshire Drive and extending to a point the lies 0.57 miles west of TeeJay Drive.

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

APPROVED AS TO FORM AND LEGALITY:


City Attorney

Mayor

City Clerk

First Reading: _____ 1/11/10
Publication Date: _____ 1/18/10
Second Reading: _____
Publication Date: _____
Effective Date: _____

RESOLUTIONS GENERAL

CITY COUNCIL MEMORANDUM
10-04

DATE: January 27, 2010

TO: Honorable Mayor and Members of City Council

FROM: Gary M. Cinder, Interim City Manager

SUBJECT: **Resolution Authorizing and Endorsing Oak Ridge Convention and Visitors Bureau
Preserve America Grant Application**

An item for the February 8, 2010 City Council meeting is the adoption of the attached resolution authorizing and endorsing a *Preserve America* grant application prepared by the Oak Ridge Convention and Visitors Bureau (ORCVB).

Per the attached communication, the ORCVB desires to submit an application to *Preserve America Grants, National Park Service*, for implementation of portions of the Heritage Tourism Master Plan, adopted by City Council Resolution 2-15-08.

You may recall that The *Preserve America* program is a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the Department of the Interior, and other Federal agencies. First Lady Michelle Obama serves as the Honorary Chair of the initiative. The program consists of two major parts: (1) *Preserve America* Community Designations, and (2) *Preserve America* Grants. A community must receive the designation in order to be eligible for the large grant program, which was funded by Congress at a level \$5 million in FY 2010. The City received the *Preserve America* designation in 2006.

With regard to the grant application, communities can apply for grants in the \$20,000 - \$250,000 range. Grants require a dollar-for-dollar, non-Federal match, which can be in the form of cash or in-kind services for grant-related work. The ORCVB will provide the in-kind match, and an indirect cost of 20 percent will be applied by the City to cover its administrative costs. The deadline for the application is Friday, February 12, 2010. Additional information can be found at www.preserveamerica.gov.

I recommend adoption of the attached resolution.



Gary M. Cinder

Attachments



Unlock the Secrets of America's Secret City

TO: Gary Cinder, Interim City Manager
City of Oak Ridge

FROM: Katy Brown, President 
Oak Ridge Convention & Visitors Bureau

DATE: January 27, 2010

RE: Support of *Preserve America* 2010 Grant Application

The Oak Ridge Convention & Visitors Bureau has been working with Amy Fitzgerald to apply for a second Preserve America grant. The ORCVB is currently writing the grant application; however, the request must actually come from the City of Oak Ridge as the Preserve America community (see attached guidelines). Therefore, we are requesting support and a resolution from the City of Oak Ridge to apply for a \$50,000 *Preserve America* grant for projects implemented by the Oak Ridge Convention & Visitors Bureau. We have included an administrative cost in the application to pay for a city staff member's time to administer the grant. We apologize for the urgency of this request, but the deadline for the application is Friday, February 12, 2010.

The requested funds will be used for projects that will assist in marketing the city of Oak Ridge to visitors, including the development and production of a walking tour brochure of the Historic Jackson Square area, a podcast for the Secret City Commemorative Walk, a promotional video of Oak Ridge, redevelopment of the ORCVB's website, and the strategic marketing campaign to launch these assets. The required non-Federal matching funds will be derived from ORCVB staff time and marketing budget.

Adopted in 2008, the City's Heritage Tourism Implementation Plan will help to make Oak Ridge one of the premier Heritage Tourism destinations in the Southeast, and receipt of this grant will enable additional elements of that plan to be completed.

Thank you for your support in this matter. Obtaining this grant will be beneficial to the Oak Ridge community in enhancing our tourism product.





**FY 2010 Preserve America
Historic Preservation Fund Grants to Preserve and
Promote America's Heritage and Cultural Assets**

Applications are due by February 12, 2010.

GUIDELINES AND APPLICATION INSTRUCTIONS

Applications are invited for Fiscal Year (FY) 2010 Federal *Preserve America* Grants.

Preserve America grants offer planning funding from the Federal Government to support communities that have demonstrated a commitment to preserving, recognizing, designating, and protecting local cultural resources. Grants are available to assist local economies find self-sustaining ways to promote and preserve their cultural and natural resources through heritage tourism.

Preserve America is a program developed in cooperation with the Advisory Council on Historic Preservation, the Department of the Interior, and other Federal agencies. Since the program's inception in 2003, the First Lady of the United States has supported and promoted *Preserve America*. Permanent authorizing legislation (Public Law 111-11, Sec. 7302) for the program was passed by Congress and signed by the President in March 2009. The *Preserve America* grant program is administered by the National Park Service, U.S. Department of the Interior.

For information on how to be designated as a *Preserve America* community, contact the Advisory Council on Historic Preservation at (202) 606-8503, email achp@achp.gov, or visit www.preserveamerica.gov.

Grants will be awarded through a competitive process and each grant will require a dollar-for-dollar, non-Federal match, which can be in the form of cash or in-kind donated services for grant-assisted work. The grant and the non-Federal match must be expended during the grant period (1 to 2 years). The minimum grant request is \$15,000 Federal share (resulting in a total project cost of \$30,000). The maximum grant request is \$250,000 (resulting in a total project cost of \$500,000). State Historic Preservation Offices (SHPO) and Tribal Historic Preservation Offices (THPO) may apply on behalf of a group of community projects, each seeking less than the \$15,000 minimum grant. *Preserve America* funding would then be awarded to the SHPO or THPO and subgranted by them to these smaller projects in individual *Preserve America* Communities. SHPOs and THPOs seeking funding through this mechanism will hold competitions for individual subgrants after receiving *Preserve America* funding, and are not required to describe individual subgrants at the time the SHPO and THPO apply for funding. SHPOs and THPOs are encouraged to apply for projects that implement the recommendations of the 2006 *Preserve America* Summit. The report of the 2006 *Preserve America* Summit, including Summit recommendations, may be found at <http://www.preserveamerica.gov/summit.html>. The *Preserve America* Grants Selection Panel may, at its discretion, award less than the minimum grant request.

Eligible activities, selection criteria, administrative and funding requirements, and application submission instructions follow. Applicants should review the selection criteria and evaluation criteria carefully, along with the guidelines and application instructions in detail before completing the application. Examples of eligible grant projects can be found at the end of these guidelines.

WHO MAY APPLY

- Designated *Preserve America* Communities *
- Designated *Preserve America* Neighborhoods *
- Certified Local Governments (CLG) in the process applying or having received *Preserve America* Community designation (the *Preserve America* designation application must be received by the Advisory Council on Historic Preservation prior to the grant deadline)
- State Historic Preservation Offices (SHPO)
- Tribal Historic Preservation Offices (THPO)

WHAT IS FUNDED

Preserve America grants support planning, development, and implementation of innovative activities and programs in heritage tourism such as surveying and documenting historic resources, interpreting historic sites, planning, marketing, and training. Successful applicants will emphasize creative projects that promote and preserve the community's cultural resources. Successful projects will involve public-private partnerships and serve as models to communities nationwide for heritage tourism, education, and economic development. The Preserve America review panel will give special consideration to projects that engage and employ youth, especially those projects with a service learning component. **Projects are categorized within two phases, the first being planning and development and the second implementation. Applications for implementation projects will be carefully scrutinized for documentation of adequate planning and to ensure that due diligent research has already occurred and supports the project as the next best action.** Your project must fit one, and only one, of the categories listed below. Please see the example projects at the end of this document. Desirable projects will address sustainability issues (economical, environmental, and cultural) with plans, goals, and practices supportive of lasting benefits to the community.

PLANNING AND DEVELOPMENT

- **Planning**

Planning projects must advance economic development using heritage tourism and historic preservation. These projects must produce a step-by-step methodology for the community to follow to advance their tourism/preservation goal. Planning projects can involve preservation plans, tourism plans, business plans, market research studies, planning for new small businesses, and development of ordinances to protect historic resources. Projects can also involve planning to conserve, rehabilitate, or reuse existing historic resources with condition assessments, adaptive use plans, and feasibility studies so that the resources are utilized to benefit the community. See the resources listed here <http://www.nps.gov/history/hps/hpg/PreserveAmerica/resources.html> for tips on developing a successful heritage tourism plan.

- **Research and Documentation**

Research and documentation projects undertake the research of a community's history and documentation/survey of its cultural resources. Projects in this category must provide a baseline from which heritage tourism can have an authentic foundation. Survey of a community's historic and cultural resources is essential to understand the significance and public value of such resources. Projects in this category include development of National Register nominations, community histories, surveys of historic resources, background research for interpretive programs, and documentation for historical markers. Please review the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, in particular the Standards for Identification, Evaluation, Registration, and Standards on Documentation.

IMPLEMENTATION

- **Interpretation and Education**

Interpretation projects must convey the history of the community or site to the resident and the visitor. Although most often thought of as taking place in a museum, authentic interpretation can also be presented through heritage trail markers, itineraries, visitor center exhibits, and living history programs for a community's historic resources. Development of film and other audiovisual media should be related to an overall plan for interpretation and education or marketing.

For more information on effective interpretation programs see the National Register Bulletin entitled, Telling the Stories: Planning Effective Interpretative Programs for Properties Listed in the National Register of Historic Places. This category also includes projects that support heritage education through curriculum development, after-school programs, and continuing adult or senior education using local heritage assets. For more information on lesson plans based upon historic properties see the National Park Service's Teaching with Historic Places program.

- **Marketing**

Marketing projects must promote and enhance the visitor experience to a community, making accessible the interpretation and documentation that a community has carefully researched. Projects might involve the partnering of communities or state and regional entities to cross promote and encourage regional heritage tourism. Eligible projects would include development of marketing tools like brochures and signage, promotion of heritage festivals, implementation of advertising campaigns, website development, and travel itineraries. All marketing projects should stem from existing tourism

development, interpretation, or marketing plans. For more information on travel itineraries see the National Park Service's "Discover Our Shared Heritage" travel itinerary. Projects may involve students collecting oral histories for content of promotional, interpretive materials.

- **Training**

Training projects must provide opportunities for professional development in areas that will aid a community in utilizing and promoting their historic resources. Training opportunities must be justified as essential to improving the function of a business, museum, or site, or enhancing public appreciation for a historic district. Projects may include hospitality training for local hotels and bed and breakfasts, small business development training for locally owned business in a downtown historic district, docent training for volunteer interpreters, and preservation training for the local planning office to help them protect their heritage resources. Projects may also include training students in survey techniques, in which they learn research, architecture, and community planning.

WHAT IS NOT FUNDED

The *Preserve America* grant program does not fund:

- Repair, Rehabilitation, and Acquisitions of historic properties, sites, or collections.
- Conservation of collections.
- Long-term maintenance or curatorial work.
- Reconstructing former historic properties.
- Moving historic properties.
- Construction of new buildings.
- Cash reserves, endowments, or revolving funds.
- Fund-raising costs.
- Work performed prior to announcement of award.
- Miscellaneous costs such as contingencies, reserves, food, and overhead.

ADMINISTRATIVE AND FUNDING REQUIREMENTS

- **A dollar-for-dollar non-Federal match is required for all projects.** Federal appropriations or other Federal grants, except Community Development Block Grants (CDBG) grants from the Department of Housing and Urban Development (HUD), may **not** be used for match. The non-Federal match can be cash, donated services, or use of equipment. It can be raised either before or during the grant period, but must be spent dollar for dollar with the Federal funds. Matching share does not have to be "in the bank" at the beginning of the grant but a plan to raise the match must be included in the application. Matching funds must be expended during the NPS approved beginning and end dates, not before or after.
- The grant period is generally 1 to 2 years and is specified in the grant agreement.
- Grantees may not charge costs for time and/or materials not directly related to performing project work.
- Indirect costs pursuant to a current Federally-approved Indirect Cost Rate may be no more than 25% of the total of both the grant and non-Federal match. This limit is stipulated in Section 102(e) of the National Historic Preservation Act, as amended. If your budget includes indirect costs then you must include a copy of your Federally-approved Indirect Cost Rate Agreement.
- Competitive selection of all consultants and contracting is required as stipulated in OMB Circular A-76. Maximum hourly rates charged to this grant may not exceed 120% of the salary of a Federal Civil Service GS-15, Step 10. Current salary tables can be found on the Office of Personnel and Management website: www.opm.gov. Mileage and travel rates can be found: www.gsa.gov.
- Volunteer time may be used as non-Federal match. Time should be valued at the rate per hour that the task being performed would cost in the local competitive market. Simple labor tasks should be valued at minimum wage, professional or specialized labor at the local competitive rate. Documentation of volunteer hours must be maintained by the grantee for audit purposes.
- By law, no individual project may receive more than one Federal *Preserve America* grant. However, distinct phases (planning and implementation) may be considered as individual projects.

AUTHORIZED SIGNATURE

The authorizing official for the applicant must sign the original application. **All *Preserve America* grant funds must be distributed to a government entity**, even if a non-profit organization is involved in the management of the grant project. Therefore, the authorized signature must be either the mayor of the town or city, the State or Tribal preservation officer, the chair of the county council, etc. In the case of *Preserve America* neighborhoods, the head of the neighborhood association may sign the application.

GRANT AMOUNTS

The minimum grant request is \$15,000 Federal share (resulting in a total project cost of \$30,000). The maximum grant request is \$250,000 (resulting in a total project cost of \$500,000). Please note that the selection panel may, at its discretion, award less than the minimum grant request.

SHPOs and THPOs may apply on behalf of a group of community projects, each seeking less than the \$15,000 minimum grant. *Preserve America* funding would then be awarded to the SHPO or THPO and subgranted for these smaller projects in individual *Preserve America* communities. SHPOs and THPOs seeking funding through this mechanism must hold competitions for individual subgrants after receiving *Preserve America* funding, and should describe the type of subgrants they wish to award in their application for funding. SHPOs and THPOs may charge a maximum of 10% of the total budget in administrative fees for such subgrants. **SHPOs and THPOs are encouraged to apply for projects that implement the recommendations of the 2006 *Preserve America* Summit. The report of the 2006 *Preserve America* Summit, including Summit recommendations, may be found at <http://www.preserveamerica.gov/summit.html>.**

SELECTION PROCESS

The *Preserve America* Grants Selection Panel, a panel of experts representing the partner agencies, will review applications and make funding recommendations to the Secretary of the Interior. Therefore, the selection panel will favor applications whose programs include a focus towards historic preservation. The Secretary of the Interior, in consultation with the Advisory Council on Historic Preservation, will select successful applicants and forward selections to the White House and to the House and Senate Committees on Appropriations for concurrence. Awards will be announced after the White House and Committees concur.

- Preference may be given to projects that carry out the purposes of both the *Preserve America* program and the *Save America's Treasures* program.
- Projects with at least 50% of the matching funds secure will be seen as more favorable.
- Applicants from *Preserve America* Communities, which are also Certified Local Governments (<http://www.nps.gov/history/hps/clg/index.htm>) may also be given preference for their proven commitment to preservation.
- When evaluating proposals, the *Preserve America* review panel will give special consideration to projects that engage and employ youth

EVALUATION AND SELECTION CRITERIA

The application must address each of the following criteria:

1. **Describe the historic resources affected by the project, including whether they are listed in the National Register of Historic Places and/or designated at the State or local level. Describe how the project will aid in the preservation of the historic resource(s).**
2. **Describe how the proposed project will enhance long-term heritage tourism in the community and help preserve their historic resources and cultural assets?**
3. **Describe how the project meets the goals of the local or statewide preservation plan, heritage tourism plan, or other plans that address heritage tourism and cultural resources. Identify the specific goals and plan(s) and when they were developed and adopted by the community.**
4. a. **Describe the public-private partnerships involved in the project and how these partnerships will sustain and continue to support the resource(s) after the grant project is complete? Attach evidence of involvement from partner organizations directly involved in the project (see supplemental Information below and page 3 of the application regarding this**

documentation).

b. How will the public be actively involved in the project?

- 5 Is the project feasible, are the costs eligible, and is the source of the required non-Federal match identified or is a plan in place to raise it?** Describe all project activities, including a timeline or schedule of activities. Be sure to verify that all budgeted expenses are allowable (refer back to What Is Funded and What Is Not Funded of these guidelines to determine eligible and ineligible activities). Describe the source of non-Federal matching funds.
- 6 Describe what steps will be implemented to monitor the success and effectiveness of the project from both the local stakeholders and visitors perspectives. How will this project ensure continued economic viability and preservation?**

SUPPLEMENTAL INFORMATION

Reviewers' evaluations are based primarily on the material provided in the application. **Supplemental information may be included, but will not take the place of a complete, concise and well-written application.** Please supplement the application only with information necessary for the clear understanding of the proposed project. Supplemental information should be referenced in the application. **To ensure consideration of supporting documentation, it MUST be included with the grant application and will not be considered if sent separately.** Supplemental information might include:

- Photographs of the community and the historic site, museum property, downtown, or significant resource involved in the project.
- Portion of a community's historic preservation, community development, or interpretive plan that identifies the need for this grant project. Do not include the entire plan.
- Portion of a Market study that identifies the next step for heritage tourism enhancement in the community. Do not include the entire study.
- Portion of a Business plan that identifies the need for a National Register district to enable tax credits. Do not include the entire plan.
- Map that identifies the placement of historic markers, way finding signage, etc. for the project.
- Evidence of project involvement by partners. Letters should demonstrate a commitment of resources to the project, either through cash funding, in-kind support, public participation or continued involvement during and after the project is complete.
- Documentation of eligibility for listing in the National Register, if applicable. Do not include the entire nomination.
- Public-private partnership agreement to promote heritage tourism with a local entity like a main street program, county/city council, neighborhood association, local non-profit preservation organization, etc.

EXAMPLES OF POSSIBLE GRANT PROJECTS

The following exemplify the kinds of activities that qualify for *Preserve America* grant funding under each category:

1) PLANNING

- A feasibility and adaptive use plan to use a historic structure as a tourist information center for the community as well as for nearby National Parks or Forests, Federal and State-owned historic properties, and public lands.
- A business plan and operations strategy for a leasing and rental program featuring historic recreation and other structures in a National Park, done in partnership with the State and local gateway communities.
- A tourism development plan prepared in partnership with State and Federal entities, for a portion of a State-owned site that effectively integrates its tourism potential with locally owned businesses and attractions.
- A preservation plan for a *Preserve America* community that identifies its significant resources and provides a phased plan for their future preservation and tourism promotion.

- In partnership with its Main Street Program, a design planning process for a local community to show how a façade enhancement program can change the downtown's image and enhance heritage tourism potential.
- Development of an historic structures report for a historic site that addresses accessibility issues, health and safety codes, lighting and electrical needs, to make the tourism destination accessible and safe for visiting tourists.
- Plan and develop a preservation zoning ordinance, including design guidelines.

2) RESEARCH AND DOCUMENTATION

- Development of a National Register nomination for a downtown business district in a *Preserve America* community, thus making those businesses eligible for Federal tax credits, knowledgeable about their history, and better able to promote their significance.
- Survey and documentation of a significant historic cemetery in the local community, making information accessible for genealogy and tourism promotion.
- Development of a community history, using a process that involves public input and participation, making residents aware of the special places and interests in their community.
- Update existing National Register nominations that need additional documentation or expanded boundaries to include significant resources that were omitted during a previous nomination and are essential to proposed heritage tourism or promotional efforts.
- Provide the necessary research for the preparation of a museum exhibit featuring a significant local archival collection.

3) INTERPRETATION AND EDUCATION

- Development of curriculum materials and special educational programs for area schoolchildren and visitors such as creating a "Teaching with Historic Places" lesson plan on your community's history.
- A destination marketing program for a summer living-history camp, with educational activities focusing on historic events and themes related to regional history and culture.
- A community program to develop interpretive materials, signage, walkways, brochures, and a tour itinerary for the historic and archeological sites and ruins along the local heritage trail.
- State program to establish historic markers at the most significant sites in the state or region of the state that have not yet received recognition and are tourist destinations.
- Develop and promote a new museum exhibit that showcases a significant collection of the community and the museum itself.
- Create an interpretive plan for a battlefield owned by the State that will identify areas for trails, interpretive signage, and ways to incorporate reenactments into a new education program for local schools and visiting tourists.

4) MARKETING

- A Tribal Historic Preservation Office develops an annual public cultural heritage celebration, featuring traditional activities and demonstrations within the tribal museum complex.
- Statewide or regional program to support community museums and other historic attractions with a guidebook, logos, signage, youth visitor "passport," consolidated fee schedule, and other marketing tools.
- State program to promote group tour marketing of the heritage sites of several communities in a package program.
- Walking tour brochures, kiosks, and signage to guide tourists through the local downtown, historic neighborhoods, and business districts featuring restaurants, shopping, and other activities.
- Create a marketing piece and advertising campaign to feature a new exhibit and educational program at the local or state museum.

- Conduct a feasibility study to determine the most effective use of a vacant building in a community's downtown. Use the study to market the property to prospective developers and potential tourism related businesses.
- Develop a web-based guide to historic resources that can be downloaded by tourists.

5) TRAINING

- A statewide or regional program to provide hospitality training to designated *Preserve America* communities.
- Support for sending local museum or preservation staff to tourism training or conferences for professional development.
- Business development training course to help Main Street communities, museums, and local nonprofits learn how to better market and expand their sales by using the internet.
- Develop and establish a training program to recruit senior citizens or high school students to serve as volunteer docents and tour guides for historic sites and downtown tours.
- Community training in local history and heritage resources for employees in tourism-related businesses.
- Provide training opportunities for local Architectural Review Boards and Preservation Commissions.

APPLICATION SUBMISSION

Applications must be submitted in hard copy. Faxed applications and applications submitted electronically will not be accepted. Applications not received by the deadline and incomplete applications will not be considered. Additional materials sent separately from the application will not be considered part of the application and will not be included in evaluation of the application.

Application materials will not be returned. All application materials, including photographs, become the property of the National Park Service and may be reproduced by NPS or its partner organizations without permission; appropriate credit will be given for any such use.

You must submit:

- (1) original and five (5) copies – a total of 6 – complete application packages (see below).
- One (1) additional photocopy of page one of the application.
- Page one of the application must be the first page in the original and copies. Do **not** use other cover pages.
- The original must be secured with a binder clip.
- Each copy must be **securely** held together with a staple or binder clip; do **not** use pocket folders, notebooks, or ring binders.

A complete application package includes:

- A complete proposal using the 2010 Application form
- SF 424 Application for Federal Assistance
- Authorizing Official signature
- Timeline for project completion
- Detailed budget
- Necessary supplemental information to explain the project, e.g. photographs, maps, documentation of public/private partners, etc. See Supplemental Information above.

SEND APPLICATIONS TO:

Please address ALL support letters to the address below, attn: Hampton Tucker; Chief, Historic Preservation Grants Division – they must accompany the grant application or they will NOT be considered.

Preserve America Grants
National Park Service
1201 "Eye" Street, NW
6th Floor (ORG. 2256)
Washington, D.C. 20005

PLEASE NOTE - Applications should not be submitted through the US Postal Service. All US Postal Service mail to Federal agencies in Washington, D.C. is irradiated, which can damage or destroy materials and lead to a delay in delivery. You must submit your application via an alternate carrier.

For more information please contact the National Park Service at:

(202) 354-2020

nps_preserveamerica@nps.gov

www.nps.gov/history/hps/hpg/preserveamerica

Applications are due by February 12, 2010!

RESOLUTION

WHEREAS, the City of Oak Ridge has a rich and unique heritage beginning with its major role in winning World War II and helping bring peace to the world, and in the years since with its role in advancing nuclear medicine, energy, agriculture, and industry, and many other fields with national and international impact; and

WHEREAS, the City recognizes the importance of heritage tourism to promote Oak Ridge's unique heritage and as an economic development opportunity; and

WHEREAS, by Resolution 3-41-04, City Council approved an amendment to the Oak Ridge Convention and Visitors Bureau (ORCVB) contract with the City to include an additional \$40,473.00 in funding for the development of Phase One of the Oak Ridge Heritage Tourism Master Plan; and

WHEREAS, by Resolution 2-13-05, City Council endorsed Phase One of the Oak Ridge Heritage Tourism Master Plan; and

WHEREAS, by Resolution 8-104-06, City Council amended the existing contract between the City and the ORCVB to include an additional \$50,000.00 in funding for the development of Phase Two of the Oak Ridge Heritage Tourism Master Plan; and

WHEREAS, the ORCVB has submitted Phase Two of the Oak Ridge Heritage Tourism Plan, dated June 2007, entitled *Creating the Living Story of "The Secret City;"* and has requested the City's endorsement of the Plan; and

WHEREAS, the City Manager recommends endorsement of the Phase Two Plan with the caveat that certain aspects of the Plan's recommendations—including increased financial support from the City—merit further analysis and negotiation in conjunction with the ORCVB; and

WHEREAS, the ORCVB concurs with the City Manager's recommendation.

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 of Oak Ridge hereby endorses Phase Two of the Oak Ridge Convention and Visitor Bureau's Heritage Tourism Plan entitled *Creating the Living Story of "The Secret City,"* dated June 2007, as the official Heritage Tourism Plan of the City of Oak Ridge, and designates the Oak Ridge Convention and Visitors Bureau as the implementing organization for the Plan.

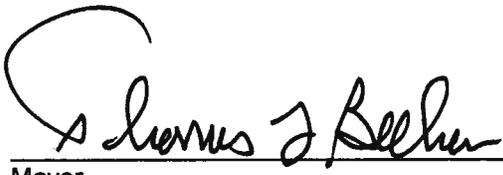
BE IT FURTHER RESOLVED that endorsement of the Plan is with the caveat that certain aspects of the Plan's recommendations—including increased financial support from the City—merit further analysis and negotiation between the City and the Oak Ridge Convention and Visitors Bureau.

This the 18th day of February 2008.

APPROVED AS TO FORM AND LEGALITY:



City Attorney



Mayor



City Clerk

RESOLUTION

WHEREAS, *Preserve America* is a federal program developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior, the U.S. Department of Commerce, and other Federal agencies; and

WHEREAS, the goals of the *Preserve America* program include a greater shared knowledge about our Nation's past, strengthened regional identities and local pride, and support for the economic vitality of communities; and

WHEREAS, Congress has appropriated funds for the *Preserve America* grant program, which offers competitive Federal funding to assist *Preserve America* communities in promoting their cultural resources through interpretation, education, and heritage tourism; and

WHEREAS, the City of Oak Ridge has been designated a *Preserve America* community; and

WHEREAS, the Oak Ridge Convention and Visitors Bureau (ORCVB) desires to submit a *Preserve America* grant application to implement portions of the City's Heritage Tourism Master Plan, which was adopted by City Council Resolution 2-15-08; and

WHEREAS, the application is compatible with the City of Oak Ridge's interests and goals, particularly the promotion of Oak Ridge economic development through heritage tourism; and

WHEREAS, the Interim City Manager recommends endorsing the ORCVB application to the *Preserve America* grant program in an amount up to \$250,000 to support education, interpretation, and heritage tourism needs for the City of Oak Ridge, to be matched by an equal amount in in-kind services by the ORCVB.

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

That the recommendation of the Interim City Manager is approved and the City of Oak Ridge endorses the Oak Ridge Convention and Visitors Bureau (ORCVB) application to the *Preserve America* grant program in an amount up to \$250,000 to support education, interpretation, and heritage tourism needs for the City of Oak Ridge, to be matched by an equal amount in in-kind services by the ORCVB.

BE IT FURTHER RESOLVED, that the Mayor or the Interim City Manager is hereby authorized to execute the appropriate legal documents required to apply for, accept, and administer said funds on behalf of the ORCVB.

This the 8th day of February 2010.

APPROVED AS TO FORM AND LEGALITY:



City Attorney

Mayor

City Clerk

LEGAL DEPARTMENT MEMORANDUM
10-04

DATE: January 26, 2010

TO: Honorable Mayor and Members of City Council

FROM: Kenneth R. Krushenski, City Attorney

SUBJECT: OAK RIDGE REVITALIZATION EFFORT/ALEXANDER INN RESTORATION PROJECT

On October 29, 2009, the City of Oak Ridge Code Enforcement Division filed warrants in City Court containing approximately seventy (70) code violations against the property owned by the Oak Ridge Alexander Inn Incorporated (Corporation) located at 210 East Madison Road. A Hearing was set for December 7, 2009. While the case was pending, the Corporation entered into a sales contract with Oak Ridge Revitalization Effort (ORRE) for the sale of the land and building located at 210 East Madison Road. The Sale closed on December 17, 2009. A Warranty Deed for the property from the Oak Ridge Alexander Inn Incorporated to Oak Ridge Revitalization Effort was recorded in the Anderson County Register of Deeds Office on December 28, 2009.

On January 25, 2010, a scheduled Hearing in City Court was postponed to allow ORRE representatives to appear at a City Council Work Session later that evening to present their plans for restoring the Alexander Inn. The Hearing was reset for March 1, 2010.

As a result of questions raised by Council at this Work Session, the attached Resolution is presented for Council's approval. It will authorize the Interim City Manager and City Attorney to establish a framework and a timeline for the Oak Ridge Revitalization Effort to proceed with the necessary repairs to satisfy the code violations noted above. This framework and timeline will be presented to the City Judge at the March 1, 2010 hearing on this matter. Should the Court concur, an Order would be issued to the ORRE stipulating that each required repair is to be completed by the associated deadlines.


Kenneth R. Krushenski

Attachment

Interim City Manager's Comments:

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


Gary M. Cinder

1/27/10
Date

RESOLUTION

WHEREAS, on October 29, 2009, the City's Community Development Department Code Enforcement Division filed warrants against Oak Ridge Alexander Inn Incorporated, owner of 210 East Madison Avenue, commonly known as the Alexander Inn, for numerous structural code violations; and

WHEREAS, while the case was pending before City Court, Oak Ridge Alexander Inn Incorporated transferred the Alexander Inn to Oak Ridge Revitalization Effort by warranty deed dated December 17, 2009; and

WHEREAS, on January 11, 2010, an order to substitute the parties was entered to change the name of the owner from Oak Ridge Alexander Inn Incorporated to Oak Ridge Revitalization Effort; and

WHEREAS, on January 25, 2010, the case was continued until March 1, 2010 to allow Oak Ridge Revitalization Effort the opportunity to present their plans to restore the Alexander Inn to City Council at the work session scheduled for later that day.

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

That the Interim City Manager and the City Attorney are hereby authorized to establish a written framework and timeline for Oak Ridge Revitalization Effort, owner of 210 East Madison Avenue, commonly known as the Alexander Inn, to proceed with necessary repairs for the owner to bring the Alexander Inn into compliance with City Code and correct the pending violations.

BE IT FURTHER RESOLVED that the framework and timeline for compliance shall be presented to the City Court Judge in an Order on March 1, 2010 for his approval, which will set forth deadlines by which Oak Ridge Revitalization Effort will bring the Alexander Inn into compliance with the City Code.

This the 8th day of February 2010.

APPROVED AS TO FORM AND LEGALITY:



City Attorney

Mayor

City Clerk

PUBLIC WORKS MEMORANDUM
10-03

DATE: January 27, 2010
TO: Gary M. Cinder, P.E., Interim City Manager
FROM: Steven R. Byrd, P.E., Acting Public Works Director
SUBJECT: The Courtyards at Briarcliff – Proposed Access to Briarcliff Avenue

The accompanying resolution authorizes approval of an access to Briarcliff Avenue, which will serve a proposed new assisted living facility to be located on Parcel 589.02, Block 21-CG (County Map 100G, Group D, Parcel 5.00). The property is presently owned by Emory Valley Corporation, but will be transferred to a future owner/developer, Continuum Housing Corporation, in March 2010. The future owner is requesting City Council approval of the access to serve a 72-unit facility as shown on the enclosed drawings. Briarcliff Avenue is an arterial street and requires City Council access approval.

Kimley-Horn and Associates, Inc. provided a traffic trip generation study for the facility. The Institute of Transportation Engineers' (ITE) *Trip Generation Handbook* was used to determine the traffic trips during the facility's 6:00-7:00 AM and 3:00- 4:00 PM peak hours. The peak traffic hours for an assisted living facility generally do not coincide with the adjacent street peak traffic hours. The facility's total daily traffic trips are estimated at 254. Ninety percent of the trips are assumed to come from the west and north along Emory Valley Road. The projected access entering and exiting peak hour traffic trips for the facility are shown on the enclosed site plan drawing and are considered low with a maximum number of trips occurring during the PM peak hour (13 entering and 15 exiting).

The additional traffic trips generated by this facility will have a minimal impact on the adjacent Briarcliff Avenue/Emory Valley Road signalized intersection and on Briarcliff Avenue, which has an average daily traffic volume of approximately 2,100 and a posted speed limit of 25 mph. Staff will place emphasis on the site plan details to assure that adequate sight distance is maintained along Briarcliff Avenue at the proposed access location. The access location does not create abutting left-turn conflicts with nearby adjacent intersections.

The Traffic Safety Advisory Board has scheduled a meeting on February 2nd to review the access request. Council will be advised of their recommendation prior to the February 8th meeting. City staff recommends approval of the access to Briarcliff Avenue located at a distance of 370 feet south of Emory Valley Road.



Steven R. Byrd

ks

Enclosures

Interim City Manager's Comments:

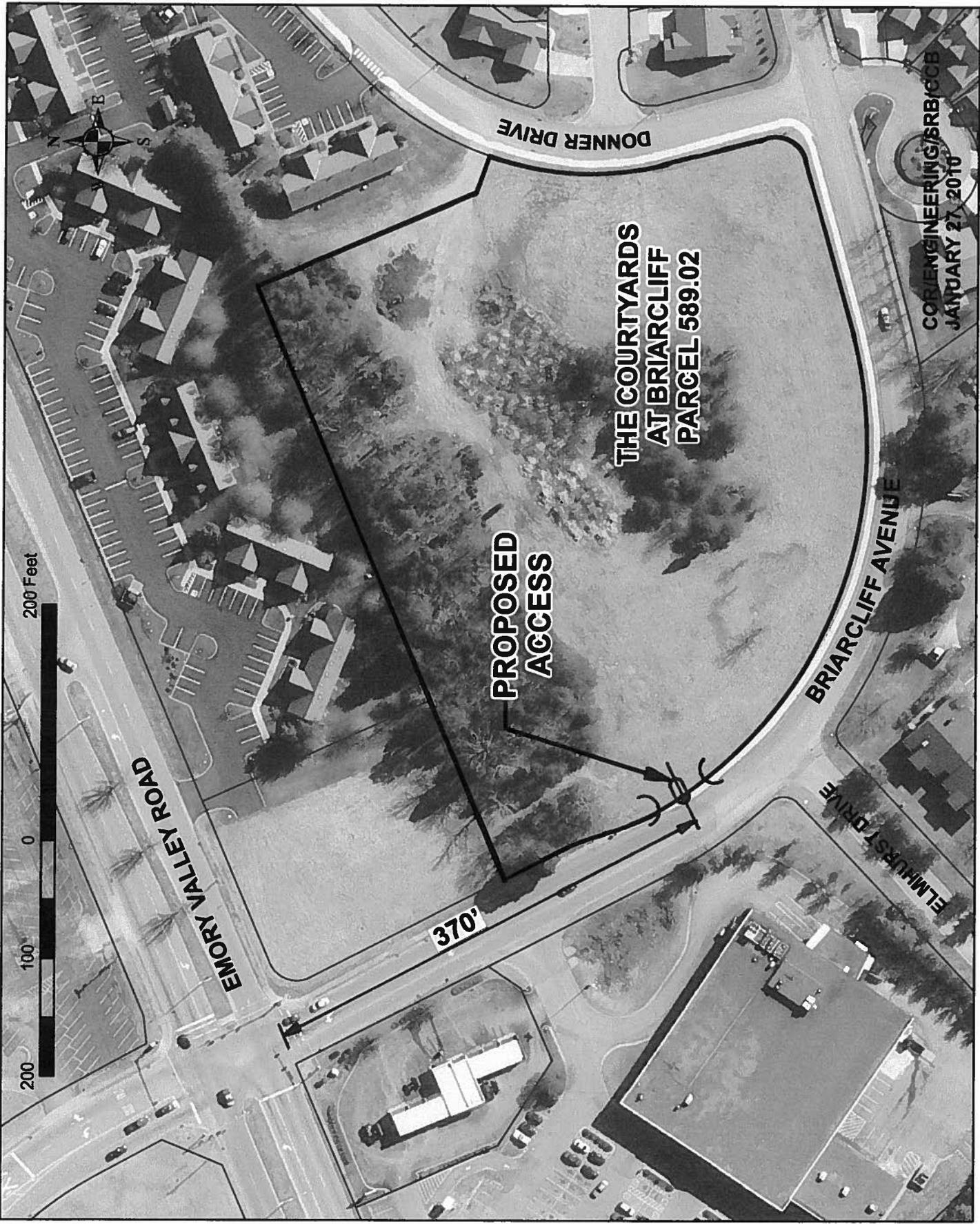
I have reviewed the above issue and recommend council action as outlined in this document.



Gary M. Cinder

1/27/10

Date



200 Feet

100 0

200

EMORY VALLEY ROAD

DONNER DRIVE

THE COURTYARDS
AT BRIARCLIFF
PARCEL 589.02

PROPOSED
ACCESS

370'

BRIARCLIFF AVENUE

ELMHURST DRIVE

COBI ENGINEERING/SRB/CCEB
JANUARY 27, 2010

RESOLUTION

WHEREAS, Continuum Housing Corporation, the future owner of Parcel 589.02, Block 21-CG (Anderson County Tax Map 100G Group D Parcel 5.00), has requested a permanent access to Briarcliff Avenue that will serve said parcel; and

WHEREAS, the requested access is located approximately 370 feet south of Emory Valley Road; and

WHEREAS, Briarcliff Avenue is an arterial road requiring City Council approval of access; and

WHEREAS, the proposed access location has been reviewed by the Traffic Safety Advisory Board at its February 2, 2010 meeting, which Board recommended _____; and

WHEREAS, the proposed access location is recommended by the Interim City Manager.

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

That the recommendation of the Interim City Manager is accepted and a permanent access to Briarcliff Avenue that will serve Parcel 589.02, Block 21-CG (Anderson County Tax Map 100G Group D Parcel 5.00), as shown on the drawing attached hereto, is hereby approved.

This the 8th day of February 2010.

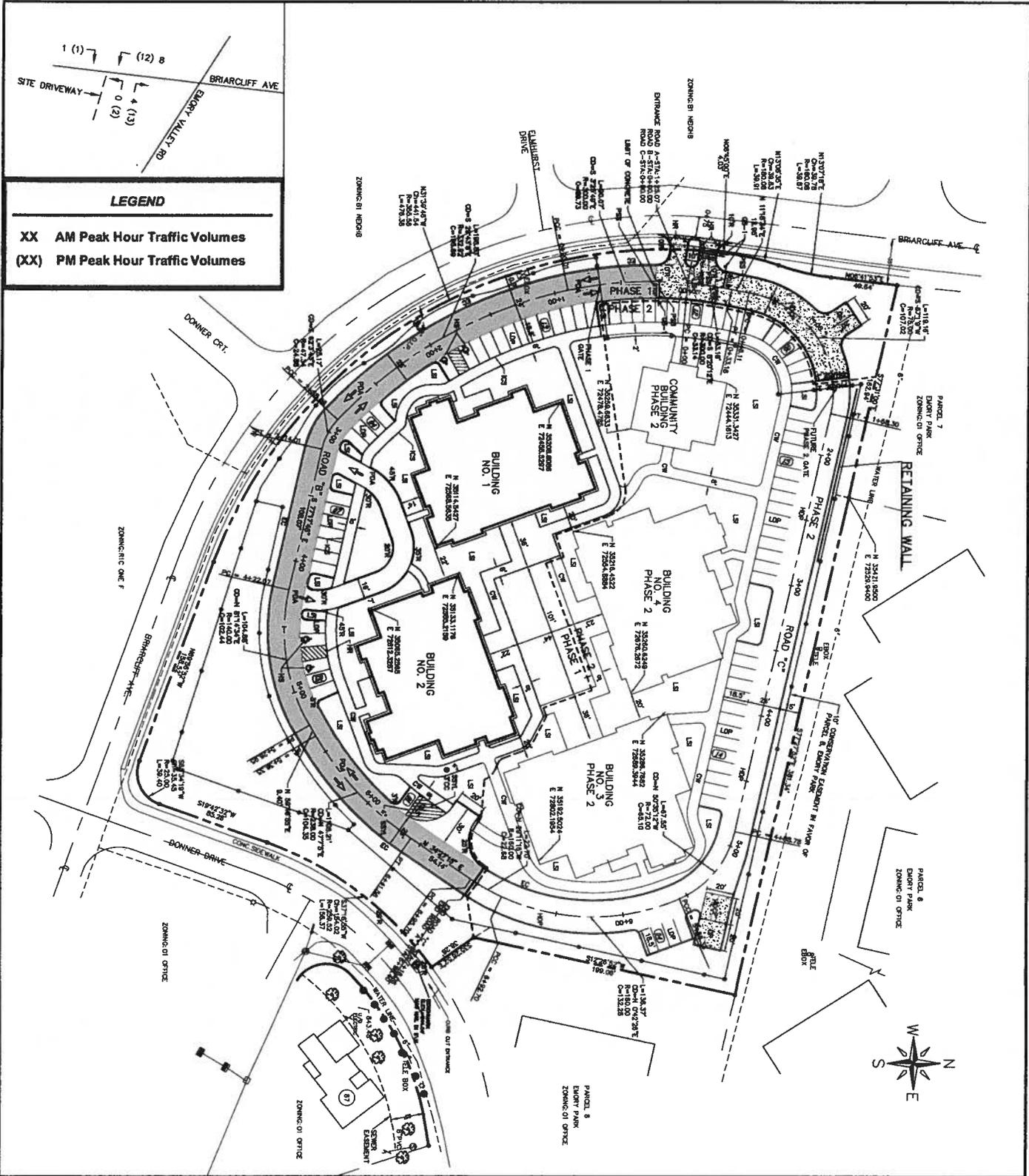
APPROVED AS TO FORM AND LEGALITY:



City Attorney

Mayor

City Clerk



UNITED ENGINEERING, LLC
 CIVIL ENGINEERS

6515 CLINTON HIGHWAY
 SUITE 100
 KNOXVILLE, TN 37912
 EMAIL: JFEROWICH-UE@COMCAST.NET

PHONE: (865) 938-3050
 FAX: (865) 938-3060

UNITED ENGINEERING, LLC
 CIVIL ENGINEERS

A NEW ASSISTED LIVING FACILITY

THE COURTYARDS AT BRIARCLIFF
 ANDERSON COUNTY
 OWNER: CONTINUUM COURTYARDS, LLC

ENTRANCE EXHIBIT

PROJ: 09-018 FILE: 09-019_C4 DATE: 01/26/2010 SCALE: 1"=100'

SHEET NO. EX-1

GOVERNMENT AND PUBLIC AFFAIRS MEMORANDUM
10-01

DATE: February 4, 2010

TO: Gary M. Cinder
Interim City Manager

FROM: Amy Fitzgerald, Ph.D.
Government and Public Affairs Coordinator

SUBJECT: Federal Agenda for 2010

An item for the February 8th City Council agenda is the approval of the City's "2010 Federal Agenda." The draft agenda is attached for your review.

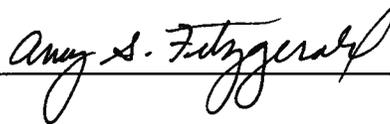
As you know, each year the City develops a list of projects and priorities that are submitted to the Tennessee congressional delegation. The projects are typically prioritized for consideration during the annual federal appropriations process. The deadline for submittal this year is February 19th.

Ideally, the draft agenda is brought to the full City Council with a recommendation of the Intergovernmental Relations Committee. However, due to scheduling challenges, the committee is not able to get together prior to the February 8th Council meeting and still meet the deadline for submittal.

Staff has worked with our Ferguson Group consultants in the development of the draft, seeking to match city projects with potential federal funding opportunities. Projects that were not funded in 2009 are recommended for re-submittal, including the community infrastructure project that was authorized in 2007. The remaining projects support the implementation of city plans, including the Melton Lake Redevelopment Plan and center city initiatives. The 2009 housing request was funded in the amount of approximately \$237,500, and thus was removed from this year's list.

The projects are listed in the order of recommended priority. Once approved, staff will work with our consultants to prepare and submit the required forms. A resolution from City Council is part of the documentation needed for submittal.

Staff recommends approval of the resolution.



Attachments

City Manager's Comments:

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



Gary M. Cinder

2/4/10

Date

RESOLUTION

WHEREAS, the City Council desires to develop a federal agenda as an instrument to inform federal officials of key projects in the City of Oak Ridge, and to secure federal appropriations for agreed upon priorities of the community; and

WHEREAS, the Interim City Manager recommends the approval of the "2010 Federal Agenda" to inform federal officials of key projects in the City of Oak Ridge, and to request federal Fiscal Year 2011 appropriations for the priorities of the community; and

WHEREAS, the City understands that a local financial match may be required for some projects.

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

That the recommendation of the Interim City Manager is approved, and the attached "2010 Federal Agenda" is hereby adopted to inform federal officials of key projects in the City of Oak Ridge, and to request federal Fiscal Year 2011 appropriations for the priorities of the community.

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

BE IT FURTHER RESOLVED that the "2010 Federal Agenda" be transmitted to the Tennessee Congressional Delegation as the official 2010 federal agenda for the City of Oak Ridge.

This the 8th day of February 2010.

APPROVED AS TO FORM AND LEGALITY:



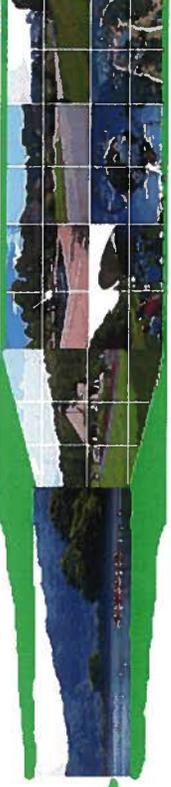
City Attorney

Mayor

City Clerk



City of
Oak Ridge
Achieving Excellence



DRAFT/PROPOSED

2010 (Fiscal Year 2011) Federal Agenda

Appropriations Requests

Project Name	Description	Request	Appropriations Bill/Account
Center City Redevelopment - Roads	Redevelopment of arterial and access roads to encourage efficient multi-modal access to the City Center	\$328,000	Transportation, Housing and Urban Development Appropriations under FHWA's Transportation and Community and System Preservation Program
Center City Redevelopment - Energy Efficiency	Enhancements to gain transmission efficiencies for City Center Project	\$706,750	Energy and Water Appropriations under Department of Energy, Energy Efficiency and Renewal Energy (EERE) account
Melton Lake Redevelopment Initiative	Capital infrastructure needs to transform venue into major tourist and recreational area	\$575,000	Transportation, Housing and Urban Development Appropriations under the U.S. Department of Housing and Urban Development, EDI account
Community Infrastructure	Wastewater and sewer needs for increased commercial and residential development	\$700,000	Energy and Water Appropriations under U.S. Army Corps of Engineers, Construction General account <i>Authorization included in the Water Resources Development Act of 2007</i> or Interior Appropriations under U.S. Environmental Protection Agency, State and Tribal Assistance Grants (STAG) account

Authorizations

Project Name	Description	Appropriations Bill/Account
Oak Ridge Energy Corridor Integrated Transportation Project	Integrated transportation network to facilitate utilization of transportation alternatives, reduce vehicle emissions, and demonstrate innovative transportation technologies	\$20.2 million authorization in the reauthorization of SAFETEA-LU
Edgemoor Road	Improvements to expand capacity and ensure vehicular and pedestrian safety	\$5.36 million authorization in the reauthorization of SAFETEA-LU

**RESOLUTIONS
BIDS AND
CONTRACTS**

MEMORANDUM

DATE: January 28, 2010

TO: Fellow Members of City Council

FROM: City Manager Search Committee
Mayor Pro Tem D. Jane Miller
Councilman David N. Mosby
Councilwoman Ellen D. Smith
Mayor Thomas L. Beehan, Chairman in absentia

SUBJECT: APPROVAL OF PROFESSIONAL SERVICES AGREEMENT
WITH THE MERCER GROUP

The City Manager Search Committee met today (January 28, 2010) to review the Professional Services Agreement prepared by the City's Legal Department and agreed to by Mr. James L. Mercer, President and CEO of The Mercer Group, Inc. Present were committee members Mayor Pro Tem Miller, Councilman Mosby, and Councilwoman Smith. The Committee Chair, Mayor Beehan, was out of town and as a consequence the meeting was chaired by the Mayor Pro Tem. Councilwoman Smith, as the alternate, became a voting member of the committee. Also present were the City Attorney, the Personnel Director, and the City Clerk.

The Professional Services Agreement presented to the Committee is substantially the same as the agreement with Mercer in 2003, with the exception of Section 12, Termination, which was revised by the legal staff to include a provision that is more favorable to the City. However, Mr. Mercer had no objections to the new provision.

Following its review, the Committee voted unanimously to recommend to the Council the adoption of the attached resolution.



D. Jane Miller *DB*

Attachment

RESOLUTION

WHEREAS, James R. O'Connor has resigned as City Manager of the City of Oak Ridge, effective January 8, 2010; and

WHEREAS, with the adoption of Resolution No. 1-15-10, City Council approved the recommendation of its City Manager Search Committee (the Committee) and accepted the proposal of The Mercer Group, Inc., Atlanta, Georgia, to conduct a search for a new City Manager for the City of Oak Ridge, subject to the approval of a Professional Services Agreement with the firm; and

WHEREAS, Resolution No. 1-15-10 also authorized the Committee to enter into negotiations with The Mercer Group, Inc., with the negotiated agreement to be presented to City Council for approval; and

WHEREAS, the Committee has completed its negotiations with Mr. James L. Mercer, President and CEO of The Mercer Group, Inc., and presents the attached Professional Services Agreement with a recommendation for approval by City Council.

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

That the recommendation of the City Manager Search Committee is approved and the City is hereby authorized to enter into the attached Professional Services Agreement with The Mercer Group, Inc., Atlanta, Georgia, for the provision of executive search services for the position of City Manager of the City of Oak Ridge, with payment for such services to be \$15,000 in professional fees plus expenses in a not-to-exceed amount of \$8,000.00.

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

This the 8th day of February 2010.

APPROVED AS TO FORM AND LEGALITY:



City Attorney

Mayor

City Clerk

PROFESSIONAL SERVICES AGREEMENT
(City Manager Executive Search)

This Professional Services Agreement entered into this _____ day of _____ 2010, between the City of Oak Ridge, Tennessee, hereinafter referred to as the "City," and The Mercer Group, Inc., 5579B Chamblee Dunwoody Road, Suite 511, Atlanta, Georgia 30338, hereinafter referred to as "Mercer."

WITNESSETH:

WHEREAS, the City is in need of professional consulting services to conduct an executive search for the position of City Manager; and

WHEREAS, Mercer provided satisfactory services to the City in 2003 during the City's last executive search for the position of City Manager; and

WHEREAS, Mercer has provided a proposal to the City, which proposal meets the needs of the City; and

WHEREAS, the City desires to hire Mercer to assist the City by conducting an executive search for the position of City Manager and Mercer desires to assist the City by conducting said search.

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

1. SCOPE OF WORK

Mercer shall conduct a "turn-key" executive search for the position of City Manager for the City in accordance with Mercer's proposal, dated January 15, 2010, attached hereto and incorporated by reference into this Agreement.

Mercer assures the City that it will devote its best efforts to carrying out the services of this Agreement. The results obtained, recommendations and any written material provided to the City by Mercer will represent Mercer's best judgment based upon the information available to Mercer.

2. COMMENCEMENT

The services under this Agreement shall commence immediately upon execution of this Agreement by the City and Mercer.

3. COMPENSATION

The compensation to be paid to Mercer by the City for the successful completion of the search outlined in Mercer's proposal, dated January 15, 2010, will be \$15,000.00 in professional fees, plus expenses in a not-to-exceed amount of \$8,000.00.

Mercer shall submit invoices to the City for fees and expenses. Fees may be invoiced by Mercer to the City as follows: one-third at the beginning of the search, one-third at the end of thirty (30) days following commencement of the search, and one-third following the conclusion of the search. Expenses shall be invoiced monthly. All invoices shall be paid by the City, unless reasonably contested, within thirty (30) days of receipt of the invoice.

Any work or fees beyond the scope of the attached proposal shall be by written authorization by the City.

4. ADDITIONAL SERVICES

The City may elect for Mercer to facilitate a goals and objectives workshop with the selected candidate and City Council soon after the candidate begins his or her employment with the City in the position of the City Manager. Should the City elect to have Mercer provide such service, Mercer will provide said services for the cost of actual expenses only and for no additional professional fee. The estimated cost of expenses for this service is included in the estimate of expenses specified in Section 3, titled Compensation.

Should the selected candidate leave employment with the City for any reason within twenty-four (24) months of the candidate's hire date with the City in the position of City Manager, Mercer will replace the candidate, at the City's request, for the cost of actual expenses only and for no additional professional fee. The estimated cost of expenses for this service is included in the estimate of expenses specified in Section 3, titled Compensation.

5. INSURANCE

Mercer shall maintain, at its own expense, during the course of performance of the services under this Agreement, adequate liability insurance, applicable workers' compensation insurance, comprehensive automobile insurance, and errors and omissions insurance. Mercer shall submit evidence of such insurance with the signed agreement.

6. NO DISCRIMINATION

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

7. INDEMNIFICATION

To the fullest extent permitted by all applicable laws and regulations, Mercer hereby agrees to protect, indemnify and hold harmless the City and its employees from and against any and all claims, loss, expense, damage, charges and costs direct, indirect or consequential (including but not limited to fees and charges of engineers, architects, attorneys and other professional and court costs), collectively referred to as "claims," for injury to or death of persons and injury to or destruction of property suffered or alleged to have been suffered as a result of any act or omission on the part of Mercer or others whose services are engaged by Mercer or anyone directly or indirectly employed or controlled by either of them in the course of the performance of the services provided for in this Agreement.

When the City submits notice, Mercer shall promptly defend any aforementioned action. In any and all claims against the City or any of its employees by any employee of Mercer, anyone for whose acts Mercer may be liable, or others whose services are engaged by Mercer or anyone directly or indirectly employed or controlled by either of them in the course of the performance of the services provided for in this Agreement, the indemnification obligation described herein shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for Mercer under workers' compensation acts, disability benefit acts or other employee benefit acts. The limits of insurance required in this Agreement shall not limit Mercer's obligations under this section. The terms of this section shall survive the termination or suspension of this Agreement.

8. AMENDMENTS

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

9. ASSIGNMENT

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

10. COMPLIANCE WITH APPLICABLE LAWS

Mercer shall comply with all applicable federal, state, county and local laws, ordinances, statutes, rules and regulations.

11. INDEPENDENT CONTRACTORS

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

12. TERMINATION

The City may terminate this Agreement at any time for the City's convenience by giving ten (10) days advanced written notice to Mercer. In the event of termination for convenience, the City shall be obligated to pay Mercer for services already provided before the termination date.

In the event that either party believes that the other has materially breached any obligations under this Agreement, such party shall so notify the breaching party in writing. The breaching party shall have ten (10) days from the receipt of notice to cure the alleged breach and to notify the non-breaching party in writing that cure has been effected. If the breach is not cured within said ten-day period, the non-breaching party shall have the right to terminate the Agreement without further notice.

13. GOVERNING LAW

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

APPROVED AS TO FORM AND LEGALITY:



City Attorney

CITY OF OAK RIDGE, TENNESSEE

Mayor

THE MERCER GROUP, INC.

James L. Mercer, CMC
President/CEO

Attachment: Proposal dated January 15, 2010
Approved by Resolution _____

PUBLIC WORKS MEMORANDUM
10-01

DATE: January 27, 2010
TO: Gary M. Cinder, Interim City Manager
THROUGH: Steven R. Byrd, Acting Public Works Director
FROM: Roger Flynn, Senior Civil Engineer
SUBJECT: Professional Engineering Services – West End Water System Improvements

The accompanying resolution awards a contract to Lamar Dunn & Associates, Inc., (LD&A) of Knoxville, Tennessee in the estimated amount of \$154,000 to provide professional engineering services for design of a 12-inch diameter waterline, two road bores, one river crossing bore and a water booster pumping station along with engineering services and project representation during construction.

At its June 2006 meeting, Council was presented with Public Works Memorandum 06-24. The purpose of the memo was to request authorization of a resolution (# 6-63-06) allowing the City to apply for and accept a Special Appropriations Project Grant from the U. S. Environmental Protection Agency (EPA). This grant is in the amount of \$1,000,000 less a \$44,400 fee dedicated to EPA administrative costs and comes with a 55 percent (EPA) to 45 percent (City) cost sharing ratio. Since notification of the grant, staff has been working to satisfy all requirements of the grant. The beginning of the grant period has been set as December 2010, which will coincide with completion of design work to be performed under the contract being presented.

The purpose of the project to be designed under the proposed contract and constructed using funding from the EPA grant is to allow the City to pump water from the City-owned distribution system near Bear Creek Road located on the east side of the Clinch River under the river in a westerly direction. This water will be used to supplement the current water purchased from Cumberland Utility District (CUD), and at this time, is the sole source of water for that development. Additional water will be needed in the future as the amount of water available from CUD is only adequate for approximately 1/3 of the total number of homes planned at build-out in Rarity Ridge. In addition, having City water west of the Clinch River would make it possible for the City to sell water to adjoining users if the need should arise.

At this time, the water supplied through this river crossing would be from the City's Water Treatment Plant on the west end of Bear Creek Road; however, the staff's objective is to be able to supply water to all portions of the City west of Southwood Lane, from the City's main treatment plant. This would include Horizon and Heritage Centers along with the Clinch River Industrial Park and Rarity Ridge. This will allow the City to use more of the main plants capacity and also allow the City to decommission the Bear Creek Plant. In order to accomplish this, two additional construction projects are needed. The first is the construction of the 25,000 feet of 16-inch diameter ductile iron pipe relocated during the widening of the Oak Ridge Turnpike (SR95) from South Illinois Avenue to Westover Drive and that was placed in service in September 2009. The second contract will construct an additional 14,500 feet of new pipe to be laid during the widening of SR95 from Westover Drive to the intersection of SR95 and SR58.

LD&A was chosen because of their familiarity with the project and City staff's consultation for matters relative to expansion of the utility service to the west end of Oak Ridge and Rarity Ridge specifically since the original concept in the 1990s.

The Engineering design services presented with this memo are not funded from the EPA grant, but rather from the Waterworks Fund. The estimated cost is a combination of lump sum design services along with an anticipated budget amount for hourly services for survey and easement preparation, permitting and project representation. The contract also does not contain a contingency for unanticipated environmental issues.

Council will be presented with a contract for construction of this project in 2011.

Staff recommends approval of the accompanying resolution.



Roger Flynn

ks

Interim City Manager's Comments:

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



Gary M. Cinder.

1/27/10

Date

RESOLUTION

WHEREAS, the City has a need for professional engineering services to prepare plans and specifications to construct a water line, a river bore, two road bores, and a water booster pumping station, as well as services relating to the bidding process and construction oversight; and

WHEREAS, this will allow the City to transport water from the City-owned water distribution system located near Bear Creek Road on the east side of the Clinch River to the west end, which will supplement the water currently being purchase by the City from the Cumberland Utility District; and

WHEREAS, Lamar Dunn & Associates, Inc., Knoxville, Tennessee, has been the City's consultant for expansion of the utility service to the west end of Oak Ridge and is familiar with the City's needs; and

WHEREAS, Lamar Dunn & Associates, Inc., has submitted a proposal to perform the needed services, which proposal the Interim City Manager recommends be accepted.

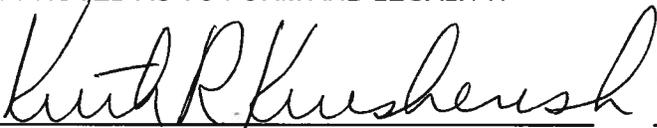
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the Interim City Manager is approved and a Professional Services Agreement between the City of Oak Ridge and Lamar Dunn & Associates, Inc., 3305 Maloney Road, Knoxville, Tennessee 37920, for the provision of professional engineering services to prepare plans and specifications to construct a water line, a river bore, two road bores, and a water booster pumping station for the west end of Oak Ridge, as well as services relating to the bidding process and construction oversight, in the estimated amount of \$154,000.00, and in strict accordance with the terms and provisions in the proposal as submitted, dated January 14, 2010, is hereby approved.

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

This the 8th day of February 2010.

APPROVED AS TO FORM AND LEGALITY:



City Attorney

Mayor

City Clerk

PUBLIC WORKS MEMORANDUM
10-04

DATE: February 3, 2010
TO: Gary M. Cinder, P.E., Interim City Manager
FROM: Scott Jackson, Operations Manager
THROUGH: Steven R. Byrd, P.E., Acting Public Works Director *SRB*
SUBJECT: **Replacement Pumps for the Emory Valley Sewer Pumping Station**

The accompanying resolution authorizes the expenditure of funds in the estimated amount of \$65,750 to Nedrow and Associates, Murfreesboro, TN for the purchase of two dry pit submersible pumps to replace existing pumps located at the Emory Valley sewer pumping station.

The two pumps are major components of the pumping station, which is a primary station. This station pumps raw sewage from the Emory Valley section of town to the Wastewater Treatment Plant in the west end of town. The dry pit submersible pumps are the pumps of choice to meet the requirements needed to transfer the sewage. There is less work involved in maintaining these pumps than the current pumps.

On the evening of January 22, 2010, the automatic transfer switch burned up possibly due to a lightning strike from a thunderstorm that evening. This only allowed for partial power to the pumps that made them start and stop repeatedly causing tremendous jerking of the pumps and drive shafts. Both pumps were damaged, but have been temporarily repaired. They are not pumping at normal capacity and will not without major rehab. Since the pump station and current pumps are nearly thirty years old and have not had any major upgrade work since the original construction, staff feels now is the time to replace them with a more efficient system.

Sealed bids were solicited from several vendors for these pumps with Nedrow Associates submitting the low bid. Funding for this project is available in the Water Works budget. Staff recommends approval of the accompanying resolution.



Scott Jackson

ks

Interim City Manager's Comments:

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



Gary M. Cinder

2/4/10

Date

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

RFQ #116884
 OPENING DATE: February 3, 2010 11:00 A.M.
 FOR --
 Emory Valley Lift Station Pump Replacement

DESCRIPTION	ITEM	UNIT	BIDDER: NEDROW AND ASSOCIATES MURFREESBORO, TN		BIDDER: ITT WATER & WASTEWATER USA SUWANEE, GA		BIDDER:											
			UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL										
FURNISH ALL LABOR, MATERIALS, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES EMORY VALLEY LIFT STATION PUMP REPLACEMENT PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE PUBLIC WORKS DEPARTMENT	1	2	\$ 32,875.00	\$ 65,750.00	\$ 33,620.00	\$ 67,240.00												
TOTAL PRICE			\$ 65,750.00	\$ 65,750.00	\$ 67,240.00	\$ 67,240.00												
TERMS			NET 30 DAYS	NET 30 DAYS	NET 30 DAYS	NET 30 DAYS												
DELIVERY			8-9 WEEKS	10 WEEKS ARO	10 WEEKS ARO	10 WEEKS ARO												
F.O.B.			OAK RIDGE, TN	OAK RIDGE, TN	OAK RIDGE, TN	OAK RIDGE, TN												
VIA			MOTOR FREIGHT	MOTOR FREIGHT	MOTOR FREIGHT	MOTOR FREIGHT												
OTHER BIDDERS CONTACTED:																		
BIDS OPENED AND RECORDED BY --																		
REASON FOR AWARD			RECOMMEND AWARD BE MADE TO:															
ONLY BID RECEIVED			NEDROW AND ASSOCIATES															
LOW PRICE			2233 SOUTH PARK DRIVE															
BETTER OR REQUIRED DESIGN			MURFREESBORO, TN 37128															
EARLY DELIVERY																		
LOWEST TOTAL COST																		
<table border="1"> <tr> <td>ONLY BID RECEIVED</td> <td><input type="checkbox"/></td> </tr> <tr> <td>LOW PRICE</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>BETTER OR REQUIRED DESIGN</td> <td><input type="checkbox"/></td> </tr> <tr> <td>EARLY DELIVERY</td> <td><input type="checkbox"/></td> </tr> <tr> <td>LOWEST TOTAL COST</td> <td><input type="checkbox"/></td> </tr> </table>			ONLY BID RECEIVED	<input type="checkbox"/>	LOW PRICE	<input checked="" type="checkbox"/>	BETTER OR REQUIRED DESIGN	<input type="checkbox"/>	EARLY DELIVERY	<input type="checkbox"/>	LOWEST TOTAL COST	<input type="checkbox"/>	Lyn Dowlen Accounting Division Manager BIDS REVIEWED BY --  Janice McGinnis Financial Director					
ONLY BID RECEIVED	<input type="checkbox"/>																	
LOW PRICE	<input checked="" type="checkbox"/>																	
BETTER OR REQUIRED DESIGN	<input type="checkbox"/>																	
EARLY DELIVERY	<input type="checkbox"/>																	
LOWEST TOTAL COST	<input type="checkbox"/>																	

RESOLUTION

WHEREAS, on January 22, 2010, the automatic transfer switch burned up at the Emory Valley sewer pumping station, which lead to damage to two pumps that transfer raw sewage from the Emory Valley vicinity to the Wastewater Treatment Plant; and

WHEREAS, the pumps have been repaired, however, this repair is temporary and does not restore the pumps to their normal capacity; and

WHEREAS, due to the age of the pumps and the cost of major rehabilitation, it is necessary to replace the pumps; and

WHEREAS, the City of Oak Ridge has issued invitations to bid for the purchase of two replacement pumps for the Emory Valley sewer pumping station; and

WHEREAS, bids were received and publicly opened on February 3, 2010, with Nedrow and Associates, Murfreesboro, submitting the lowest and best bid for the replacement pumps, which bid the Interim City Manager recommends be accepted.

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

That the recommendation of the Interim City Manager is approved and award is hereby made to Nedrow and Associates, 2233 Southpark Drive, Murfreesboro, Tennessee 37128, for the purchase of two (2) replacement pumps for the Emory Valley sewer pumping station; said award in strict accordance with Requisition No. 116684 the required specifications, and the bid as publicly opened on February 3, 2010, and in the estimated amount of \$65,750.00.

This the 8th day of February 2010.

APPROVED AS TO FORM AND LEGALITY:



City Attorney

Mayor

City Clerk

ELECTIONS

**BEER PERMIT
BOARD**

RECEIVED

2009 FEB 10 PM 1:24

GERALD L. COOKSEY

OFFICE OF THE CITY CLERK

PROFESSIONAL EXPERIENCE

2007-Current Business consultant and volunteer work.

1981-2007 Jericol Mining, Inc. Cumberland Gap, TN
Investment Manager

- Management of multi-million dollar investment portfolios.
- Human Resources manager for approximately 200 employees.
- Manager of workers compensation, health and dental insurance plans.
- Contract administrator for all coal contracts.
- Managed multi-million dollar coal sales program, including selling coal and collection of accounts receivable.

1979-1981 American Fidelity Bank Corbin, KY
Executive Vice President

1971-1979 Citizens Fidelity Louisville, KY
Bank Card Credit and Collection Manager

1963-1971 First National Bank Louisville, KY
Manager, Retail Banking

1996-2006 Commercial Bank Harrogate, TN
Director, Member of Audit Committee and Asset and Liability Committee

POSITIONS CURRENTLY HELD

Kentucky Coal Producers Self-Insurance Fund Lexington, KY
Trustee, Chairman of Investment Committee

EDUCATION

Indiana University Southeast Jeffersonville, IN

University of Oklahoma Norman, OK
Installment Credit School

Northwestern University Evanston, IL
Bank Card School

American Institute of Banking Washington, DC
Numerous courses

**BOARD OF
ELECTRICAL
EXAMINERS**

Jason Brian Boyd

108 Poplar Road
Oak Ridge, Tennessee 37830
(865) 483-1282
(865)250-7432 (cell)
Email: boydeleco@gmail.com

RECEIVED
2010 JAN 22 AM 8:11
OFFICE OF THE CITY CLERK

Objective:

To obtain a long-term career with a company that is committed to fully utilizing my skills in industrial electricity and maintenance. The company must value performance of high quality work in a safe manner for even the most demanding/challenging job requirements. This company allows their employees to advance based on and abilities and contributions.

Summary of Qualifications:

Thoroughly familiar and experienced with all facets of electrical installation. Extensive experience and proficiency in the following:

- Skilled at troubleshooting, maintenance, and repair of motor controls and electrical systems.
- Proficient at all types of equipment and system installations, such as conduit, wiring, setting equipment and start-up.
- Troubleshooting, analyzing and problem solving; following oral and written instructions, including reading and interpreting technical manuals, schematics and drawings.
- Plans projects according to blueprints and job specifications and work plans to ensure wiring is being installed to current electrical codes.
- Installation of security, fire alarm and back-up generator systems.
- Installation and termination of high voltage cable systems

Strengths:

Provides quality work with strong attention to details, conscientious, reliable, works well independently and with others and quickly masters new concepts and procedures.

Experience:

2003-Present **Journeyman Electrician**
Self Employed

- As an independent contractor perform residential, commercial and industrial electrical service work

1994-2003 **Journeyman Electrician**
Lewis Electric,
101-B Valley Court Drive
Oak Ridge, TN 37830

- Duties include residential, commercial, industrial service work, plant maintenance, and industrial electric construction.

Education:

1989-1993 Oak Ridge High School
Oak Ridge, Tennessee 37830
Diploma, 1993

1994-1998 Resource Valley Electrical
Apprenticeship Program
535 Chickamauga Avenue
Knoxville, TN
Graduated 1998

1997-1998 Tennessee Technology Center at Knoxville
110 Liberty Street
Knoxville, TN 37919
Major: Industrial Electricity and Maintenance
Certificate 1998

1998-Present Licensed Journeyman Electrician #2009

References: References are available on request.

**OAK RIDGE
MUNICIPAL
PLANNING
COMMISSION**

CITY OF OAK RIDGE, TENNESSEE
BOARDS AND COMMISSIONS

TIME IN OFFICE AND ATTENDANCE RECORD

NAME: Chuck Agle

BOARD OR COMMISSION: Oak Ridge Municipal Planning Commission

TIME IN OFFICE: Term of Office 2 Years

Date Appointed 2/2/04

Number of Terms Served 2*

ATTENDANCE RECORD (MOST RECENT TERM OF OFFICE):

Number of Meetings Held 43

Number of Absences 9

* Mr. Agle's initial term was two years and in 2006, he was appointed for a four-year term.

Date Prepared 1/23/10

Attachment: Resume

Chuck Agle

101 W Melbourne Road
Oak Ridge TN 378.0-8219

(423) 574-9349 (h)
(423) 574-9349 (w)
cagle@bellsouth.net

2010 JAN 19 PM 1:24

OFFICE OF THE CITY CLERK

Objective

Reappointment to the Oak Ridge Regional Planning Commission
(Served since 1999)

Employment

Staff Engineer, Technology Development Division, Y-12 National Security Complex. I have been employed at one of DOE Oak Ridge sites (ORNL, Y-12, K-25) since 1976 in a variety of engineering and information technology positions.

Community Service

Advisor to Oak Ridge High School Lemelson InvenTeam 2009-present

- <http://web.mit.edu/inventeams/teams/2010/oakridge.html>

Chairman Oak Ridge Charter Commission 2008-present

Planning Commission liaison to EQAB 1999-present

Active member Kern Methodist Church 2006-present

Oak Ridge City Council Candidate 1997

Oak Ridge Bypass Committee 1996-1997

- In-depth study of the impact of a proposed I-40/I-75 bypass near or around Oak Ridge, including residential, business, economic development, and federal concerns.

Oak Ridge Nursery School Board 1992-1996

- Maintenance director

Faith Lutheran Church 1976-2006

- Board of Trustees, [1996-2004]
- Head Trustee, [1998]
- Board of Elders, [date-date]
- Church expansion committee, [date] to address relocation or expansion of existi facility.

Education

1974-1976 Michigan Technological University Sault St. Marie, MI

- B.S., Electrical Engineering.

RECEIVED

2009 FEB 10 PM 1:24

GERALD L. COOKSEY
OFFICE OF THE CITY CLERK

PROFESSIONAL EXPERIENCE

2007-Current Business consultant and volunteer work.

1981-2007 Jericol Mining, Inc. Cumberland Gap, TN
Investment Manager

- Management of multi-million dollar investment portfolios.
- Human Resources manager for approximately 200 employees.
- Manager of workers compensation, health and dental insurance plans.
- Contract administrator for all coal contracts.
- Managed multi-million dollar coal sales program, including selling coal and collection of accounts receivable.

1979-1981 American Fidelity Bank Corbin, KY
Executive Vice President

1971-1979 Citizens Fidelity Louisville, KY
Bank Card Credit and Collection Manager

1963-1971 First National Bank Louisville, KY
Manager, Retail Banking

1996-2006 Commercial Bank Harrogate, TN
Director, Member of Audit Committee and Asset and Liability Committee

POSITIONS CURRENTLY HELD

Kentucky Coal Producers Self-Insurance Fund Lexington, KY
Trustee, Chairman of Investment Committee

EDUCATION

Indiana University Southeast Jeffersonville, IN

University of Oklahoma Norman, OK
Installment Credit School

Northwestern University Evanston, IL
Bank Card School

American Institute of Banking Washington, DC
Numerous courses

RECEIVED

January 13, 2009

2010 JAN 14 AM 10:58

City of Oak Ridge
City Council
PO Box 1
Oak Ridge, TN 37831-0001

OFFICE OF THE CITY CLERK

Dear Oak Ridge City Council,

I submit for your consideration my request to become a member of the Oak Ridge Municipal Planning Commission.

I have strong qualifications to serve in this position; a passion to see Oak Ridge develop, prosper and continue to evolve as an excellent place to live, work and visit; and the time, energy and dedication to excel in the role. Let me briefly state my qualifications:

- I am an Oak Ridge native attending Elm Grove Elementary, Jefferson Junior High School and graduating from Oak Ridge High School in 1968. I understand the history and significance of this city.
- I retired the beginning of November 2009 as an Executive and Officer of International Paper Corporation, a fortune 100 company, where I was responsible for the leadership of multiple large businesses.
- I have a 37 year proven track record in the corporate business world developing, communicating, and implementing business vision and strategy; managing and leading change; effectively leading, developing and making things happen through people; demonstrating strong follow-through and execution competencies, and delivering results
- I have been active in communities, boards, and associations throughout my career
- I have an excellent record of integrity, ethics, and character
- I choose in 2005 to build my retirement home in Oak Ridge in the Park Meade development of Centennial demonstrating my commitment to Oak Ridge
- I am passionate about Oak Ridge and committed to see Oak Ridge succeed as a special place to live, work, retire and visit.

Growing up in Oak Ridge was special. The education, experiences and culture provided the basis for my successful career. I am passionate to give back to Oak Ridge my time, experience, and energy as thanks for what this city gave me. I am committed to developing and maintaining a city environment that is special, one that our city youth can learn, grow and prosper from, one that our adult citizens can be proud of and prosper from, one that our senior citizens can enjoy and feel safe as they enjoy their retirement years, and one that visitors and businesses will want to move to.

Thank you for your consideration of my application.

Sincerely,



Austin E Lance
138 Center Park Lane
Oak Ridge, TN 37830

E-mail aelance@comcast.net
Home Phone 865 483 7108
Cell Phone 901 569 4443

Biography of Austin Lance

Background

Austin Lance is the President of Lance Associates, a management consulting business specializing in helping companies address business, market, and sales issues. Lance Associates brings strong leadership and change management experience in resolving strategic, operational and organizational challenges leading to positive major changes in their customers' ability to deliver results.

Austin is a retired Executive and Officer of International Paper Corporation, a \$25 billion Forest Products Company, where he was Vice President and General Manager of the Foodservice Business, a packaging converting division focused on manufacturing single use packaging for the Foodservice Industry. He began his career with International Paper in 1995. He held positions in the Paper Group of Vice President and General Manager of the Coated Papers Division, a manufacturer of catalog and publication papers, and Vice President and General Manager of the Converting Papers Division, a manufacturer of envelope, forms, and specialty papers, prior to joining the Consumer Packaging Group in 2005.

Before joining International Paper, Austin spent 22 years with Mead Corporation, serving in a variety of sales, marketing, financial and operational positions in multiple divisions.

Austin has served on the Board of the Foodservice Packaging Institute, with membership in the International Foodservice Manufacturers Association. He was past board chairman of Ducart IP Foodservice, Ltd., of Ashrat, Israel, and has served on the boards of Envases Puros International Paper Ltda., of Bogota, Columbia, Nextier and IDEAlliance.

He was former chairman of International Paper's United Way campaign, former member of the Strategic Long Range Planning Committee of the Envelope Manufacturers Association and former member of the Printing and Writing executive committee of American Forest Products Association. He has received recognition and numerous awards in leadership, sales, marketing and product innovation.

He holds a bachelor's degree in Accounting from the University of Tennessee, a Master of Business Administration from the University of Dayton, a Paper Technology Certificate from Paper Technology Institute at the University of Maine, and has completed the International Paper Executive Program from the Kellogg Graduate School of Management at Northwestern University.



Austin E. Lance

**Principal and President
Lance Associates
Management Consultants**

**138 Center Park Lane
Oak Ridge, Tennessee 37830**

**Email: alance.associates@gmail.com
Business Phone: 865 253 4570
Fax: 865 483 7108**

Austin E Lance
138 Center Park Lane
Oak Ridge, TN 37830
Home Phone: 865 483 7108
Cell Phone: 901 569 4443

OBJECTIVE

To become a member of the Oak Ridge Municipal Planning Commission utilizing my experience and talents to help Oak Ridge develop, prosper and continue to evolve as an excellent place to live, work and visit.

SUMMARY OF QUALIFICATIONS

- 37 years experience in corporate business, retiring as a corporate officer of International Paper (a fortune 100 company) in an executive leadership role responsible for multiple domestic and global divisions ranging in size from \$500 million to over \$1.5 billion in sales
- Proven track record in developing, communicating and implementing business vision and strategy; managing and leading change; effectively leading, developing, and making things happen through people; strong follow-through and execution competencies; and exceptional drive for results
- Experienced in Sales, Marketing, Finance, and Operational Management
- Experienced in acquiring and selling companies
- Strong experience in negotiating large volume contracts with customers and suppliers
- Excellent record of integrity, ethics, and character

EDUCATION

- IP Executive Program-Kellogg Graduate School of Mgmt 1999 Northwestern University
- MBA-Management 1979 University of Dayton
- Summer Institute Pulp and Paper 1975 University of Maine
- BS-Accounting 1972 University of Tennessee
- Oak Ridge High School 1968
- Numerous seminars/courses in leadership, management, marketing, sales and finance

PROFESSIONAL EXPERIENCE

11/09 to Present Lance Associates
Management Consulting Business
Oak Ridge, Tennessee

Responsibilities: Principal-President of Lance Associates, a start up management consulting business initiated following retirement from International Paper.

Business Focus: Lance Associates specializes in helping companies address business, market and sales issues, bringing strong leadership and change management experience to resolve strategic, operational, and organizational challenges that lead to positive major changes in our customers' ability to deliver results.

7/05 to 11/09

**International Paper
Consumer Packaging Group
Foodservice Packaging Division
6400 Poplar Avenue
Memphis, TN 37918**

Responsibilities: Corporate Officer, Vice President and General Manager of the Foodservice Packaging Division, a \$500 million global packaging converting business, employing 1900 people, with locations in the U.S., China, U.K., Columbia, and Israel, focused on manufacturing single use packaging for the foodservice industry.

Accomplishments: Grew business 150% over 4 years with profit growing from near breakeven in 2004 to consistent greater than cost of capital returns in 2008-09. Set in place a vision and strategy that will double the business size over the next 5 year cycle.

7/03 to 7/05

**International Paper
Paper Group
Converting and Specialty Paper Division
6400 Poplar Ave
Memphis, TN 37918**

Responsibilities: Corporate Officer, Vice President and General Manager of the Converting and Specialty Paper Division, a \$1.0 billion domestic paper manufacturing business employing over 9500 people, with 4 paper mills and multiple US sales offices manufacturing and selling Envelope, Forms, Bristol, and multiple other specialty converting papers.

Accomplishments: Consolidated 4 businesses in this division into 2 businesses, developed and implemented a customer value management strategy, implemented a capacity to demand balancing strategy requiring the shutdown of multiple paper machines, and set the trend for improved profitability via this restructuring of vision and strategy.

04/99 to 7/03

**International Paper
Coated Paper Group
6400 Poplar Ave. Memphis, TN 37918**

Responsibilities: Corporate Officer, Vice President of Sales, Marketing, Supply Chain, Product Development and Customer Service of the Coated Paper Group, a \$1.5 billion domestic paper manufacturing business employing over 12,000 people, with 6 paper mills, a technology center, and multiple sales offices across the U.S. manufacturing and selling catalog and publication papers.

Accomplishments: Under my leadership as General Manager of the Coated Paper Business, a \$400 million, 3 paper mill manufacturing system, the system grew from medium profit performance to greater than cost of capital performance. I was instrumental in developing and implementing business growth strategy that led to the \$1.0 billion acquisition of the Champion International Paper Corporation in late 2000. I became a Vice President during this process and played a key role in the integration of the two companies into one that exceeded sales of \$1.5 billion. Under my leadership, the business implemented a customer value strategy that included new product innovation and industry leading customer service platforms, implemented an operational strategy to balance capacity/demand, shutdown excess capacity, and significantly improve the cost effectiveness position of the business to a 1st quartile competitive position, and saw employee engagement improve significantly while diversity of the organization grew.

11/95 to 4/99

**International Paper
Coated and Converting Paper Group
Coated Paper Business
6400 Poplar Ave
Memphis, TN 37918**

Responsibilities: Director of Marketing and Sales for the Coated Paper Business, a \$250 million, 4 paper machine manufacturing system with sales focused in NYC, Chicago and Los Angeles.

Accomplishments: Led a team to develop and introduce new innovative products, restructured the sales organization, implemented a customer value driven marketing and sales strategy and expand the business sales nearly 60%. New markets in the catalog, publishing and printing industry were penetrated for share growth.

11/92 to 11/95

**Mead Corporation
Fine Paper Division
Kingsport, TN**

Responsibilities: Director of Sales, Marketing, Product Development, Customer Service, and Production Planning for a \$250 million Uncoated and Specialty Coated Printing Paper Business focused on manufacturing domestically and selling globally.

Accomplishments: This division was created in 1992 as a separate division of Mead Corporation. The Business was losing money and challenged to implement a strategy change to reinvent itself and become profitable. I was an integral member of a team charged with this task. The division put in place a targeted market strategy focused on customer value management which required organizational restructuring, new customer penetration in new markets, and repositioning of capacity to produce new products. The Business accomplished share growth, and improved operational efficiency and resumed profitable performance from a multiple year profit/loss performance. In late 1994, the decision was made by Mead Corporation to sell the business and I became an integral manager in this process, ultimately accomplishing the sale to Willamette Industries.

10/73 to 11/92

**Mead Corporation
Courthouse Plaza Ne
Dayton, Ohio**

Responsibilities: Multiple positions in multiple divisions over this 19 year time period
1/92 to 11/92 VP Sales/Branch Manager, Zellerbach Distribution Central Division Cincinnati, Oh
1/89 to 1/92 VP Marketing /Purchasing, Zellerbach Distribution Piedmont Division Atlanta, GA
1/82 to 1/89 Industry Manager, Coated Papers Mead Paper Group Dayton, OH
8/79 to 1/82 Administrative Project Manager, New Paper Mill Expansion, Chillicothe, OH
1/76 to 8/79 Financial Analyst, Mead Paper Group, Dayton, OH
10/73 to 1/76 Accountant, Mead Paper, Kingsport Mill, Kingsport, TN

Accomplishments: Multiple major accomplishments
Zellerbach – As VP Sales and VP Marketing I played major role in business restructuring process, strategy development and implementation, new store openings and profitability improvement.
Mead Coated Papers – As Industry Manager I had product line profit responsibility for a \$150 million coated printing and specialty paper business. I was instrumental in strategy development and implementation, new product development, pricing responsibility, customer contract negotiations and

paper mill demand management, leading to this division re-establishing itself in the market place and achieving cost of capital return performance.

New Paper Mill Expansion – As Administrative Manager of this project team, I played a key role in managing a \$150mm capital project to build and start up a new paper machine and finishing complex.

Mead Paper Accounting – As a cost accountant and business planner, I gained structural understanding of manufacturing process and facilitated multiple cost savings and capital expenditure projects.

6/72 to 10/73

**Allied Chemical Corporation
Automotive Products Division
Knoxville, TN**

Responsibilities: Cost Accounting Manager for a seat belt manufacturing business that involved die casting, steel stamping and finishing, injection molding, fabric sewing and assembly operations producing seatbelts and air bags for GM, Ford and the after-market

Accomplishments: Multiple cost reduction project initiatives, general accounting process changes, standard cost file process change and auditing process changes

PAST BOARD, PROFESSIONAL ASSOCIATION MEMBERSHIPS, AND CHARITY GROUPS

Board Chairman, Ducart IP Foodservice, LTD, Ashrat Israel

Board member Envases Puros IP Ltda, Bogota, Columbia

Board member Nextier, Memphis, TN

Board member IDEAlliance, Chicago, IL

Strategic Long Range Planning Committee of the Envelope Manufactures Association, Washington, DC

Member Printing and Writing Committee of American Forest Products Association, Washington, DC

Member Magazine Publishing Association, New York, NY

Member Direct Marketing Association, New York, NY

Chairman of International Paper Memphis United Way Campaign

Junior Achievement Advisor- Kingsport TN and Chillicothe Oh

Jaycees Kingsport TN

AWARDS/RECOGNITION

Numerous product innovation, sales, marketing and leadership awards

REFERENCES (phone numbers and addresses available upon request)

Oak Ridge: Tom Tuck President TnBank

Harry Lillard Attorney

Mike Magill Former State of Tennessee Labor Commissioner

Memphis: John Faraci Chairman and CEO International Paper

Mike Balduino SVP Consumer Packaging Group International Paper

Other: Bert Berkley Chairman and CEO Tension Envelope Kansas City, MO

Peter Vogel, Former President, NewPage Paper Corporation Dayton OH

Jerry Tatar Former Chairman and CEO Mead Corporation Dayton, OH

Rob Amen Former Chairman and CEO International Flavor and Fragrance Corporation NY, NY

Ann Wroblewski VP Global Government Affairs International Paper Washington DC

Phil Truluck CEO The Heritage Foundation Washington DC

Newel Holt CEO National Paper Trade Association NY, NY

Maynard Benjamin President Envelope Manufactures Association Washington DC

**NOTICE
OF
ELECTIONS**

CITY CLERK MEMORANDUM

10-06

DATE: January 28, 2010

TO: Honorable Mayor and Members of City Council

FROM: Jacquelyn J. Bernard, City Clerk 

SUBJECT: ELECTIONS – March 8, 2010

The following elections are scheduled for the March 8, 2010 City Council meeting:

Board of Electrical Examiners

On March 10, 2010, two (2) seats will become vacant on the Board of Electrical Examiners due to normal expirations of term. There are no special qualifications for these seats. The incumbents are Ms. Teresa Lynn Arthur and Mr. F. Wayne Garber. Letters have been sent to both to determine if they are interested in serving again. As of this date, there are no new candidates. The term of office is three years.

Board of Plumbing Examiners

On March 10, 2010, two (2) seats will become vacant on the Board of Plumbing Examiners due to normal expirations of term. There are no special qualifications for these seats. The incumbents are Mr. Brian T. Hayden and Mr. Phillip W. Nipper. Letters have been sent to both to determine if they are interested in serving again. As of this date, there are no new candidates. The term of office is three years.

Highland View Redevelopment Advisory Board

On March 31, 2010, four (4) seats will become vacant on the Highland View Redevelopment Advisory Board due to normal expirations of term. One of those seats is designated for a Social Services representative, one for a realtor, and one for a member of the Planning Commission. In addition, two must be residents of the Highland View Neighborhood. The incumbents are Elizabeth Herbes (Social Services), Rosa M. Korpi (HV Resident), JoAnn Owens (Realtor and HV Resident), and Claudia Lever, Planning Commissioner. Letter have been sent to them all to determine if they are interested in serving again. As of this date, there are no new candidates. The term off office is three years.

Industrial Development Board

There are two (2) vacancies on the Industrial Development Board that were created by the resignations of Douglas B. Janney, Jr., and Alan Liby, both of whose terms were due to expire on May 1, 2010. Currently, there are two applicants for those seats: Mr. Richard G. Chinn of 125 Balsam Road and Mr. Leonard A. Abbatiello of 110 Dover Lane. There are no special qualifications for service on this board.

Deadline for Filing

The deadline for filing is 5:00 p.m. on Tuesday, February 23, 2010.

COMMUNICATIONS



January 15, 2010

Oak Ridge City Council

200 S. Tulane Ave

Oak Ridge, TN 37830

Ladies and Gentlemen;

Josh Collins called me today and told me that the Planning Commission was meeting in late February to discuss options for the China Palace space.

We would like to expand our footprint and would like the City to consider releasing part of the China Palace space to our organization for expansion.

As you know, our 2010 spring training program will bring over 2000 athletes to Oak Ridge this February through March. We believe that if we had expanded facilities (an indoor workout space and locker rooms), we would be able to attract significantly more teams to Oak Ridge for spring training.

Thank you.

Sincerely,


Karen R. Clark

President

2010 FEB -4 AM 8:35

OFFICE OF THE CITY CLERK

COMMUNICATION

Feb 3, 2010

Subject: Proposed Access to Briarcliff Ave for The Courtyards at Briarcliff

To: Honorable Mayor and members of City Council:

At the request of city staff the Traffic Safety Advisory Board held a special called meeting on Feb 2 to consider this access request. Present at the meeting were nine of the ten members of the board, Steve Byrd, the city engineer, and a gentleman representing United Engineering, LLC, a civil engineering firm doing design work for the developer. I failed to write down his name.

Mr Byrd presented the proposal and staff's recommendation regarding the access request. At full build out the developer is proposing to construct an assisted living facility on the approximately 5 acre site which will provide 72 beds, spread over four single story buildings. Phase 1 proposes the construction of two patient buildings, with 36 beds. Phase 2 would add two more patient buildings, and includes a fifth community building. The entire site would be fenced, providing an environment which could serve the needs of patients suffering from dementia related illnesses.

The proposed access is approximately 370 feet south of Emory Valley Road to the east from Briarcliff Avenue. This location is slightly more than 100 feet north of where Elmhurst Drive intersects Briarcliff Ave, and about the same distance south of the Briarcliff Ave access serving the shopping center which includes Food Lion. Both of those existing accesses enter Briarcliff Ave from the west. The proposed access is close to where north bound Briarcliff Avenue begins to taper from two lanes to the three lanes it has when it intersects Emory Valley Road. At this location southbound Briarcliff is also beginning a sweeping turn to the east. Briarcliff Avenue is very flat in this area, and so is the lot which is proposed to be developed. There is a concrete sidewalk on the development side of Briarcliff Ave. The buildings will sit back from the Briarcliff frontage, and the proposed fence and landscaping should not preclude good sight distance south along Briarcliff Ave for vehicle drivers exiting the development.

A traffic study prepared by another consultant indicated peak AM and PM traffic flow to the development of less than 15 cars per hour at full build out, with 90 % of the traffic flow projected to approach the access traveling southbound on Briarcliff Ave.

Questions were raised during discussion about why the access was not aligned with Elmhurst Drive. Several reasons were presented. 1 Gating in the surrounding fencing was intentionally moved into the site away from the access to allow for vehicle stacking while waiting for the gates to respond. Shifting the access would result in one of the gates being in front of one patient building, impacting aesthetics, and parking for the building. 2 The proposed access would also support parking for the proposed Community Building which would be outside the fenced facility. 3 The new T type intersection is adequately spaced

from both existing Briarcliff Ave accesses to preclude turning movement conflicts for drivers using these accesses.

Members were assured there will be appropriate striping and signage where this access crosses the sidewalk. It was noted that the access shows some type of island between the inbound and outbound traffic lanes for the access. This island needs to accommodate sidewalk pedestrian traffic, with either an opening or ramped crossing. No offsite roadway changes are proposed as part of this proposal.

It was moved and seconded that TSAB recommend approval of this access request as presented by staff. Following a little more discussion this motion passed 7 to 2. The two negative votes reflected a desire to see the access aligned with Elmhurst Drive.

Respectfully Submitted,

A handwritten signature in cursive script that reads "William A Davis".

William A Davis
Chairman, Traffic Safety Advisory Board

**UPCOMING
MEETINGS
MAJOR ISSUES**

CITY COUNCIL MEMORANDUM
10-03

DATE: January 27, 2010
TO: Honorable Mayor and Members of City Council
FROM: Gary M. Cinder, Interim City Manager
SUBJECT: UPCOMING MEETINGS/MAJOR ISSUES

Monday, February 22, 2010, 6:30 p.m. – Work Session, Multipurpose Room, Central Services Complex

- Restaurant Options at Melton Lake Park

Monday, March 1, 2010, 6:30 p.m. – Agenda Review Session, Multipurpose Room, Central Services Complex

Monday, March 8, 2010, 7:00 p.m. – Regular Meeting

- Public Hearing and First Reading – Centennial Bluff Rezoning and Master Plan Revisions
- Second Reading – Electrical and Plumbing Code Amendments
- Elza Gate Parking Lot
- Purchase of Vehicles for Fire Department
- Restaurant Options at Melton Lake Park

Monday, March 22, 2010, 6:30 p.m. – Work Session, Multipurpose Room, Central Services Complex

- Children's Museum of Oak Ridge



Gary M. Cinder