

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

June 2, 2014—7:00 p.m.

AGENDA

I. INVOCATION

Brian Scott, Pastor of Robertsville Baptist Church

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPEARANCE OF CITIZENS

V. PROCLAMATIONS AND PUBLIC RECOGNITIONS

- a. A proclamation designating June 21, 2014 as C. Vaughn Leslie & Boys' Night Out Day.
- b. A proclamation in recognition of Tim and Teresa Myrick.

VI. SPECIAL REPORTS

Presentation of the City of Oak Ridge's FY 2015 Proposed Budget by Mark S. Watson, City Manager.

VII. CONSENT AGENDA

- a. Approval of the May 12, 2014 City Council meeting minutes.
- b. Adoption of a resolution authorizing the Mayor to execute on behalf of the City of Oak Ridge a Certificate of Good Moral Character for John G. Calvert, Oak Ridge BPOE (Elks) Lodge No. 1684.
- c. Adoption of a resolution authorizing the purchase of two (2) pickup trucks from Sam Swope Auto Group, Chattanooga; one (1) pickup truck from Ford of Murfreesboro, Murfreesboro; and one (1) dump truck from Rainbow Ford, LaFollette; all for use by the Public Works Department in the grand total estimated amount of \$119,987.00.
- d. Adoption of a resolution awarding a contract (FY2015-002) to Sweeping Corporation of America, Inc., Nashville, Tennessee, for street sweeping services in the estimated amount of \$76,360.58.

VIII. RESOLUTIONS

- a. A RESOLUTION AUTHORIZING THE CONVERSION OF EAST MADISON ROAD FROM A ONE-WAY STREET TO A TWO-WAY STREET.
- b. A RESOLUTION AWARDING A CONTRACT (FY2015-004) TO PITTSBURG TANK & TOWER COMPANY, INC., HENDERSON, KENTUCKY, FOR REHABILITATION AND REPAINTING OF THE STEEL POTABLE WATER STORAGE TANK (K-1530) AT THE EAST TENNESSEE TECHNOLOGY PARK (ETTP) WATER TREATMENT PLANT IN THE ESTIMATED AMOUNT OF \$699,200.00.
- c. A RESOLUTION AWARDING A CONTRACT (FY2014-99) TO HURST EXCAVATING, LLC, KNOXVILLE, TENNESSEE, FOR THE WASTEWATER SYSTEM

REHABILITATION PROGRAM Y-12 I PROJECT AS REQUIRED FOR COMPLIANCE WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY ADMINISTRATIVE ORDER, SAID CONTRACT IN THE ESTIMATED AMOUNT OF \$1,170,565.00.

- d. A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO TENNESSEE MUNICIPAL LEAGUE RISK MANAGEMENT POOL FOR PROPERTY, LIABILITY, AND WORKERS' COMPENSATION INSURANCE FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$1,242,000.00.
- e. A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AWARDS TO INTEGRACON AND OTHER SUITABLE COMPANIES AS NEEDED FOR FURNISHING TEMPORARY TECHNICAL SUPPORT FOR THE INFORMATION SERVICES DEPARTMENT FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$150,000.00.
- f. A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., FOR FURNISHING OF MAINTENANCE OF THE 800 MHZ TRUNKED COMMUNICATIONS SYSTEM FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$84,000.00.
- g. A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO TRITECH SOFTWARE SYSTEMS FOR FURNISHING ANNUAL MAINTENANCE FOR THE PUBLIC SAFETY COMPUTER SYSTEM SOFTWARE FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$79,982.86.
- h. A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH THE FERGUSON GROUP, LLC, WASHINGTON, D.C., FOR THE PROVISION OF CONSULTING SERVICES TO PROVIDE GRANT SUPPORT AND TO DEVELOP A COMPREHENSIVE FEDERAL GOVERNMENT RELATIONS AGENDA AND ACTION PLAN FOR AGREED UPON PRIORITIES FOR THE CITY IN THE AMOUNT OF \$30,000.00 AT A MAXIMUM RATE OF \$425.00 PER HOUR WITH AN ALLOWANCE OF \$5,000.00 FOR EXPENSES.
- i. A RESOLUTION TO APPROVE AN AGREEMENT WITH RAY EVANS FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2015 IN THE AMOUNT OF \$42,000.00.
- j. A RESOLUTION TO APPROVE AN AGREEMENT WITH STEVE JONES FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2015 IN THE AMOUNT OF \$42,000.00.

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of an Ordinance

AN ORDINANCE TO AMEND ORDINANCE NO. 21-82, AS AMENDED, BY ADDING A NEW SECTION 13.1, TITLED "FACILITIES CHARGE," PERTAINING TO THE U.S. DEPARTMENT OF ENERGY'S (DOE) WASTEWATER UTILITY BILLINGS FOR COSTS RELATED TO THE EQUALIZATION BASIN THAT WILL SERVICE THE WASTEWATER FLOW FROM DOE FACILITIES.

X. FINAL ADOPTION OF ORDINANCES

(Ordinance as Amended on First Reading)

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING THE FOLLOWING: ARTICLE II, TITLED "DEFINITIONS" TO UPDATE THE DEFINITION OF "BUSINESS SERVICES" AND TO ADD DEFINITIONS FOR "SPORT SHOOTING RANGE, INDOOR," AND "SPORT SHOOTING RANGE, OUTDOOR"; ARTICLE III, TITLED "GENERAL PROVISIONS," TO ADD A NEW SECTION 3.26, TITLED "SPORT SHOOTING RANGES"; SUBSECTIONS 5.07(C), 5.08(C), 6.01(C), 6.02(C), 7.01(C), 7.02(C), 7.03(C), 7.04(C), 7.05(C), 8.01(D), 8.02(D), 8.03(D), 9.02(C), 9.03(C), AND 9.04(F) TO CHANGE THE PHRASE "USES REQUIRING BOARD OF APPEALS PERMIT" TO "SPECIAL EXCEPTION REQUIRING BOARD OF ZONING APPEALS APPROVAL"; SECTION 5.05, TITLED "R-3, MEDIUM RESIDENTIAL DISTRICT" TO CHANGE THE TITLE TO "R-3, MEDIUM DENSITY RESIDENTIAL DISTRICT," TO REVISE THE PERMITTED PRINCIPAL USE OF BUSINESS AND PROFESSIONAL OFFICES IN SUBPART 4; SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS; SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS AND TO ADD "SPORT SHOOTING RANGES" AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; AND SECTION 11.02, TITLED "REQUIRED OFF-STREET PARKING," TO CLARIFY THE SIDE AND REAR SETBACK REQUIREMENTS FOR R-1-C AND R-2 IN SUBSECTION (E)(2)(A); ALL FOR THE PURPOSES OF ADDRESSING ITEMS THAT WERE ABSENT FROM THE ORDINANCE AND TO UPDATE PROVISIONS IN NEED OF CLARIFICATION.

[NOTE – A substitute ordinance has been provided by the Community Development Department for Council's consideration on second reading. The substitute ordinance is included in the agenda packet and removes all reference to shooting ranges.]

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

- a. Elections/Appointments
- b. Announcements
- c. Scheduling

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. SUMMARY OF CURRENT EVENTS

- a. CITY MANAGER'S REPORT
- b. CITY ATTORNEY'S REPORT

XIV. ADJOURNMENT

**PROCLAMATIONS  
AND PUBLIC  
RECOGNITIONS**

**CITY CLERK MEMORANDUM**  
**14-34**

**DATE:** May 20, 2014  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Diana R. Stanley, City Clerk  
**SUBJECT:** PROCLAMATIONS FOR JUNE CITY COUNCIL AGENDA

The following proclamations are presented for the June 2, 2014 City Council meeting for City Council's consideration:

C. Vaughn Leslie & Boys' Night Out Day

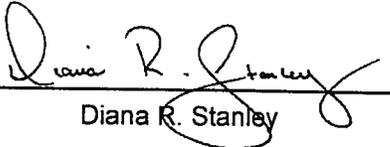
This request was submitted by Jake Alexander, member of the C. Vaughn Leslie and Boys' Night Out in recognition of the 30-year celebration show at the Historic Grove Theater.

Recognition of Tim and Teresa Myrick

This request was submitted by Pat Fain in recognition of the work of Tim and Teresa Myrick.

Attachments

C. Vaughn Leslie & Boys' Night Out Day Proclamation  
Tim and Teresa Myrick Proclamation

  
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Diana R. Stanley

# PROCLAMATION

**WHEREAS**, C. Vaughn Leslie and Boys' Night Out was organized in the Fall of 1983 by life-long Oak Ridge citizens Jeff Ginsburg, Hugh Nichols, and Jake Alexander (all graduates of the Oak Ridge High School Class of 1968) with the express goal of recreating the authentic performance artistry of classic Rhythm and Blues (R&B) music; and

**WHEREAS**, C. Vaughn Leslie and Boys' Night Out is strictly an R&B and Carolina Beach Band, with the original motto: "*We don't play Country. We don't play Disco. We don't play Top-40. (Unless requested by a client.)*"; and

**WHEREAS**, C. Vaughn Leslie and Boys' Night Out has backed several R&B "greats" over the years, including Percy Sledge (*When a Man Loves a Woman*), Archie Bell (*Do the Tighten Up*), Clifford Curry (*She Shot a Hole in My Soul*), and Barbara Lewis (*Hello Stranger*); and has "warmed up" the stage for many other famous professional acts, including the Judds, Eddie Rabbit, General Jackson and the Chairmen of the Board, Jan & Dean, the Impressions, the Tams, Mickey Thomas and Jefferson Starship, Lee Greenwood, and B. J. Thomas; and

**WHEREAS**, C. Vaughn Leslie first performed at the Oak Ridge Azalea Festival in April 1984, and performed at many subsequent Azalea Festivals, Mayfest Festivals, and Secret City Festivals since then; and

**WHEREAS**, C. Vaughn Leslie and Boys' Night Out's current members: Jake Alexander (bass), Don Batchelor (trombone), Larry Bray (tenor sax), Rick Carl (trumpet), Clint Eskew (keys), Bruce Giles (baritone sax), Jeff Ginsburg (guitar), Hugh Nichols (trumpet), Richard Neubert (drums), and Ed Winebarger (tenor sax) are truly the "keepers of the flame" for the authentic "blue-eyed soul" sound in East Tennessee; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE**, that Saturday, June 21, 2014 be proclaimed

## C. VAUGHN LESLIE & BOYS' NIGHT OUT DAY

In the City of Oak Ridge, Tennessee and that all citizens of Oak Ridge and the surrounding communities attend the Boys' Night Out 30 Year Celebration Soul, Rhythm and Blues, and Carolina Beach Music Show and Revue at the Historic Grove Theater, 7:30 P.M. on June 21, 2014.

**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 2<sup>nd</sup> day of June in the year 2014.

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**THOMAS L. BEEHAN  
MAYOR**

# PROCLAMATION

**WHEREAS**, Tim Myrick has helped build every one of the 58 houses that Habitat for Humanity has built since its inception in 1992 and has served on its Board of Directors; and

**WHEREAS**, he has served on the ADFAC Board of Directors for 12 years and continues his service to that organization; and

**WHEREAS**, he also led the UT-Battelle initiative and leadership in the renovation of the Oak Ridge High School, and was a major contributor to the modernization campaign at Oak Ridge National Laboratory that resulted in a new east campus; and

**WHEREAS**, Tim Myrick has worked with Living Waters for the World, serving on its Board, traveling to Belize and Haiti to install clean water systems; and

**WHEREAS**, Tim Myrick, as a member of the Tennessee Chapter of the Nature Conservancy, has worked to protect crucial habitats for people and nature across the state of Tennessee, conserving over 280,000 acres; and

**WHEREAS**, Tim and Teresa Myrick have raised thousands of Christmas trees, donating them to the American Cancer Society and Holiday Bureau for fundraising; and

**WHEREAS**, Teresa Myrick has worked on Habitat Women's Builds and has been a supporting partner to Tim's community service; and

**WHEREAS**, Habitat for Humanity of Anderson County will break ground on June 7, 2014 to build its 59<sup>th</sup> house for a low income family in honor and recognition of the many contributions of Tim and Teresa Myrick to the community.

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

That in recognition of the distinguished service and contributions to the region and the community, the Oak Ridge City Council pays tribute to

## TIM AND TERESA MYRICK

and accords them an honored place as outstanding citizens in the history of this city.

**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 2<sup>nd</sup> day of June in the year 2014.

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**THOMAS L. BEEHAN**  
**MAYOR**

# CONSENT AGENDA

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

May 12, 2014

The regular meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on May 12, 2014, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

**INVOCATION**

The Invocation was delivered by the Reverend Joseph Westfall, West Village Christian Church.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag of the United States of America was led by Mr. James Powers.

**ROLL CALL**

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

Also present were Mark S. Watson, City Manager; Kenneth R. Krushenski, City Attorney; Janice E. McGinnis, Finance Director; Diana R. Stanley, City Clerk.

**Item Not Listed on the Agenda**

The City Manager addressed the Council regarding the zoning ordinance under "Final Adoption of Ordinances" indicating that he had recently been made aware of a correspondence from the Oak Ridge Sportsman's Associations (ORSA) legal representation addressing the proposed changes for indoor and outdoor shooting ranges. Mr. Watson requested that the item be removed from the agenda entirely so that the City Attorney could better review the correspondence received. No opposition was expressed from the City Council.

**APPEARANCE OF CITIZENS**

Dr. James and Rebecca Horton, 106 Carson Lane, spoke to the recent change in the property tax due date and delinquency date collection and expressed their opposition to the change.

Mr. Alexander Waters with Long, Ragsdale, and Waters, P.C., 1111 Northshore Drive, Knoxville, Tennessee, explained that his firm represents ORSA, and that they had submitted a correspondence to City Council expressing concern about the proposed amendments to the Oak Ridge Zoning Ordinance relating to sport shooting ranges. Specifically, Mr. Waters explained that the organization is concerned about interpretation of the ordinance by future City Council and other bodies who would be interpreting these provisions.

Mr. Lee Roy Gilliam, 108 Tracy Lane, address the Council regarding his concern about the enforcement of cars parked illegalluy in designated handicapped lots.

**Item Not Listed on the Agenda**

The City Manager requested time to introduce two (2) visitors from Indonesia as part of the International City Manager's Association (ICMA) International Legislative Process and Governance Professional Fellows Program—Ms. Irma Mutiahsari, Pangkalpinang, Bangka Belitung, Sub Division Head of Inter Institutional and Overseas Relations, General Government Administration Division, Pangkalpinang Municipality, Indonesia; and Ms. Hera Nugrahayu, Palangka Raya, Kalimantan Tengah, Head of Industry, Trade and Cooperation Agency Office, H.M. Riban Satia, Mayor of Palangka Raya City, Indonesia.

**PROCLAMATIONS AND PUBLIC RECOGNITIONS**

*A proclamation paying tribute to B&W Y-12.*

Mayor Pro Tem Miller moved, seconded by Councilmember Hope that the proclamation be adopted. The proclamation is to be presented at a later event for the Secret City Festival.

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

*A proclamation designating June 13 and 14, 2014 as "Secret City Festival Time" in the City of Oak Ridge.*

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller that the proclamation be adopted.

The proclamation was accepted by Ms. Jane Gibson with the Secret City Festival Executive Committee.

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

*A proclamation paying tribute to High Places Community Church.*

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller that the proclamation be adopted.

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

The proclamation was accepted by Mr. David Allred with High Places Community Church.

**Proclamations from the Consent Agenda**

Mayor Beehan requested that the following proclamations be removed from the Consent Agenda and be recognized during the meeting. No opposition was expressed by City Council.

*Adoption of a proclamation designating May 11, 2014 through May 17, 2014 as "National Women's Health Week."*

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller that the proclamation be adopted.

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

*Adoption of a proclamation designating May 11, 2014 through May 17, 2014 as "Police Week," and May 15, 2014 as "Police Memorial Day."*

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller that the proclamation be adopted.

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

**Item Not Listed on the Agenda**

The Mayor made an announcement that the City of Oak Ridge had recently received the Tennessee Valley Authority (TVA) Green Power Switch Program Award for Leader of the Year for 2014. This award was presented to the City Council by Electric Department Director Jack Suggs.

**SPECIAL REPORTS**

(NONE)

**CONSENT AGENDA**

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

- Approving the April 14, 2014 City Council meeting minutes.
- Approving the April 28, 2014 City Council Work Session minutes.
- Adopting **Resolution No. 05-32-2014** granting renewal permit for Scott E. Garriott to engage in the retail sale of alcohol beverages for one year and waiving the residency requirement for said applicant.
- Adopting **Resolution No. 05-33-2014** to accept a \$16,000.00 emergency management grant from the State of Tennessee, Department of Military, Tennessee Emergency Management Agency (TEMA) for on-site and off-site emergency response planning, notification and equipment.

**RESOLUTIONS**

**Resolution No. 05-34-2014**

**A RESOLUTION TO APPROVE A CONTRACT WITH FOUR ADDITIONAL ONE-YEAR RENEWAL OPTIONS WITH COULTER AND JUSTUS, P.C., KNOXVILLE, TENNESSEE, TO CONDUCT AN AUDIT OF THE CITY'S ACCOUNTS AND FUNDS FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$55,250.00.**

Mayor Pro Tem Miller moved, seconded by Councilmember Hope that the resolution be adopted.

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

**Resolution No. 05-35-2014**

**A RESOLUTION APPROVING THE CDBG CONSOLIDATED PLAN 2014-2017, INCLUDING A CITIZEN PARTICIPATION PLAN; THE FY2015 ANNUAL ACTION PLAN; AND PROPOSED ALLOCATIONS OF COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT FUNDS FOR FY2015 ESTIMATED AT \$498,911.00.**

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

Community Development Director Kathryn Baldwin explained that the City is continuing to address vacant blighted housing issues; a major component of the Annual Action Plan.

Councilmember Garcia Garland moved to amend the resolution by assigning approximately \$34,000.00 or 15% to TORCH to serve the needs of the homelessness in the community. The motion was seconded by Councilmember Baughn for discussion purposes.

The City Council discussed the motion introduced by Councilmember Garcia Garland at great length, with the primary discussion focusing on the City's priorities related to housing initiatives as a CDBG effort.

Mr. Joe Lee, 99 East Pasadena Road, commented that owner-occupied housing is a substantial issue in

the community and that current efforts have made a difference, and that TORCH is receiving support from other funding source.

Ms. Ellen Smith, 116 Morningside Drive, commented that TORCH and ADFAC submitted applications for CDBG funding and that TORCH receives monies as part of the Emergency Solutions Grant.

Community Development Specialist Athanasia Senecal Lewis explained that if City Council were to approve the plan and then amend the priorities in said plan, it would begin a new 30-day comment period. Additionally, Ms. Lewis commented that the deadline for submission of the plan to HUD was May 15, 2014, and if Council were to amend the priorities in the plan then an automatic extension would apply with HUD for submission of the revised plan.

Ms. Zabrina Minor, Executive Director of TORCH, confirmed that TORCH submitted an application for the CDBG program, and explained that the application was denied as the City's focus was acquisition and demolition of vacant blighted houses.

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

Councilmember Hope moved to amend the plan to set aside 15% of the annual contract for social service programs and extend the 30-day comment period for applications to be submitted and reviewed. The motion was seconded by Councilmember Hensley.

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

Community Development Director Kathryn Baldwin commented that since the original 30-day comment period is still open, staff would amend the plan to change the demolition and acquisition allocation with a 15% reduction and specify that social programs would be receiving the new amount.

Councilmember Garcia Garland requested the plan include verbiage regarding Council's consideration of the applications of social programs with staff acknowledging the request.

Ms. Ellen Smith, 116 Morningside Drive, commented that it unclear which budgeted funds would be reduced by the 15%, but it is not necessarily the demolition of dilapidated housing.

The City Manager noted that it was staff's understanding that the demolition and acquisition would be reduced by 15% or approximately \$34,000.00 would be allocated to social service programs per the discussions held.

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

**Resolution No. 05-36-2014**

**A RESOLUTION AWARDED A CONTRACT (FY2014-128) TO OLAMETER CORPORATION, CONROE, TEXAS, TO PROVIDE ELECTRIC AND WATER METER READING SERVICES IN THE ESTIMATED AMOUNT OF \$718,065.22.**

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

**Resolution No. 05-37-2014**

**A RESOLUTION AWARDED A CONTRACT (FY2014-98) TO PORTLAND UTILITIES**

**CONSTRUCTION COMPANY, LLC, PORTLAND, TENNESSEE, FOR THE WASTEWATER SYSTEM REHABILITATION PROGRAM CENTRAL CITY I PROJECT AS REQUIRED FOR COMPLIANCE WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY ADMINISTRATIVE ORDER, SAID CONTRACT IN THE ESTIMATED AMOUNT OF \$2,507,093.41.**

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

Following a briefing by the Public Works Director Gary Cinder regarding the remainder of available funds to complete remaining projects, the resolution was approved by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember Baughn voting "Nay."

**Resolution No. 05-38-2014**

**A RESOLUTION AUTHORIZING THE CITY TO MOVE FORWARD WITH THE COMPETITIVE BIDDING PROCESS FOR IMPROVEMENTS TO THE LOWER PARKING LOT AT BLANKENSHIP FIELD AND AUTHORIZING FUNDS IN THE ESTIMATED AMOUNT OF \$180,000.00 FROM THE SPECIAL PROGRAMS FUND FOR SAID PROJECT.**

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

Public Works Operations Maintenance Manager Pat Fallon explained that staff performed some preliminary estimates using previous project data to provide a cost estimate for this project.

City Council discussed funding options for this project, particularly with regards to the use of the Special Programs Fund, and the need to move forward with improving the lower parking lot beyond the installation of an ADA compliant ramp.

Mr. James Powers, 103 Center Park Lane, discussed the motivators for this project which included enhancements to Jackson Square, accessibility and safety enhancements, and the impact of potential contributions from the community for Blankenship as part of this support.

The City Manager noted that this project would not deplete the Special Programs Fund in anticipation of future projects it could fund.

Mr. Mike Mullins, 118 Claremont Road, stressed that the safety enhancements that are a part of the overall improvements of the parking lot would benefit the community.

Discussions occurred regarding the use of the special programs fund and the specific enhancements that were being pursued or could be pursued, such as the installation of only an ADA complaint ramp, lighting, sidewalks, and clear paths from vegetation.

Councilmember Baughn moved to amend the resolution to reduce the amount of authorized funds to \$69,000.00 as requested by the Board of Education (BOE) from documentation provided earlier in the year, and still use the designated Special Programs Fund. The motion was seconded by Councilmember Garcia Garland.

The amendment failed by board vote with Councilmembers Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Nay," and Councilmembers Baughn and Garcia Garland voting "Aye."

During the discussions of the \$69,000.00 request from the BOE, the City Manager explained that amount was for a ramp to a location that has now moved that the City believes the ramp installation can now be accomplished for less.

Councilmember Garcia Garland moved to amend the resolution to change to amount to \$30,000.00 to

fund the ramp from the Special Programs Fund and that the enhancements to the parking lot be referred to the Capital Improvement Program (CIP). The motion was seconded by Councilmember Baughn.

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

The original motion to approve the resolution as presented passed by board vote with Councilmembers Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmembers Baughn and Garcia Garland voting "Nay."

(Resolution below was deferred to June 2, 2014)

**A RESOLUTION AUTHORIZING THE CONVERSION OF EAST MADISON ROAD FROM A ONE-WAY STREET TO A TWO-WAY STREET.**

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

Mr. Ken Hollbrook, Representing Owner of Jackson Square Apartments, commented regarding the impact of the change to the Jackson Square Apartment occupants and the property owners, and asked to allow additional time to evaluate the impacts of this change.

Mr. Rick Dover, General Manager of Family Pride Corporation, explained that infrastructure improvements, notably access to the Alexander Inn, were a part of the PILOT that was issued by the City for the remodeling of the Alexander Inn. Mr. Dover noted that his organization would be willing to extend a driveway to Broadway for improved access to Alexander Inn, at the expense of Family Pride Corporation, and the deed could be turned over the Jackson Square Apartment owners for maintenance if they were willing to accept it.

Mr. Ray Evans, City Consultant, explained that public infrastructure needs were included in the PILOT which included a driveway for the Alexander Inn and that a general idea was constructed at the time of the PILOT. The general idea of the driveway, once further explored, explained Mr. Evans, was not feasible, so city staff explored other ideas with neighboring property owners involved and the feasible alternative formed by staff was to convert the road to a two-way street with parallel parking.

Following discussions of deferring the item, Mayor Pro Tem Miller moved, seconded by Councilmember Hope to defer consideration of the item to the June 2, 2014 City Council meeting so as to allow the nearby property owners to discuss access issues to their properties and the proposed change of East Madison Road to a two-way street. The motion was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

**Resolution No. 05-39-2014**

**A RESOLUTION TO APPROVE POLICY GUIDANCE STATEMENTS FOR THE CITY MANAGER'S CONSIDERATION IN PREPARATION OF THE FY2015 BUDGET.**

Mayor Pro Tem Miller moved, seconded by Councilmember Baughn that the resolution be adopted.

Councilmember Garcia Garland moved to amend the resolution by changing the language of policy guidance number 6 by changing the word regionals to regionally while omitting the remainder of the verbiage after regionally, so as to read "support continued economic development efforts regionally." Councilmember Garcia Garland explained that this would allow the Council to revisit the process for economic development broadly. The motion was seconded by Councilmember Baughn, and approved by board vote with Councilmembers Baughn, Garcia Garland, Hope, and Mosby voting "Aye," and Mayor Beehan, Mayor Pro Tem Miller, and Councilmember Hensley voting "Nay."

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

### **PUBLIC HEARINGS AND FIRST READING OF ORDINANCES**

(NONE)

### **FINAL ADOPTION OF ORDINANCES**

#### **Ordinance No. 04-2014**

**AN ORDINANCE TO AMEND ORDINANCE NO. 05-2013, 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, 2013, BY AMENDING SAID APPROPRIATIONS.**

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

(Ordinance was removed from the agenda)

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING THE FOLLOWING: ARTICLE II, TITLED "DEFINITIONS" TO UPDATE THE DEFINITION OF "BUSINESS SERVICES" AND TO ADD DEFINITIONS FOR "SPORT SHOOTING RANGE, INDOOR," AND "SPORT SHOOTING RANGE, OUTDOOR"; ARTICLE III, TITLED "GENERAL PROVISIONS," TO ADD A NEW SECTION 3.26, TITLED "SPORT SHOOTING RANGES"; SUBSECTIONS 5.07(C), 5.08(C), 6.01(C), 6.02(C), 7.01(C), 7.02(C), 7.03(C), 7.04(C), 7.05(C), 8.01(D), 8.02(D), 8.03(D), 9.02(C), 9.03(C), AND 9.04(F) TO CHANGE THE PHRASE "USES REQUIRING BOARD OF APPEALS PERMIT" TO "SPECIAL EXCEPTION REQUIRING BOARD OF ZONING APPEALS APPROVAL"; SECTION 5.05, TITLED "R-3, MEDIUM RESIDENTIAL DISTRICT" TO CHANGE THE TITLE TO "R-3, MEDIUM DENSITY RESIDENTIAL DISTRICT," TO REVISE THE PERMITTED PRINCIPAL USE OF BUSINESS AND PROFESSIONAL OFFICES IN SUBPART 4; SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS; SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS AND TO ADD "SPORT SHOOTING RANGES" AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; AND SECTION 11.02, TITLED "REQUIRED OFF-STREET PARKING," TO CLARIFY THE SIDE AND REAR SETBACK REQUIREMENTS FOR R-1-C AND R-2 IN SUBSECTION (E)(2)(A); ALL FOR THE PURPOSES OF ADDRESSING ITEMS THAT WERE ABSENT FROM THE ORDINANCE AND TO UPDATE PROVISIONS IN NEED OF CLARIFICATION.

### **ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

#### **Elections/Appointments**

*Elect one (1) Oak Ridge High School student representative to the Environmental Quality Advisory Board for a one-year term of office beginning on June 1, 2014.*

Ms. Emma Milloway was elected by ballot to the Environmental Quality Advisory Board for a one (1) year term of office receiving the votes of Councilmembers Garcia Garland, Hensley, Hope, Mosby, and Mayor Pro Tem Miller. Councilmember Baughn and Mayor Beehan voting for Mr. Alexander Crutchfield.

*Elect one (1) Oak Ridge High School student representative to the Traffic Safety Advisory Board for a one-year term of office beginning on June 1, 2014.*

Mr. Alexander Crutchfield was unanimously elected by ballot to the Traffic Safety Advisory Board for a one (1) year term of office receiving the votes of Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan.

#### Announcements

The Mayor stated that he and the City Manager had received recent communications regarding an interest in participating in the White House Initiative Mayor's Makers Challenge in coordination with the Oak Ridge National Laboratory for advance manufacturing (3-D printing). The Mayor further explained that the City Manager and he would be learning more about this opportunity.

#### Scheduling

*Discussions of scheduling a mid-year election for City Boards and Commissions during the July 12, 2014 City Council meeting.*

The City Clerk explained that the staff had developed a process to discuss with City Council about running a small recruitment to fill current vacancies of City Boards and Commissions at the July 14, 2014 City Council meeting so as to allow boards to move forward with full membership for the remainder of the year and beyond. No opposition was expressed by City Council to move forward with this procedure.

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

*Request from Councilmember Garcia Garland to schedule meetings of the City Council twice a month for discussion of policy and planning over the next four (4) months.*

Councilmember Garcia Garland explained that she would like to bring a resolution before City Council at the June meeting that sets two (2) meetings a month to allow for policy setting over a four month period.

Members of City Council discussed this issue with a determination to be made at the next Council meeting for meeting schedule, agenda, and purpose.

#### **SUMMARY OF CURRENT EVENTS**

##### CITY MANAGER'S REPORT

##### CITY ATTORNEY'S REPORT

#### **ADJOURNMENT**

The meeting adjourned at 11:00 p.m.

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

**LEGAL MEMORANDUM**  
**14-17**

DATE: May 16, 2014  
TO: Honorable Mayor and Members of City Council  
FROM: Kenneth R. Krushenski, City Attorney  
SUBJECT: CERTIFICATE OF GOOD MORAL CHARACTER –  
JOHN G. CALVERT, OAK RIDGE BPOE (ELKS) LODGE NO. 1684

Introduction

An item for City Council's consideration is a resolution authorizing the Mayor to execute on behalf of the City of Oak Ridge a Certificate of Good Moral Character for John G. Calvert, Oak Ridge BPOE (Elks) Lodge No. 1684.

Analysis

State statute requires that as a condition for any club seeking a license to sell alcoholic beverages for consumption on the premises, the person in the actual charge of the sale of alcoholic beverages shall submit to the state a certificate stating that he is of good moral character.

A request for a Certificate of Good Moral Character for John G. Calvert, Oak Ridge BPOE (Elks) Lodge No. 1684, has been submitted for consideration. A police background check on this individual has been conducted and previously provided to the Council.

Recommendation

Adoption of the attached resolution is recommended.

  
\_\_\_\_\_  
Kenneth R. Krushenski

Attachment

**City Manager's Comments:**

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

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

5/22/14  
Date

NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF OAK RIDGE A CERTIFICATE OF GOOD MORAL CHARACTER FOR JOHN G. CALVERT, OAK RIDGE BPOE (ELKS) LODGE NO. 1684.

WHEREAS, Tennessee Code Annotated §57-4-201(c)(2), requires that as a condition for obtaining a license to sell alcoholic beverages for consumption on the premises that a club obtain a Certificate of Good Moral Character for the person who will be responsible for the operation of the establishment; and

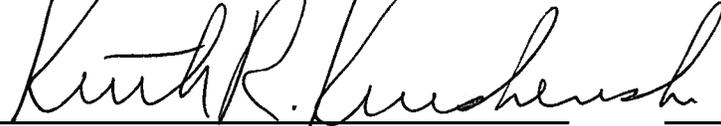
WHEREAS, John G. Calvert, on behalf of the Oak Ridge BPOE (Elks) Lodge No. 1684, 684 Emory Valley Road, has made application to the City of Oak Ridge for such Certificate of Good Moral Character.

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

That the Mayor is hereby authorized to execute on behalf of the City of Oak Ridge a Certificate of Good Moral Character for John G. Calvert, Oak Ridge BPOE (Elks) Lodge No. 1684, the City Council having made an investigation of the general character of Mr. Calvert and from such investigation his character is found to be good.

This the 2nd day of June 2014.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**PUBIC WORKS DEPARTMENT MEMORANDUM**

**14-14**

**DATE:** May 14, 2014  
**TO:** Mark S. Watson, City Manager  
**FROM:** Gary M. Cinder, P.E., Public Works Director  
**SUBJECT:** PURCHASE OF EQUIPMENT

Introduction

An item for City Council's consideration is a resolution for the purchase of three (3) pickup trucks and one (1) dump truck for the Public Works Department in the estimated amount of \$119,987.

Funding

The recommended trucks will be purchased from the Waterworks Fund and adequate funds are available.

Analysis

Request #138504 – Recommendation to Sam Swope Auto Group, Chattanooga, TN - \$20,172

- Replace vehicle #221 assigned to the Operations and Maintenance Manager
  - 1998 Ford Extended Cab Pickup Truck, 2WD
  - 78,969 miles as of 4/30/2014
  - Will be transferred to the Sewer MOM Crew to be used by two newly hired employees
- Recommended replacement is for the same type vehicle

Request #138508 – Recommendation to Sam Swope Auto Group, Chattanooga, TN - \$22,737

- Replace vehicle #345 assigned to the Water Crew Chief
  - 2001 Ford Pickup Truck with Utility Bed, 4WD
  - 168,361 miles as of 4/30/2014
  - Truck will be sold as surplus
- Recommended replacement is an extended cab, 4WD pickup without a utility bed

Request #138509 – Recommendation to Rainbow Ford, LaFollette, TN - \$48,813

- Replace vehicle #318 assigned to the Water Crew
  - 1998 GMC 1 Ton Dump Truck, 4WD
  - 87,573 miles as of 4/30/2014
  - Truck continues to have mechanical issues
  - Truck will be sold as surplus
- Recommended replacement is a 1.5 Ton, 4WD Dump Truck

Request #138510 – Recommendation to Ford of Murfreesboro, Murfreesboro, TN - \$28,265

- Replace vehicle #235 assigned to the Sewer Crew
  - 2001 Dodge Extended Cab Pickup Truck, 4WD
  - 123,271 miles as of 4/30/2014
  - Truck will be sold as surplus
- Recommended replacement is for the same type vehicle

The State of Tennessee contracts were reviewed for each vehicle bid and for the availability of specifications for hybrid trucks. Unfortunately, none of the vehicles bid as specified were included in the State of Tennessee contracts and no hybrid specifications were available. As shown on the attached abstract of bids, an Oak Ridge dealership, Secret City Chrysler Plymouth Dodge submitted bids on two of the trucks.

Recommendation

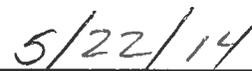
Sealed bids were received with award of the bids based on the lowest bid received for the four trucks recommended for purchase. Staff recommends approval of the resolution as submitted.

  
\_\_\_\_\_  
Gary M. Cinder

**City Manager's Comments:**

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

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

  
\_\_\_\_\_  
Date

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

RFQ #138504

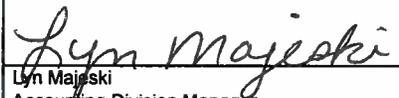
OPENING DATE: April 22, 2014 2:00 P.M.

FOR --- New 2WD Extended Cab, 6 Foot Bed Pickup Truck			BIDDER: Sam Swope Auto Group 1603 Melody Lane Chattanooga, TN 37412		BIDDER: Secret City Chrysler Dodge Jeep Ram 1005 Oak Ridge Turnpike Oak Ridge, TN 37830		BIDDER: Ford of Murfreesboro 1550 NW Broad Street Murfreesboro, TN 37129		BIDDER: Golden Circle Ford 1432 Highway 45 Bypass Jackson, TN 38305					
DESCRIPTION	ITEM	QUANTITY	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL				
THE FURNISHING OF A NEW 2WD EXTENDED CAB, 6 FOOT BED PICKUP TRUCK THAT IS THE MANUFACTURER'S LATEST DESIGN AND PRODUCTION, COMPLETE, SERVICED, READY FOR WORK, AND INCLUDES ALL STANDARD EQUIPMENT PER REQUEST FOR QUOTE PROVIDED BY THE CITY OF OAK RIDGE	1	1	\$20,172.00	\$ 20,172.00	\$ 20,370.00	\$ 20,370.00	\$ 21,189.00	\$ 21,189.00	\$ 21,380.00	\$ 21,380.00				
<b>TOTAL PRICE</b>			\$ 20,172.00	\$ 20,172.00	\$ 20,370.00	\$ 20,370.00	\$ 21,189.00	\$ 21,189.00	\$ 21,380.00	\$ 21,380.00				
<b>TERMS</b>			Net 30	Net 30	Net 30	Net 30	Net 30	Net 30	Net 30	Net 30				
<b>DELIVERY</b>			90-120 days	90 days	90 days	12-14 weeks	12-14 weeks	60-90 days	60-90 days	60-90 days				
<b>F.O.B.</b>			Oak Ridge	Oak Ridge	Oak Ridge	Oak Ridge	Oak Ridge	Oak Ridge	Oak Ridge	Oak Ridge				
<b>VIA</b>			Driver from Chattanooga	Driver from Chattanooga	Vendor	Vendor	Ground	Ground	Drive away	Drive away				
<b>OTHER BIDDERS CONTACTED:</b> Rainbow Ford - La Follette, TN Ted Russell Ford-Lincoln-Mercury, Inc. - Knoxville, TN Mid-Tenn Ford Trucks - Nashville, TN Beaman Automotive Group - Nashville, TN Allen Vigil Ford - Fayetteville, GA							Beaty Chevrolet - Knoxville, TN David Clifton Chevrolet - Rockwood, TN McNelly-Whaley - Sevierville, TN Oak Ridge Nissan - Oak Ridge, TN Columbia CDJR - Columbia, TN				Sexton Automotive Group - Harriman, TN Sexton Automotive of Oak Ridge - Oak Ridge, TN Sexton Morgan County - Wartburg, TN Town & Country Ford - Nashville, TN			
<b>REASON FOR AWARD:</b>							<b>BIDS OPENED AND RECORDED BY---</b>							
ONLY BID RECEIVED <input type="checkbox"/>							 Lyn Majeski Accounting Division Manager							
LOW PRICE <input type="checkbox"/>														
BETTER OR REQUIRED DESIGN <input type="checkbox"/>														
EARLY DELIVERY <input type="checkbox"/>														
LOWEST TOTAL COST <input checked="" type="checkbox"/>							<b>BIDS REVIEWED BY---</b>							
<b>RECOMMEND AWARD BE MADE TO:</b>							 Janice McGinnis Finance Director							
Sam Swope Auto Group 1603 Melody Lane Chattanooga, TN 37412														

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

RFQ #138508

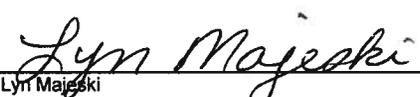
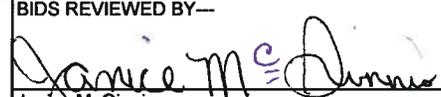
OPENING DATE: April 22, 2014 2:00 P.M.

FOR ---			BIDDER:		BIDDER:		BIDDER:		BIDDER:	
New 4WD Extended Cab, 6 Foot Bed Pickup Truck			Sam Swope Auto Group 1603 Melody Lane Chattanooga, TN 37412		Secret City Chrysler Dodge Jeep Ram 1005 Oak Ridge Turnpike Oak Ridge, TN 37830		Ford of Murfreesboro 1550 N.W. Broad Street Murfreesboro, TN 37129		Golden Circle Auto Group 1432 HWY 45 Bypass Jackson, TN 38305	
DESCRIPTION	ITEM	QUANTITY	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
THE FURNISHING OF A NEW 4WD EXTENDED CAB, 6 FOOT BED PICKUP TRUCK THAT IS THE MANUFACTURER'S LATEST DESIGN AND PRODUCTION, COMPLETE, SERVICED, READY FOR WORK, AND INCLUDES ALL STANDARD EQUIPMENT PER REQUEST FOR QUOTE PROVIDED BY THE CITY OF OAK RIDGE	1	1	\$ 22,737.00	\$ 22,737.00	\$ 23,125.00	\$ 23,125.00	\$ 23,178.00	\$ 23,178.00	\$ 23,575.00	\$ 23,575.00
<b>TOTAL PRICE</b>			\$ 22,737.00		\$ 23,125.00		\$ 23,178.00		\$ 23,575.00	
<b>TERMS</b>			Net 30		Net 30		Net 30		Net 30	
<b>DELIVERY</b>			90-120 days		90 days		12-14 weeks		60-90 days	
<b>F.O.B.</b>			Oak Ridge		Oak Ridge		Oak Ridge		Oak Ridge	
<b>VIA</b>			Driver from Chattanooga, TN		Vendor to Oak Ridge		Ground		Drive Away	
<b>OTHER BIDDERS CONTACTED:</b>							<b>BIDS OPENED AND RECORDED BY--</b>			
Ted Russell Ford-Lincoln-Mercury, Inc. - Knoxville, TN		Beaty Chevrolet - Knoxville, TN		Sexton Automotive Group - Harriman, TN			 Lyn Majeski Accounting Division Manager			
Mid-Tenn Ford Trucks - Nashville, TN		David Clifton Chevrolet - Rockwood, TN		Sexton Automotive of Oak Ridge - Oak Ridge, TN						
Beaman Automotive Group - Nashville, TN		McNelly-Whaley - Sevierville, TN		Sexton Morgan County - Wartburg, TN						
Rainbow Ford - La Follette, TN		Oak Ridge Nissan - Oak Ridge, TN		Town & Country Ford - Nashville, TN						
Allen Vigil Ford - Fayetteville, GA		Columbia CDJR - Columbia, TN					<b>BIDS REVIEWED BY--</b>			
<b>REASON FOR AWARD:</b>			<b>RECOMMEND AWARD BE MADE TO:</b>							
ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>			Sam Swope Auto Group 1603 Melody Lane Chattanooga, TN 37412							
			 Janice McGinnis Finance Director							

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

RFQ #138509

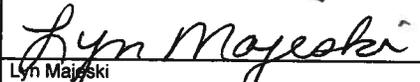
OPENING DATE: April 22, 2014 2:00 P.M.

FOR ---			BIDDER:		BIDDER:		BIDDER:		BIDDER:				
New 4WD Dump Truck, 1.5 Ton, with Standard Cab			Rainbow Ford 1916 Jacksboro Pike La Follette, TN 37766		Ted Russell Ford-Lincoln-Mercury, Inc. 8551 Kingston Pike Knoxville, TN 37919		Ford of Murfreesboro 1550 NW Broad Street Murfreesboro, TN 37129		Beaman Automotive Group 1525 Broadway Nashville, TN 37203				
DESCRIPTION	ITEM	QUANTITY	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL			
THE FURNISHING OF A NEW 4WD DUMP TRUCK, 1.5 TON, WITH A STANDARD CAB THAT IS THE MANUFACTURER'S LATEST DESIGN AND PRODUCTION, COMPLETE, SERVICED, READY FOR WORK, AND INCLUDES ALL STANDARD EQUIPMENT PER REQUEST FOR QUOTE PROVIDED BY THE CITY OF OAK RIDGE	1	1	\$ 48,813.00	\$ 48,813.00	\$ 48,980.00	\$ 48,980.00	\$ 57,722.00	\$ 57,722.00	\$ 58,211.00	\$ 58,211.00			
<b>TOTAL PRICE</b>			\$ 48,813.00		\$ 48,980.00		\$ 57,722.00		\$ 58,211.00				
<b>TERMS</b>			Net 30		Net 30		Net 30		Net 30				
<b>DELIVERY</b>			12-14 weeks		60 days		16-18 weeks		120 days				
<b>F.O.B.</b>			Oak Ridge		Oak Ridge		Oak Ridge		Oak Ridge				
<b>VIA</b>			Vendor		Vendor		Ground		Vendor				
<b>OTHER BIDDERS CONTACTED:</b> Golden Circle Auto Group - Jackson, TN Mid-Tenn Ford Trucks - Nashville, TN Secret City Chrysler Dodge Jeep Ram - Oak Ridge, TN Sam Swope Auto Group - Chattanooga, TN Allen Vigil Ford - Fayetteville, GA							Beaty Chevrolet - Knoxville, TN David Clifton Chevrolet - Rockwood, TN McNelly-Whaley - Sevierville, TN Oak Ridge Nissan - Oak Ridge, TN Columbia CDJR - Columbia, TN			Sexton Automotive Group - Harriman, TN Sexton Automotive of Oak Ridge - Oak Ridge, TN Sexton Morgan County - Wartburg, TN Town & Country Ford - Nashville, TN		<b>BIDS OPENED AND RECORDED BY--</b>  Lyn Majeski Accounting Division Manager	
<b>REASON FOR AWARD:</b> ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>			<b>RECOMMEND AWARD BE MADE TO:</b> Rainbow Ford 1916 Jacksboro Pike La Follette, TN 37766				<b>BIDS REVIEWED BY--</b>  Janice McGinnis Finance Director						

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

RFQ #138510

OPENING DATE: April 22, 2014 2:00 P.M.

FOR ---			BIDDER:		BIDDER:		BIDDER:		BIDDER:		
New 1 Ton 4WD Extended Cab, 6 Foot Bed Pickup Truck			Ford of Murfreesboro 1550 NW Broad Street Murfreesboro, TN 37129		Ted Russell Ford-Lincoln-Mercury, Inc. 8551 Kingston Pike Knoxville, TN 37919		Rainbow Ford 1916 Jacksboro Pike La Follette, TN 37766		Mid-Tenn Ford Trucks 1319 Foster Avenue Nashville, TN 37210		
DESCRIPTION	ITEM	QUANTITY	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
THE FURNISHING OF A NEW 1 TON 4WD EXTENDED CAB, 6 FOOT BED PICKUP TRUCK THAT IS THE MANUFACTURER'S LATEST DESIGN AND PRODUCTION, COMPLETE, SERVICED, READY FOR WORK, AND INCLUDES ALL STANDARD EQUIPMENT PER REQUEST FOR QUOTE PROVIDED BY THE CITY OF OAK RIDGE	1	1	\$ 28,265.00	\$ 28,265.00	\$ 30,128.00	\$ 30,128.00	\$ 30,389.00	\$ 30,389.00	\$ 30,966.60	\$ 30,966.60	
<b>TOTAL PRICE</b>			\$ 28,265.00		\$ 30,128.00		\$ 30,389.00		\$ 30,966.60		
<b>TERMS</b>			Net 30		Net 30		Net 30		Net 30		
<b>DELIVERY</b>			14-16 weeks		60 days		12-14 weeks		14 Weeks		
<b>F.O.B.</b>			Oak Ridge		Oak Ridge		Oak Ridge		Oak Ridge		
<b>VIA</b>			Ground		Vendor		Ground		Drive Out Service		
<b>OTHER BIDDERS CONTACTED:</b>							<b>BIDS OPENED AND RECORDED BY---</b>				
Beaman Automotive Group - Nashville, TN			Beaty Chevrolet - Knoxville, TN			Sexton Automotive Group - Harriman, TN			 Lyn Majeski Accounting Division Manager		
Secret City Chrysler Dodge Jeep Ram - Oak Ridge, TN			David Clifton Chevrolet - Rockwood, TN			Sexton Automotive of Oak Ridge - Oak Ridge, TN					
Sam Swope Auto Group - Chattanooga, TN			McNelly-Whaley - Sevierville, TN			Sexton Morgan County - Wartburg, TN					
Golden Circle - Jackson, TN			Oak Ridge Nissan - Oak Ridge, TN			Town & Country Ford - Nashville, TN					
Allen Vigil Ford - Fayetteville, GA			Columbia CDJR - Columbia, TN								
<b>REASON FOR AWARD:</b>			<b>RECOMMEND AWARD BE MADE TO:</b>								
ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>			Ford of Murfreesboro 1550 NW Broad Street Murfreesboro, TN 37129								
							<b>BIDS REVIEWED BY---</b>				
							 Janice McGinnis Finance Director				

**RESOLUTION**

A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) PICKUP TRUCKS FROM SAM SWOPE AUTO GROUP, CHATTANOOGA; ONE (1) PICKUP TRUCK FROM FORD OF MURFREESBORO, MURFREESBORO; AND ONE (1) DUMP TRUCK FROM RAINBOW FORD, LAFOLLETTE; ALL FOR USE BY THE PUBLIC WORKS DEPARTMENT IN THE GRAND TOTAL ESTIMATED AMOUNT OF \$119,987.00.

WHEREAS, the City of Oak Ridge has issued invitations to bid for the furnishing of three (3) pickup trucks and one (1) dump truck for the Public Works Department as replacement vehicles; and

WHEREAS, bids were received and publicly opened on April 22, 2014, with Sam Swope Auto Group, Chattanooga, Tennessee, submitting the lowest and best bid for two of the pickup trucks; with Ford of Murfreesboro, Murfreesboro, Tennessee, submitting the lowest and best bid for one of the pickup trucks; and with Rainbow Ford, LaFollette, Tennessee, submitting the lowest and best bid for the dump truck; which bids the City Manager recommends be accepted.

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

That the recommendation of the City Manager is approved and awards are hereby made as follows:

To Sam Swope Auto Group, 1603 Melody Lane, Chattanooga, Tennessee 37412, for furnishing one (1) 2wd extended cab six foot bed pickup truck for the Public Works Department; said award in strict accordance with Request No. 138504, the required specifications, and the bid as publicly opened on April 22, 2014, and in the estimated amount of \$20,172.00.

To Sam Swope Auto Group, 1603 Melody Lane, Chattanooga, Tennessee 37412, for furnishing one (1) 4wd extended cab six foot bed pickup truck for the Public Works Department; said award in strict accordance with Request No. 138508, the required specifications, and the bid as publicly opened on April 22, 2014, and in the estimated amount of \$22,737.00.

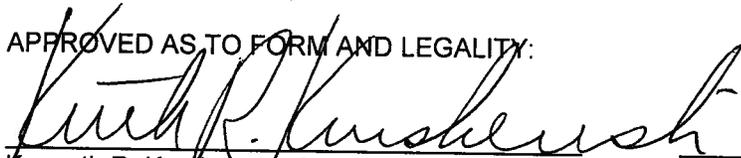
To Ford of Murfreesboro, 1550 NW Broad Street, Murfreesboro, Tennessee 37129, for furnishing one (1) one-ton 4wd extended cab six foot bed pickup truck for the Public Works Department; said award in strict accordance with Request No. 138510, the required specifications, and the bid as publicly opened on April 22, 2014, and in the estimated amount of \$28,265.00.

To Rainbow Ford, 1916 Jacksboro Pike, LaFollette, Tennessee 37766, for furnishing one (1) 4wd 1.5 ton dump truck with standard cab for the Public Works Department; said award in strict accordance with Request No. 138509, the required specifications, and the bid as publicly opened on April 22, 2014, and in the estimated amount of \$48,813.00.

Said bids in the grand total estimated amount of \$119,987.00.

This the 2nd day of June 2014.

APPROVED AS TO FORM AND LEGALITY:

  
Kenneth R. Krushenski, City Attorney

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

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

**PUBLIC WORKS DEPARTMENT MEMORANDUM**  
**14-16**

**DATE:** May 13, 2014  
**TO:** Mark S. Watson, City Manager  
**FROM:** Gary M. Cinder, P.E., Public Works Director  
**SUBJECT: STREET SWEEPING CONTRACT**

Introduction

An item for City Council's consideration is a resolution authorizing a contract with Sweeping Corporation of America, Inc., Nashville, TN for all labor, supplies and equipment necessary for street sweeping services in the estimated amount of \$76,360.58.

Funding

Funding for these services is provided by several activities within the budget, such as State Highway Maintenance (100% reimbursed by TDOT), General Maintenance and facilities.

Analysis

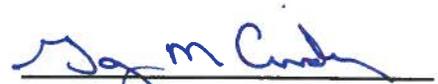
The City has contracted with Huskey Vac, through the competitive bidding process, during the period of November 1996 to present. Huskey Vac has provided tremendous service for the City. Don Huskey the owner of Huskey Vac has decided to retire when the current contract ends on June 30, 2014. Throughout the years, Don has worked with City staff in adjusting the frequencies of the sweeping to best utilize the available funding for this contract. Prior to bidding the new contract, staff once again requested Mr. Huskey's assistance with adjusting the frequencies, which resulted in a reduction for the sweeping of city parking lots and facilities. If this reduction becomes a maintenance issue, Public Works personnel will supplement the contracted sweeping frequency. The table below provides the current frequencies and the frequencies bid in the recommended contract.

TYPE OF AREA	CURRENT	RECOMMENDED
State Streets (95, 62 and 170)	Bimonthly (6 times/year)	Bimonthly (6 times/year)
City Parking Lots	Bimonthly (6 times/year)	Quarterly (4 times/year)
City Facilities Parking Lots	Bimonthly (6 times/year)	Quarterly (4 times/year)
City Streets (post leaf and brush pickup)	Semiannual (2 times/year)	Semiannual (2 times/year)

By reducing the frequency for City Parking Lots and City Facilities, the amount charged to these budgets was also reduced. The recommended contract includes an increase of \$8,094.28 for the State Streets, which is 100% reimbursable by TDOT.

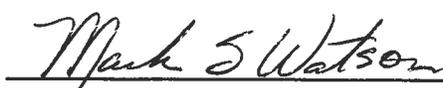
Recommendation

Sealed bids were solicited for this contract, with Sweeping Corporation of America, Inc. submitting the sole bid. Staff recommends approval of the accompanying resolution.

  
\_\_\_\_\_  
Gary M. Cinder

**City Manager's Comments:**

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

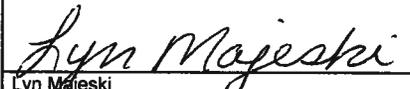
  
\_\_\_\_\_  
Mark S. Watson

5/24/14  
\_\_\_\_\_  
Date

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

FY2015-002

OPENING DATE: April 24, 2014 2:00 P.M.

FOR --- Street Sweeping Project			BIDDER: Sweeping Corporation of America, Inc. 713 Melpark Drive Nashville, TN 37204		BIDDER:		BIDDER:		BIDDER:		
DESCRIPTION	ITEM	QUANTITY	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
THE FURNISHING OF ALL LABOR, MATERIALS, SUPPLIES, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES NECESSARY FOR THE STREET SWEEPING PROJECT CONTRACT PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE, PUBLIC WORKS DEPARTMENT				\$ 76,360.58							
<b>TOTAL PRICE</b>				\$ 76,360.58		\$ -		\$ -		\$ -	
<b>TERMS</b>				Net 30							
<b>DELIVERY</b>				Per Contract							
<b>F.O.B.</b>				Oak Ridge							
<b>VIA</b>				Vendor							
OTHER BIDDERS CONTACTED: A-Vac Sweeping - Seymour, TN Allied Sweepers - Seymour, TN Goody's Power Sweeping, LLC - Spring City, TN Wide Spread Vacuuming - Powell, TN							BIDS OPENED AND RECORDED BY--  Lyn Majeski Accounting Division Manager				
REASON FOR AWARD:				RECOMMEND AWARD BE MADE TO:				BIDS REVIEWED BY--			
ONLY BID RECEIVED <input checked="" type="checkbox"/> X LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input type="checkbox"/>				Sweeping Corporation of America, Inc. 713 Melpark Drive Nashville, TN 37204				 Janice McGinnis Finance Director			

NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION AWARDING A CONTRACT (FY2015-002) TO SWEEPING CORPORATION OF AMERICA, INC., NASHVILLE, TENNESSEE, FOR STREET SWEEPING SERVICES IN THE ESTIMATED AMOUNT OF \$76,360.58.

WHEREAS, the City of Oak Ridge has issued an invitation to bid for the furnishing of all labor, tools, materials, equipment and supplies necessary for a street sweeping services; and

WHEREAS, bids were received and publicly opened on April 24, 2014, with Sweeping Corporation of America, Inc., submitting the sole bid, which bid the City Manager recommends be accepted.

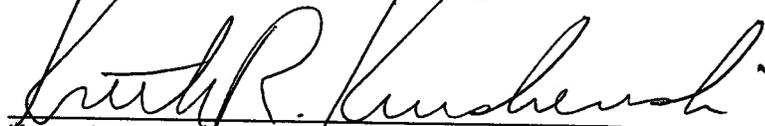
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and award is hereby to Sweeping Corporation of America, Inc., 713 Melpark Drive, Nashville, Tennessee 37204, for the furnishing of all labor, tools, materials, equipment and supplies necessary to perform all work and services for street sweeping; said award in strict accordance with contract number FY2015-002, the required specifications, and the bid as publicly opened on April 24, 2014, and in the estimated amount of \$76,360.58.

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

This the 2nd day of June 2014.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

# RESOLUTIONS

**CITY COUNCIL MEMORANDUM**  
**14-17**

DATE: May 6, 2014  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: CHANGING E. MADISON ROAD TO A TWO-WAY STREET

Introduction:

An item for City Council's consideration is a resolution authorizing the conversion of E. Madison Road from a one-way street to a two-way street.

Background:

The Traffic Safety Advisory Board (TSAB) has forwarded a recommendation to change the configuration of E. Madison Road, behind the Broadway Apartments, by returning it to a two-way street as it was originally. With the near completion of the Alexander Inn later this summer, one aspect of the project was the completion of a secondary driveway for access to the site. This is particularly important as it pertains to emergency response and creating grounds that are complimentary to an assisted living center.

The original planned connection required a connection to Broadway along the steep frontage slope (18%). Additionally, significant utility relocation was required if a road was to be constructed on the slope east of the apartments. The Broadway Apartments were approached first about their interests in taking over the city roadway and incorporating it into private parking for the complex. This was rejected by the apartment owners, consequently we now identified that the owner wishes to continue using parking for his complex on the public street.

Historical photos revealed that E. Madison Road has been a two-way street. Past action of the City Council turned it into a one-way street when the Alexander Inn was an active hotel and "cut-through" to Kentucky Avenue. The intent of the Alexander Inn project is to build a gate system for access by personnel and a proposed hammerhead turnaround for the site, if the roadway can return to a two-way street, allowing continued use of the public roadway and access for a private resident to Madison Road.

The TSAB has recommended the return of E. Madison Road to a two-way street in order to allow final improvements to the Alexander Inn project. The TSAB has also included the placement of loading/unloading zones adjacent the Broadway Apartments. No parking would be allowed on the remainder of the street. There is ample street level parking in the front of the apartments along Broadway.

Recommendation:

Approval of the attached resolution is requested.

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

Attachments

## Stanley, Diana

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**From:** Watson, Mark  
**Sent:** Thursday, May 22, 2014 9:31 AM  
**To:** Stanley, Diana  
**Subject:** FW: Alexander Inn and E. Madison Rd.

To be included with Madison Material.....Mark W

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**From:** Rick Dover [mailto:rickdover@familypridecorp.com]  
**Sent:** Friday, May 16, 2014 1:53 PM  
**To:** Watson, Mark  
**Cc:** rnevans; wrassociates@bellsouth.net; 'Daniel Levy '; 'Rick Dover'  
**Subject:** Alexander Inn and E. Madison Rd.

Mr. Mark Watson  
City Manager  
City of Oak Ridge  
PO Box 1  
Oak Ridge, TN 37831

Re; Alexander Inn-E. Madison Rd.

Dear Mark,

After due consideration, I ask that the Oak Ridge City Council proceed at its June 2 meeting with the adoption of the resolution to return E. Madison lane to two way flow. We believe (along with our civil engineer) that this option is far superior to the other options which have been considered. In retrospect, had that option be considered initially, we would never have proposed the driveway across our property from E. Madison down to Broadway. That option has always been minimally viable and esthetically offensive. It is complicated by the steepness of the slope, the awkward degree of cut, the utility interference, and a less than favorable sidewalk alteration at Broadway.

This matter is further complicated in the "driveway" option by the manner in which the city would need public right of way issues addressed, including multiple property owners becoming involved. Our concern is that the whole process could take a long time to work out, and delay opening the Alexander. Time is of the essence for us. We simply cannot afford such a delay.

Thank you for your consideration of this matter.

Sincerely,

Rick Dover  
General Manager  
Family Pride Corporation  
4921 Homberg Drive  
Ste. B2  
Knoxville TN 37919

RICK DOVER  
865.924.0791  
GENERAL MANAGER

FAMILY PRIDE CORPORATION  
1125 GROVE STREET  
LOUDON, TENNESSEE 37774  
EMAIL: RICKDOVER@FAMILYPRIDECORP.COM  
WEBSITE: [WWW.FAMILYPRIDECORP.COM](http://WWW.FAMILYPRIDECORP.COM)

## **Meyers, LaVern**

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**From:** Byrd, Steve  
**Sent:** Monday, April 21, 2014 1:34 PM  
**To:** Watson, Mark  
**Cc:** Meyers, LaVern  
**Subject:** TSAB agenda item.

This is the motion passed at the April 15, 2014 meeting.

Ben Redmond made the following motion, which was seconded and passed unanimously:

"The Traffic Safety Advisory Board recommends to the City Manger to follow the city's plan to convert East Madison Rd to a two-way street, and to include short term loading and unloading zones, unless an alternative plan is presented or accepted by RMS."

This is the motion passed at the April 15, 2014 meeting.

*Steven R. Byrd, P.E.*

Oak Ridge City Engineer  
100 Woodbury Lane  
Oak Ridge, Tennessee 37830  
865-425-1807

**TRAFFIC SAFETY ADVISORY BOARD  
AGENDA**

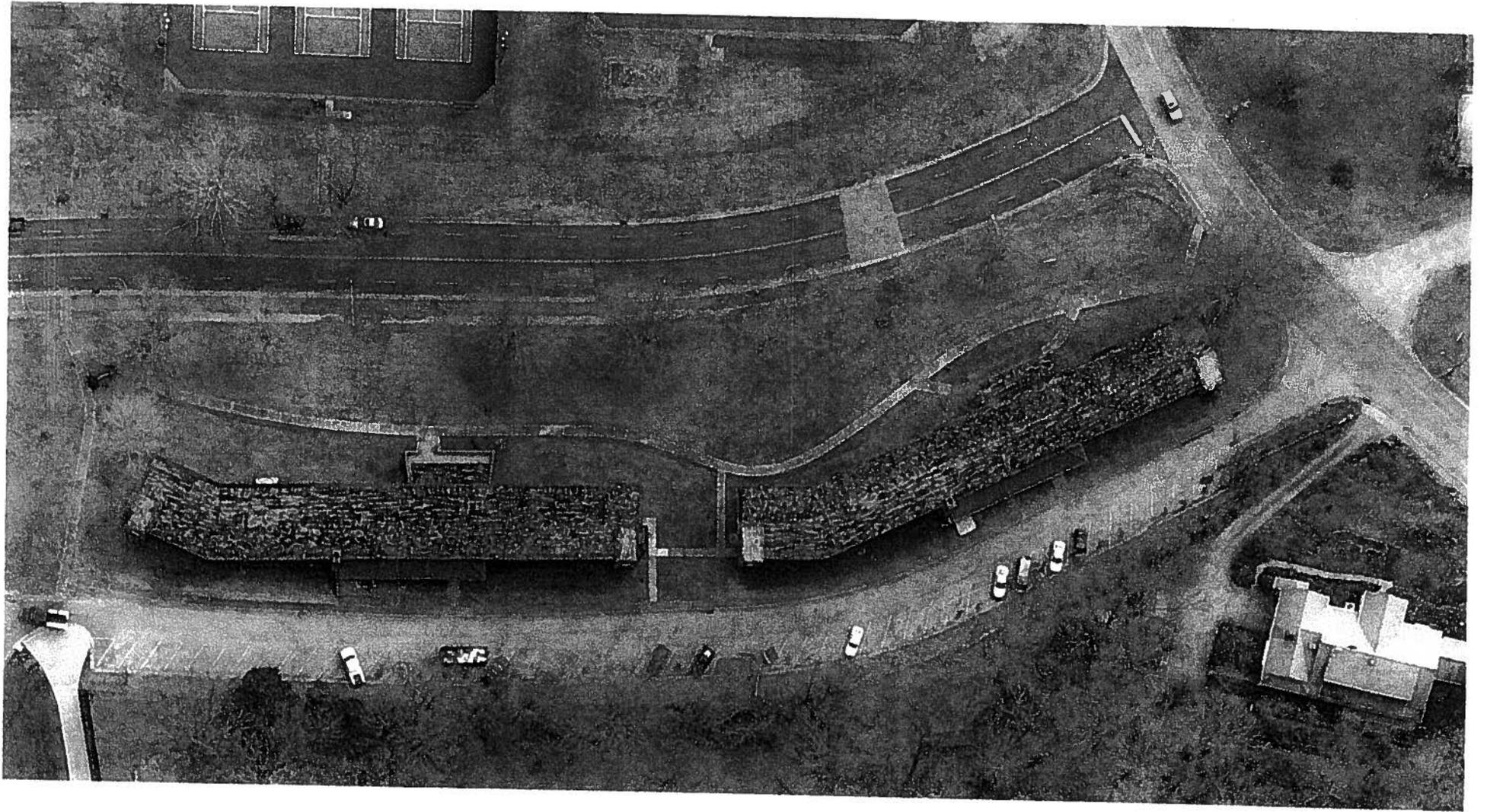
**DATE:** Tuesday, April 15, 2014

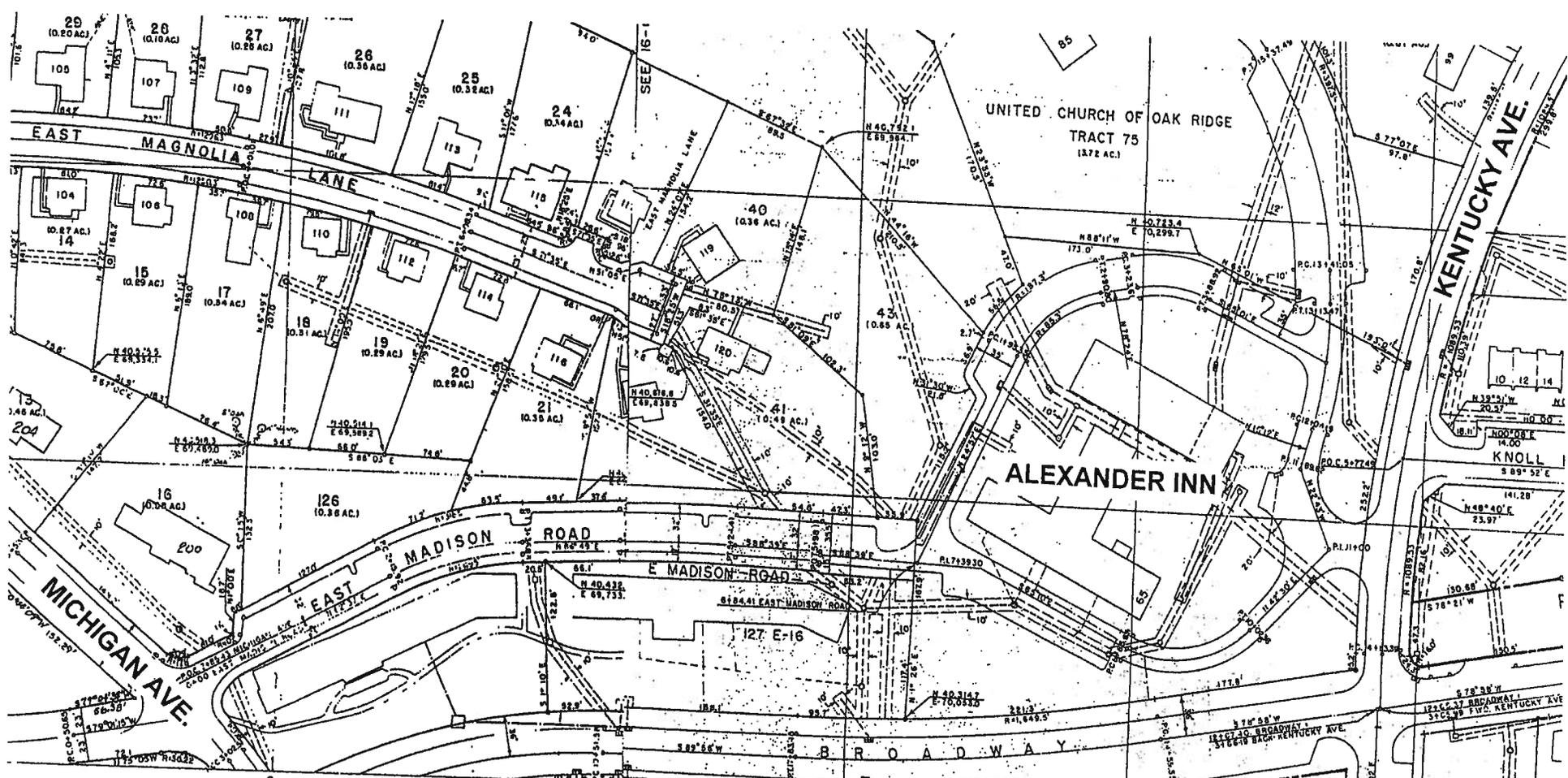
**TIME:** 7:00 PM

**LOCATION:** Municipal Building, Training Room

1. Approval of Minutes from the last meeting.
2. City Manager request TSAB review of a proposal to convert East Madison Road from a one-way street to a two-way street based on the design plans prepared by City staff. TSAB's recommendation to the City Manager is requested by April 21, 2014. A full size set of plans will be available at the meeting. Information provided:
  - Aerial photo
  - Subdivision and street layout
  - Design plan
3. Discussion of the Oak Ridge Turnpike (SR95)/ Oak Ridge High School intersection. Information provided:
  - Aerial photo
  - MUTCD traffic signal Warrant for a School Crossing
  - MUTCD Pedestrian Hybrid Beacon
  - MUTCD Pedestrian Warning Sign Flashing Beacon
  - Updated traffic turning movement count to be provided at the meeting
  - Updated pedestrian count to be provided at the meeting
4. Adjournment.

**If members cannot attend, please call William Polfus at 482-8068.**





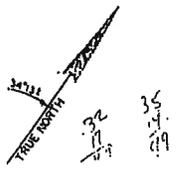
**LEGEND**

- STREET BASE LINE, CURB LINE
- STREET RIGHT OF WAY LINE
- PUBLIC PROPERTY LINE
- EASEMENT LINE BOUNDARY
- LOT LINE WITH IRON PIN
- WATER LINE MAIN
- UNDERGROUND ELECTRIC LINE

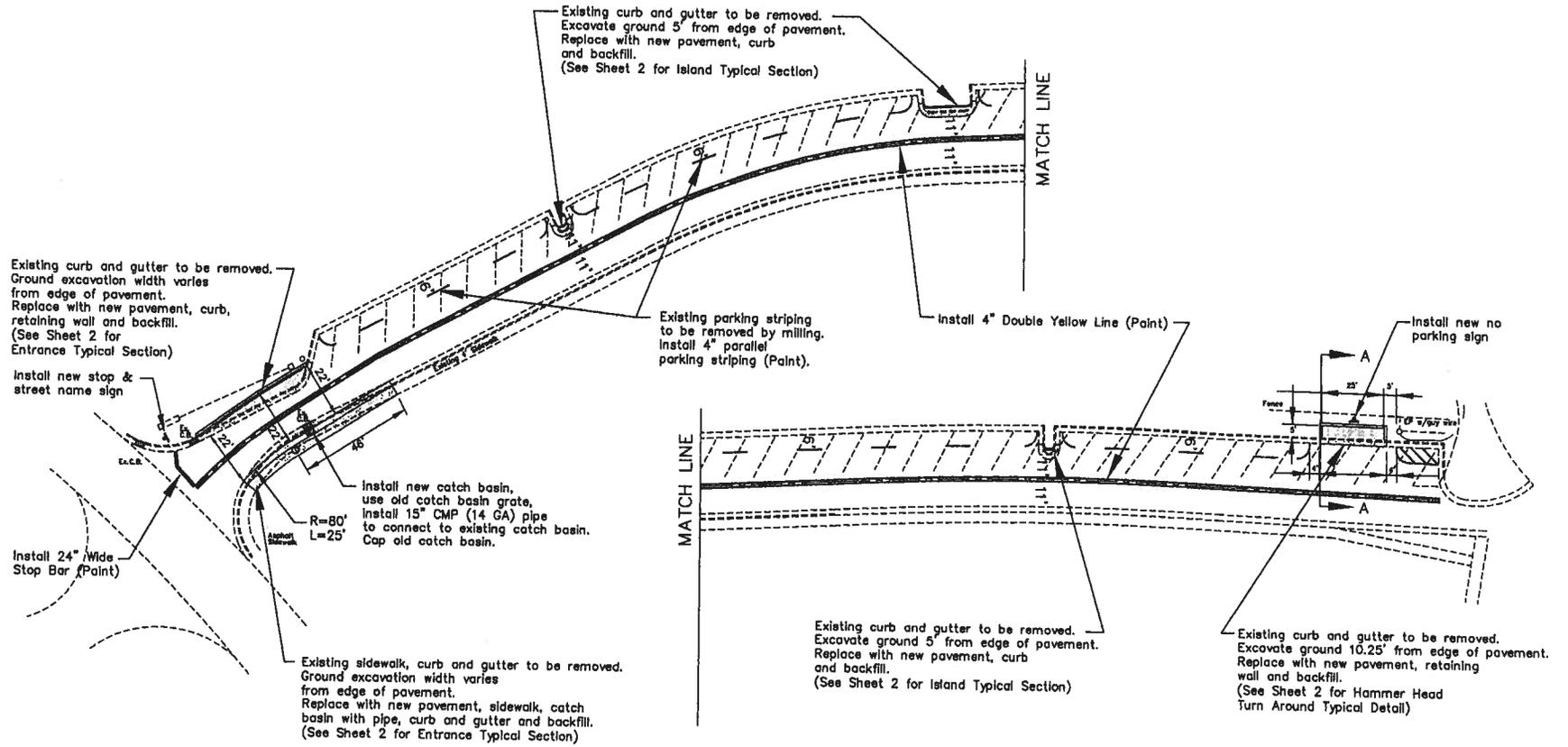
REVISIONS				CITY OF		BLOCK PLAN	
NO.	TYPE	DATE	BY	DATE	BY	NO.	DESCRIPTION
1	Revised W. Maiden Ln lot pins	9-9-54	DEC				
2	Added West Madison Lane, utility mains and revised legend.	12-58	M.F.				
3	Final Revision	1-20-59	L.B.				
4	House Additions	7-63	P.B.				
R. BLOCK PLAN REVISIONS				DATE		BY	
				1-6-59		L.B.	

<b>SUBDIVISION PLAN</b>		<b>SD 16CE</b>	
MICHAEL BAKER, JR., INC.			
APPROVED FOR MICHAEL BAKER, JR., INC.		APPROVED FOR YOUNG, ENERGY CO. INC.	
BY <i>William S. Miller</i>		BY <i>William S. Miller</i>	
SURVEYED BY: J.C.H.		SUBMITTED BY: H.T.B.	
COMPUTED BY: G.L.B.		CHECKED BY:	
		DATE: SEPT 4, 1959	



**NOTES**



**GENERAL NOTES**

1. All elements of construction shall be inspected by City of Oak Ridge (COR) Public Works Engineering.
2. COR shall assist in layout work for street widening.
3. All pavement markings and signs shall be per MUTCD standards. Material specifications shall be submitted to COR prior to ordering material.
4. All base stone and asphalt shall be provided by an approved TDOT material plant.
5. All necessary traffic control measures shall be provided by contractor.
6. Coordination with apartment management is necessary for vehicle displacement for construction elements.

DATE 4/2/14	<b>CITY OF OAK RIDGE</b> PUBLIC WORKS ENGINEERING		
SCALE 1"=20'			
DRAWN BY C. BONINE	PROJECT EAST MADISON ROAD ONE WAY TO TWO WAY STREET ROAD PROJECT	TITLE PLAN SHEET	JOB NO. 02-2014
APPROVED BY S.R.BYRD			SHEET 1

**RESOLUTION**

A RESOLUTION AUTHORIZING THE CONVERSION OF EAST MADISON ROAD FROM A ONE-WAY STREET TO A TWO-WAY STREET.

WHEREAS, East Madison Road is currently a one-way street with exit access through a parking lot located on the adjacent property commonly known as the Alexander Inn (formerly The Guest House); and

WHEREAS, with plans underway by Family Pride Corporation to restore the Alexander Inn building and convert it into an assisted living facility, exit access for East Madison Road through the adjacent property will soon cease; and

WHEREAS, at its April 15, 2014 meeting, the Traffic Safety Advisory Board recommended changing East Madison Road from a one-way street to a two-way street based upon the design plans prepared by City Staff; and

WHEREAS, the City Manager recommends approval of the conversion of East Madison Road into a two-way street with provisions for loading and unloading along the street.

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

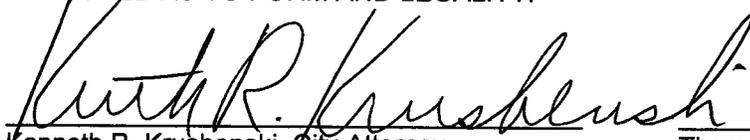
That the recommendation of the City Manager is approved and the City hereby authorizes the conversion of East Madison Road from a one-way street into a two-way street based upon the design plans prepared by City Staff.

BE IT FURTHER RESOLVED that the City is hereby authorized to execute an agreement with Family Pride Corporation's contractor to work on City right-of-way as needed to complete this project.

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

This the 2nd day of June 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

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

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

**PUBLIC WORKS MEMORANDUM**  
**14-13**

**DATE:** May 9, 2014  
**TO:** Mark S. Watson, City Manager  
**FROM:** Gary M. Cinder, P.E., Director of Public Works  
**SUBJECT:** ETTP K-1530 POTABLE WATER STORAGE TANK REHABILITATION

Introduction

An item for City Council's consideration is a contract in the estimated amount of \$699,200.00 to Pittsburg Tank & Tower Company, Inc., Henderson, KY, for the furnishing of labor, materials, equipment and supplies necessary to rehabilitate and repaint the K-1530 steel potable water storage tank at the East Tennessee Technology Park (ETTP), Water Treatment Plant.

Funding

Funding for this project is available in the Waterworks Fund budget. The present Service Agreement with DOE provides for approximately \$660,000 for capital improvements which will serve to offset City costs for this project.

Background

The existing water tank, K-1530 is a 2.5 million gallon potable water storage tank and is one of two potable water tanks acquired during the transfer of the ETTP water treatment plant and water system. The ETTP site was transferred to the City of Oak Ridge (City) from the Department of Energy (DOE) in May of 2008. At that time, these two tanks were due for rehabilitation and repainting. The first tank, K-1529 is a 1.5 million gallon potable water storage tank and total rehabilitation was completed in 2011. K-1530 has been on the schedule for rehabilitation since then.

The work in general consists of replacing the steel roof with a new aluminum geodesic domed roof; cleaning, abrasive-blasting, modifying the tank to bring it up to OSHA standards and painting the interior and exterior surfaces, steel accessories including ladders, handrails, cages, and piping. These tanks will continue to serve as the storage for potable water for all west end development of ETTP and Rarity Ridge.

Recommendation

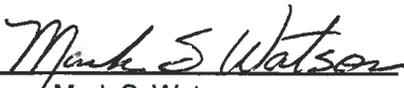
Staff recommends approval of the accompanying resolution for this purchase. Sealed bids were solicited from several companies for this project with Pittsburg Tank & Tower Company, Inc. submitting the best bid.



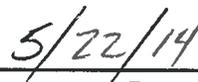
Gary M. Cinder, P.E.

**City Manager's Comments:**

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



Mark S. Watson

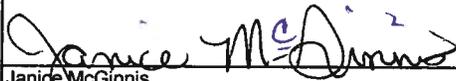


Date

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

FY2015-004

OPENING DATE: May 8, 2014 11:00 A.M.

FOR --- Modifications & Repainting of ETPP K-1530 2.5 MG Water Storage Tank			BIDDER: Pittsburg Tank & Tower Co., Inc. 1 Watertank Pl Henderson, KY 42420		BIDDER: Tank Pro, Inc. 5500 Watermelon Rd. Northport, AL 35473		BIDDER: Caldwell Tanks, Inc., 1300 Louisville Road Harrodsburg, KY 40330		BIDDER: Utility Service Co., Inc. 535 Courtney Hodges Blvd. Perry, GA 31069		
DESCRIPTION	ITEM	QUANTITY	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
THE FURNISHING OF ALL LABOR, MATERIALS, SUPPLIES, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES NECESSARY FOR THE MODIFICATIONS & REPAINTING OF ETPP K-1530 2.5 MG WATER STORAGE TANK CONTRACT PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE, PUBLIC WORKS DEPARTMENT	1			\$ 699,200.00		\$ 792,106.00		\$ 961,800.00		\$ 1,018,500.00	
<b>TOTAL PRICE</b>				\$ 699,200.00		\$ 792,106.00		\$ 961,800.00		\$ 1,018,500.00	
<b>TERMS</b>				Net 30		Net 30		Net 30		Net 30	
<b>DELIVERY</b>				Per Contract		Per Contract		Per Contract		Per Contract	
<b>F.O.B.</b>				Oak Ridge		Oak Ridge		Oak Ridge		Oak Ridge	
<b>VIA</b>				Vendor		Vendor		Vendor		Vendor	
OTHER BIDDERS CONTACTED: Planet, Inc. Rockwood, TN TNEMEC - Kansas City, MO							BIDS OPENED AND RECORDED BY--  Lyn Majeski Accounting Division Manager				
REASON FOR AWARD:				RECOMMEND AWARD BE MADE TO:				BIDS REVIEWED BY--			
ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>				Pittsburg Tank & Tower Co., Inc. 1 Watertank Pl Henderson, KY 42420				 Janice McGinnis Finance Director			

**RESOLUTION**

A RESOLUTION AWARDING A CONTRACT (FY2015-004) TO PITTSBURG TANK & TOWER COMPANY, INC., HENDERSON, KENTUCKY, FOR REHABILITATION AND REPAINTING OF THE STEEL POTABLE WATER STORAGE TANK (K-1530) AT THE EAST TENNESSEE TECHNOLOGY PARK (ETTP) WATER TREATMENT PLANT IN THE ESTIMATED AMOUNT OF \$699,200.00.

WHEREAS, the City of Oak Ridge has issued an invitation to bid for the furnishing of all labor, tools, materials, equipment and supplies necessary for the rehabilitation and repainting of the steel potable water storage tank (K-1530) at the East Tennessee Technology Park (ETTP) Water Treatment Plant; and

WHEREAS, bids were received and publicly opened on May 8, 2014, with Pittsburg Tank & Tower Company, Inc., Henderson, Kentucky, submitting the lowest and best bid, which bid the City Manager recommends be accepted.

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

That the recommendation of the City Manager is approved and award is hereby Pittsburg Tank & Tower Company, Inc. 1 Watertank Place, Henderson, Kentucky 42420, for the furnishing of all labor, tools, materials, equipment and supplies necessary for the rehabilitation and repainting of the steel potable water storage tank (K-1530) at the East Tennessee Technology Park (ETTP) Water Treatment Plant; said award in strict accordance with contract number FY2015-004, the required specifications, and the bid as publicly opened on May 8, 2014, and in the estimated amount of \$699,200.00.

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

This the 2nd day of June 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

**PUBLIC WORKS DEPARTMENT MEMORANDUM  
14-17**

**DATE:** May 16, 2014  
**TO:** Mark S. Watson, City Manager  
**FROM:** Gary M. Cinder, P.E., Public Works Director  
**SUBJECT: EPA REMEDIATION PLAN PROJECT – CONTRACT FY2014-99 Y-12 I**

Introduction

An item for City Council's consideration is award of the construction contract for sewer rehabilitation project, Contract FY2014-99, Y-12 I, in accordance with the EPA Remediation Plan, to Hurst Excavating, LLC in the estimated amount of \$1,170,565.

Funding

The funding for this project is available from the TDEC State Revolving Fund, loan 2013-324, approved by City Council Resolution 2-11-2013 on February 25, 2013 in the amount of \$4,000,000. Attached to this memo is the current cost analysis of the EPA Remediation Plan. The estimated amount of the engineering services and construction for the EPA Remediation Plan is \$23,090,800. The approval of this construction contract will leave a balance of \$11,764,058 to commit to the remaining projects.

Background

The construction contract recommended for approval will include sewer rehabilitation activities in the sewer mini systems W-2, W-3, W-4, W-4A, W-18A, W-19, W-19A, W-21, W-23, W-23A, W-26, W-26A, W-28 and W-34, generally located west of Illinois Avenue, east of Telemann Lane, south of Oak Ridge Turnpike and Gettysburg Avenue in the Woodland neighborhood, north of Bethel Valley Industrial Park. The Park Meade subdivision is included in the Y-12 sewer shed. The work for this contract in general consists of the following:

1. Lining of 2,960 linear feet of existing gravity sewers by the cured-in-place method.
2. Replacement of 8,400 linear feet of existing gravity sewers by the pipe bursting method.
3. Replacement of 1,215 linear feet of existing gravity sewers by open cut method.
4. Construction of 6 point repairs of existing gravity sewers.
5. Installation of 6 new manholes with frames and covers.
6. Rehabilitation of 850 vertical feet of existing sanitary sewer manholes.

Construction for this contract is currently scheduled to begin the first week of August, with completion of the project by March 2015. We are still making up some of the time lost due to the lengthy process of securing the SRF loans. Staff continues to remain confident that the current project schedule will allow us to meet the September 2015 deadline of the EPA Administrative Order. Please see the attached EPA Remediation Plan Project Status for a listing of each project and the next milestone to accomplish and the associated date.

With this construction contract, the Public Works Department will be continuing a public notice procedure that will consist of the following:

- Color coded (green for this specific project) general information letter (copy attached) to all residents on streets within the boundaries of sewer mini systems W-2, W-3, W-4, W-4A, W-18A, W-19, W-19A, W-21, W-23, W-23A, W-26, W-26A, W-28 and W-34
- A second letter with specific information to all residents and/or property owners that will have sewer work performed outside of the street right-of-way (such as their backyard) that will include disturbing structures on the property (fences, driveways, landscaping, storage sheds, etc.).

- A weekly press release to the local media outlets and posted on the City's website, [www.oakridgetn.gov](http://www.oakridgetn.gov).
- Citizens will receive a color coded (green for this specific project) door hanger prior to work beginning in their area.
- The contractor will make every effort to have a personal conversation with each resident or business prior to beginning work on their property.

Recommendation

A requirement of the SRF loan is to forward the contract documents to TDEC for review. Therefore, final award of this contract is subject to TDEC approval. Staff recommends approval of the accompanying resolution.



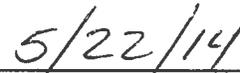
Gary M. Cinder, P.E.

Attachments

EPA Remediation Plan Cost Analysis  
EPA Remediation Plan Project Status  
Sewer Shed Map  
Copy of Notification Letter

**City Manager's Comments:**

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

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



**EPA Remediation Plan Cost Analysis  
As Of May 15, 2014**

<u>PROJECT</u>	<u>REF</u>	<u>CURRENT REMEDIAION PLAN BUDGET</u>	<u>APPROVED</u>	<u>RES</u>	<u>SPENT</u>	<u>PROJECT FUNDS REMAINING</u>	<u>REMEDIAION PLAN FUNDS REMAINING</u>
							\$ 23,090,800
East Plant I (COR 12-16)	1	\$ 894,375	\$ 1,084,952	a,b	\$ 893,375	\$ 1,000	\$ 22,196,425
East Plant II (COR 12-17)	1	\$ 776,268	\$ 830,565	a,b	\$ 701,725	\$ 50,750	\$ 21,443,950
East Plant III (COR 13-06)	2	\$ 4,025,000	\$ 3,975,390	a,c,d	\$ 1,482,838	\$ 2,492,552	\$ 17,468,560
East Plant IV (Contract FY2014-35)	2	\$ 4,535,790	\$ 4,917,353	a,c,e	\$ 1,004,436	\$ 3,912,917	\$ 12,551,207
Central City I (Contract FY2014-98)	3	\$ 2,130,083	\$ 227,159	a,f	\$ 124,930	\$ 102,229	\$ 11,807,988
Y-12 I	3	\$ 2,052,951 *	\$ 44,000	a,g	\$ 42,500	\$ 1,500	\$ 12,035,147
Equalization Basins	2	\$ 6,114,900	\$ 472,060	c	\$ 134,400	\$ 337,660	\$ 12,079,147
West End I	3	\$ 1,279,930	\$ 43,930	a,c	\$ 40,270	\$ 3,660	\$ 11,764,058
Turtle Park I	4	\$ 1,281,503	\$ -		\$ -	\$ -	\$ 11,764,058
<b>TOTAL</b>		<b>\$ 23,090,800</b>	<b>\$ 11,595,409</b>		<b>\$ 4,424,474</b>	<b>\$ 6,902,268</b>	<b>\$ 11,764,058</b>

\*Pending City Council Approval

Projects shaded in gray above are active with East Plant I and East Plant II near project close-out; and East Plant III substantially complete.

**REF (Reference):**

- 1 Primarily funded by TMBF loan
- 2 Primarily funded by SRF 2013-325 (\$14,000,000 loan)
- 3 Primarily funded by SRF 2013-324 (\$4,000,000 loan)
- 4 Primarily funded by SRF 2014-337 (\$3,000,000 loan)

**RES (Resolutions):**

- a 7-67-11 approved 7/11/2011 for engineering services \$ 1,000,000.00
- b 10-78-2012 approved 10/8/2012 for construction \$ 1,655,917.50
- c 6-39-2013 approved 6/10/2013 for LDA services \$ 1,432,000.00
- d 08-75-2013 approved 8/12/2013 for construction \$ 3,334,437.50
- e 10-100-2013 approved 10/14/2013 for construction \$ 4,205,603.00
- f 05-37-2014 approved 5/12/2014 for construction \$ 2,130,083.00
- g Pending approval for construction \$ 1,170,565.00



**EPA Remediation Plan Project Status  
As Of May 15, 2014**

<b>Project Name</b>	<b>Current Status</b>	<b>Upcoming Milestone</b>	<b>Projected Date</b>
East Plant I	Construction Complete	Complete Record Drawings	6/30/2014
East Plant II	Construction Complete	Complete Record Drawings	7/31/2014
East Plant III	Construction Underway	Complete Construction	8/31/2014
East Plant IV	Construction Underway	Complete Construction	11/30/2014
Central City I	TDEC Bid Review	Begin Construction	7/7/2014
Y-12 I	Recommend Contract Award	TDEC Bid Review	7/15/2014
West End I	Engineering Design Complete	TDEC Reviewing	5/15/2014
EQ Basins	Engineering Design 95% Complete	Send to TDEC for Review	5/19/2014
Turtle Park I	Negotiating Design Agreement	Begin Engineering Design	7/15/2014



## **EPA Sewer Work Information**

### **Y-12 I Project**

June 2014

The City of Oak Ridge received an Administrative Order (AO) from the U.S. Environmental Protection Agency in September 2010. The AO directs the City of Oak Ridge to conduct numerous studies, prepare the associated analysis and to undertake significant work activities to eliminate sanitary sewer overflows by September 2015. The studies and analyses have been completed; these identified a tremendous amount of sewer rehabilitation work that will need to be performed throughout the City.

The required sewer rehabilitation work will challenge all of us: citizens, businesses, city staff and contractors performing the work. In order to achieve the best results we will all need to work together. Each individual can contribute to the success of the sewer rehabilitation work by communicating with contractors and having patience as daily routines are impacted.

You are receiving this notification because sewer rehabilitation will begin near your home within the next few weeks. The sewer rehabilitation project consists of a contractor with multiple crews repairing and/or replacing manholes and sewer lines. The rehabilitation work will primarily be in the street right-of-way, but there will be some work required in the City's sewer easements located in the front, back and side yards of some residential properties.

As the contractor performs preconstruction tasks, they will provide to the Oak Ridge Public Works Department a list of addresses that will require work outside of the street right-of-way. For citizens affected by this work, the Public Works Department will (1) telephone the resident and leave a message and/or (2) mail a letter explaining the specific work required in the sewer easement, such as replacing a manhole located in their backyard or removing a fence to repair a sewer line. The letter will contain contact information for the contractor. Each individual is encouraged to call the contractor and discuss the work specific to their property.

**Prior to any work being performed, each resident will receive a door hanger notice (green paper) that will include the contractor's name and phone number. Please look for and keep the door hanger for the duration of the sewer work in your neighborhood.**

With all of us working together, we anticipate few problems and minimal disruption. Please remember that communication is key for the success of the sewer projects. We thank you in advance for working with us.

We are currently updating the EPA information on the City's website at [www.oakridgetn.gov](http://www.oakridgetn.gov) right side of main page, "Learn about the EPA Sewer Work." If you have any questions, concerns or comments about the sewer work required by the AO, please email [pubworksdis@oakridgetn.gov](mailto:pubworksdis@oakridgetn.gov) or call and leave a message at 425-3495.

Thank you again for your cooperation and assistance.

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

FY2014-99

OPENING DATE: May 15, 2014 10:00 A.M.

FOR --- Wastewater System Rehabilitation Program EPA Administrative Order CWA-04-2010-4772			BIDDER: Hurst Excavating, LLC PO Box 5374 Knoxville, TN 37928		BIDDER: Portland Utilities Construction Company, LLC 117 Demase Street Portland, TN 37148		BIDDER: Morgan Contracting, Inc. 6575 Hsy 189 N Baker, FL 32531		BIDDER:		
DESCRIPTION	ITEM	QUANTITY	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
THE FURNISHING OF ALL LABOR, TOOLS, EQUIPMENT AND SUPPLIES NECESSARY TO PERFORM ALL WORK AND SERVICES NECESSARY FOR THE WASTEWATER SYSTEM REHABILITATION PROGRAM CONTRACT PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE, PUBLIC WORKS DEPARTMENT				\$ 1,170,565.00		\$ 1,192,021.21		\$ 1,651,383.00			
<b>TOTAL PRICE</b>			\$ 1,170,565.00		\$ 1,192,021.21		\$ 1,651,383.00		\$ -		
<b>TERMS</b>			Net 30		Net 30		Net 30				
<b>DELIVERY</b>			Per Contract		Per Contract		Per Contract				
<b>F.O.B.</b>			Oak Ridge		Oak Ridge		Oak Ridge				
<b>VIA</b>			Vendor		Vendor		Vendor				
OTHER BIDDERS CONTACTED: Norris Bros. Excavating, LLC - Crossville, TN (Non-Responsive) Layne Inliner - Shawnee, KS Insituform Technologies - Chesterfield, MO							BIDS OPENED AND RECORDED BY--  Lyn Majeski Accounting Division Manager				
<b>REASON FOR AWARD:</b>			<b>RECOMMEND AWARD BE MADE TO:</b>				BIDS REVIEWED BY--				
ONLY BID RECEIVED <input type="checkbox"/>			Hurst Excavating, LLC				 Janice McGinnis				
LOW PRICE <input type="checkbox"/>			PO Box 5374				Finance Director				
BETTER OR REQUIRED DESIGN <input type="checkbox"/>			Knoxville, TN 37928								
EARLY DELIVERY <input type="checkbox"/>											
LOWEST TOTAL COST <input checked="" type="checkbox"/>											

**RESOLUTION**

A RESOLUTION AWARDING A CONTRACT (FY2014-99) TO HURST EXCAVATING, LLC, KNOXVILLE, TENNESSEE, FOR THE WASTEWATER SYSTEM REHABILITATION PROGRAM Y-12 I PROJECT AS REQUIRED FOR COMPLIANCE WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY ADMINISTRATIVE ORDER, SAID CONTRACT IN THE ESTIMATED AMOUNT OF \$1,170,565.00.

WHEREAS, at the September 27, 2010 work session, City Council was briefed by the City Manager and Public Works Director on an Administrative Order with the United States Environmental Protection Agency (EPA) outlining the various studies, plans, and corrective actions to be taken by the City related to the violations determined by the EPA regarding periodic overflows from the sanitary sewer collection system; and

WHEREAS, as part of the Administrative Order, the City is required to develop a plan for complete remediation of the Wastewater Collection and Transportation System, with all remediation work to be completed by September 2015; and

WHEREAS, bids were received and publicly opened on May 15, 2014 for the Wastewater System Rehabilitation Program Y-12 I project with Hurst Excavating, LLC, Knoxville, Tennessee, submitting the lowest and best bid, which bid the City Manager recommends be accepted.

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

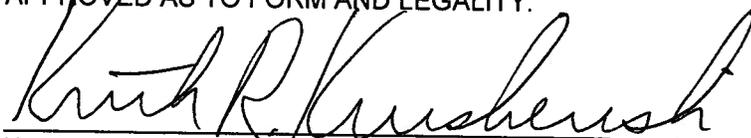
That the recommendation of the City Manager is approved and award is hereby made to Hurst Excavating, LLC, P.O. Box 5374, Knoxville, Tennessee 37928, for the furnishing of all labor, tools, materials, equipment and supplies necessary for the Wastewater System Rehabilitation Program Y-12 I project; said award in strict accordance with Contract FY2014-99, the required specifications, and the bid as publicly opened on May 15, 2014, and in the estimated amount of \$1,170,565.00.

BE IT FURTHER RESOLVED that the scope of the contract may be expanded to address other areas of the sewer system for rehabilitation work provided the type work to be performed is of the type that was originally bid (unit prices) and the contract price remains unchanged.

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

This the 2nd day of June 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

**PERSONNEL DEPARTMENT  
14-044**

May 16, 2014

**TO:** Mark S. Watson, City Manager  
**FROM:** Penelope H. Sissom, Personnel Director  
**SUBJECT:** PROPERTY, LIABILITY AND WORKERS' COMPENSATION INSURANCE

The City has been insured by the Tennessee Municipal League Risk Management Pool for several years for property, liability and workers' compensation insurance and has been satisfied with the relationship and their service. In addition to having established contacts, since all three of these elements are with the Pool, we receive a \$5,000.00 per year full package discount as well as over \$40,000.00 per year savings because the City is a member of TML. We are also able to participate in the Pool's Safety Grant Program which this year enabled us to conduct Motor Vehicle Record checks on all employees at no cost to the City since the Grant paid the \$1,970.00 charge.

In addition to providing our basic insurance the Pool also provides case management for workers' compensation claims, investigative services on all types of claims as requested, free property appraisal of City facilities, consultative engineering services and legal staff for workers' compensation and Federal lawsuits.

As City Council is aware from periodic memoranda from City Attorney Krushenski, the City is involved in several litigation cases in which the Pool is providing legal assistance. We also have some current workers' compensation cases and several long standing injuries that have been settled with open medical. In both the litigation cases and the on-the-job injuries, a monetary relationship would have to continue with the Pool and consistency is paramount to successful litigation.

While the City could go out for bids for property, liability and workers' compensation insurance, there are few companies that provide comprehensive municipal insurance coverage. Historically, we have also found that companies will bid a low amount to get the business; and then come up with significant increases in subsequent years.

The estimated cost for continuing the property, liability and workers' compensation insurance for FY 2015 is \$1,242,000.00, the same amount as the FY2014 estimate. Hopefully, this figure will be adjusted to a lower amount when all claims for FY 2014 are finalized.

If you need additional information, please let me know.

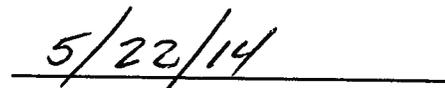
  
Penelope H. Sissom

cc: Janice E. McGinnis, Finance Director

**City Manager's Comments:**

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

  
Mark S. Watson

  
Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO TENNESSEE MUNICIPAL LEAGUE RISK MANAGEMENT POOL FOR PROPERTY, LIABILITY, AND WORKERS' COMPENSATION INSURANCE FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$1,242,000.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2015 (July 1, 2014 through June 30, 2015) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, the Tennessee Municipal League Risk Management Pool (TML) has been the City's provider for property, liability, and workers' compensation insurance for several years; and

WHEREAS, the City receives a discount on these services by using TML for all three types of insurance and receives an additional discount as a TML member city; and

WHEREAS, TML provides satisfactory service to the City for these services, as well as provides case management services for workers' compensation claims, investigative services as requested for various types of claims, free property appraisal services for City facilities, consultative engineering services, and legal services for worker's compensation and certain lawsuits; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to TML for property, liability, and workers' compensation insurance.

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

That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to Tennessee Municipal League Risk Management Pool for property, liability, and workers' compensation insurance for FY2015 (July 1, 2014 through June 30, 2015), in the estimated amount of \$ \$1,242,000.00.

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

This the 2nd day of June 2014.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

**INFORMATION SERVICES MEMORANDUM  
14-01**

TO: Mark Watson  
City Manager

FROM: Amy Fitzgerald  
Government Affairs & Information Services Director

DATE: May 16, 2014

SUBJECT: ANNUAL ORDER – SPECIALIZED PROFESSIONAL SERVICES FOR THE  
INFORMATION SERVICES DEPARTMENT FOR FISCAL YEAR 2015

Introduction

An item for the June 2 City Council agenda is consideration of the attached resolution authorizing a waiver of bids for the provision of specialized professional consulting services to the Information Services Department for Fiscal Year 2015 in the total estimated amount of \$150,000.

Funding

Funds are included in the proposed Fiscal Year 2015 budget and included in the existing property tax and utility rates.

Background

The City has demonstrated a need for temporary technical support, particularly in the Information Services Department, for special projects that require expertise in a timely manner in specific areas such as network, servers, software selection. The expenditures will be made to qualified companies such as Integracon.

The following supplier will be utilized on an as-needed basis throughout the fiscal year for professional services. The providers are chosen based on expertise, quality of service, and continuity of service.

**1. Integracon**

Integracon provides network engineering services, plus materials, personnel and supplies necessary to support the operation and maintenance of virtual infrastructure, networking, and server maintenance to include being 24/7 "on-call" back-up to city staff as needed. The company also provides equipment specifications and recommendations. All equipment purchased through Integracon is quoted following City requirements for purchasing. Integracon is a Knoxville-based company, and has provided services to the City since 2007.

Recommendation

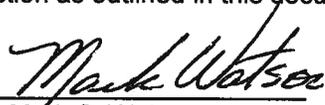
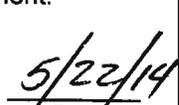
The services outlined herein provide IT support services for the city organization, which allows staff to conduct business and to serve the public in an effective and efficient manner. Staff anticipates issuing a Request for Qualifications for these services during FY15 to help identify additional vendors for this specialized service. As the recommendation is that competitive bids be waived, Council is reminded that a unanimous vote is required for approval.

Staff recommends approval of the attached resolution.

  
\_\_\_\_\_  
Amy S. Fitzgerald

**City Manager's Comments:**

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

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

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AWARDS TO INTEGRACON AND OTHER SUITABLE COMPANIES AS NEEDED FOR FURNISHING TEMPORARY TECHNICAL SUPPORT FOR THE INFORMATION SERVICES DEPARTMENT FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$150,000.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2015 (July 1, 2014 through June 30, 2015) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, the City has utilized the services of Integracon, a Knoxville-based company, since 2007 for support services of the City's virtual infrastructure, networking, and server maintenance; and

WHEREAS, the City Manager recommends that competitive bids be waived and awards be made to Integracon and other suitable companies as needed for furnishing temporary technical support for the Information Services Department.

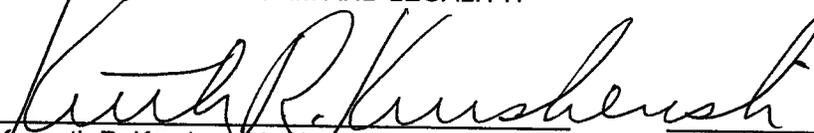
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to Integracon and other suitable companies as needed for furnishing temporary technical support for the Information Services Department for FY2015 (July 1, 2014 through June 30, 2015), in the estimated amount of \$150,000.00

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute contracts for and on behalf of the City of Oak Ridge in connection with supplying the above services, where required by law.

This the 2nd day of June 2014.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

**POLICE DEPARTMENT MEMORANDUM**

**14-04**

**DATE:** May 16, 2014  
**TO:** Mark S. Watson, City Manager  
**FROM:** Michael D. Uher, Captain  
**THROUGH:** James T. Akagi, Police Chief   
**SUBJECT:** MOTOROLA SYSTEMS MAINTENANCE AGREEMENT

Introduction

An item for City Council's consideration of a resolution for a maintenance agreement with Motorola for the 800 MHz Trunked Communications System in the estimated amount of \$84,000.00.

Funding

This agreement is funded as part of the Emergency Communications District Fund.

Consideration

The City has held an agreement with Motorola for a number of years to provide maintenance to a communication system that is critical to providing 911 services to the citizens of Oak Ridge. Based on the critical nature of this communication system, it is imperative that the maintenance contract does not lapse as costs would be significant if a failure were to occur with no contract in place. Advantageously, customers who are on a maintenance plan receive service before non-contractual customers.

Also, City employees rely on this Communication Service to perform their daily tasks and it would create a crisis situation if the Emergency Communication Center was unable to communicate with Public Safety and other departments. Another advantage to this agreement with Motorola Systems is the familiarity and reliability of having a single, consistent vendor. City staff has been pleased with the agreement that has remained in place, as well as the services that have been provided by this company.

Based on the consideration provided, staff recommends that the competitive bid process be waived and an award be made to this best provider based on the services provided and the critical nature of the communication systems.

Recommendation

Staff recommends approval of the accompanying resolution. As the recommendation is that competitive bids be waived, council is reminded that a unanimous vote is required for approval.

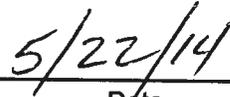
  
\_\_\_\_\_  
Mike Uher

**City Manager's Comments:**

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



Mark S. Watson



Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., FOR FURNISHING OF MAINTENANCE OF THE 800 MHZ TRUNKED COMMUNICATIONS SYSTEM FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$84,000.00.

WHEREAS, the City of Oak Ridge has a need for certain routine materials, equipment and services during Fiscal Year 2015 (July 1, 2014 through June 30, 2015) that do not lend themselves to the normal competitive bidding procedure; and

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

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

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

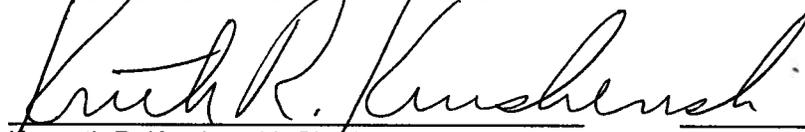
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to Motorola Communications and Electronics, Inc., for the furnishing of maintenance of the 800 MHz Trunked Communications System for Fiscal Year 2015 (July 1, 2014 through June 30, 2015), in the estimated amount of \$84,000.00.

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

This the 2nd day of June 2014.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**POLICE DEPARTMENT MEMORANDUM**

**14-06**

**DATE:** May 15, 2014  
**TO:** Mark S. Watson, City Manager  
**FROM:** Michael D. Uher, Captain  
**THROUGH:** James T. Akagi, Chief of Police  
**SUBJECT:** ANNUAL MAINTENANCE TRITECH SOFTWARE SYSTEMS

Introduction

An item for City Council's consideration is a yearly annual maintenance agreement with Trittech Software Systems in the estimated amount of \$79,982.86.

Funding

Funds for this agreement are available in the Equipment Replacement Rental Fund.

Consideration

Trittech is a software systems corporation and the sole source provider of their products and services. The City of Oak Ridge Police and Information Services Departments are currently contracted with TriTech for annual maintenance, upgrades, and services for workstations, mobile servers, remote support connectivity, and mobile records management.

During FY 2015, the Police Department and Information Services will be working with the City's new software vendor, Spillman Technologies, for integrated hardware, software, and technical support services for the Police Department as approved by Resolution No. 02-13-2014.

During this transition from TriTech applications to Spillman applications, the Police Department will still need to utilize and operate on systems from TriTech and it is imperative that all system components with TriTech be available for daily operations and to support data migration until the projected live date for the new Spillman Technologies systems in May of 2015.

Based on the criticality of the Oak Ridge Police Department's availability to TriTech services, staff recommends that the competitive bid process be waived and an award be made to TriTech services based during the department's transition period to their new software vendor.

Recommendation

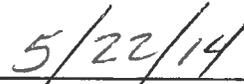
Staff recommends approval of the accompanying resolution. As the recommendation is that competitive bids be waived, council is reminded that a unanimous vote is required for approval.

Attachment(s)

  
\_\_\_\_\_  
Mike Uher

**City Manager's Comments:**

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

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

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO TRITECH SOFTWARE SYSTEMS FOR FURNISHING ANNUAL MAINTENANCE FOR THE PUBLIC SAFETY COMPUTER SYSTEM SOFTWARE FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$79,982.86.

WHEREAS, the City of Oak Ridge has a need for certain routine materials, equipment and services during Fiscal Year 2015 (July 1, 2014 through June 30, 2015) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, TriTech Software Solutions is the sole supplier of upgrades and field support for the City's current public safety computer system software and, as such, a maintenance agreement is needed for Fiscal Year 2015 as the Police Department migrates to the new software system to be provided by Spillman Technologies (as approved by Resolution 2-13-2014) which is scheduled to go live May 2015; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to TriTech Software Solutions.

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

That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to TriTech Software Systems as the sole supplier of upgrades and field support for the public safety computer system software for Fiscal Year 2015 (July 1, 2014 through June 30, 2015), in the estimated amount of \$79,982.86

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

This the 2nd day of June 2014.

APPROVED AS TO FORM AND LEGALITY:



\_\_\_\_\_

Kenneth R. Krushenski, City Attorney

\_\_\_\_\_

Thomas L. Beehan, Mayor

\_\_\_\_\_

Diana R. Stanley, City Clerk

**CITY COUNCIL MEMORANDUM**  
**14-18**

**DATE:** May 27, 2014  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Mark S. Watson, City Manager  
**SUBJECT:** PROFESSIONAL SERVICES AGREEMENT WITH THE FERGUSON GROUP, LLC,  
FOR FY 2015

Introduction

An item for City Council's consideration is a resolution to approve a professional services agreement with The Ferguson Group, LLC, for Fiscal Year 2015.

Funding

Funding will be included in the FY 2015 budget as part of an activity in the City Manager's Budget.

Review

For several years, the City has been utilizing the services of The Ferguson Group, LLC, for consulting services to support and approve a federal government relations agenda and action plan. The professional services agreement is attached, which contains the same terms and conditions as were approved by City Council for Fiscal Year 2014. The services will be provided on an hourly basis at the rate of \$425.00 per hour with an initial amount established at \$30,000.00 plus \$5,000.00 for expenses. Any additional hours over the \$30,000.00 must be approved by the City Manager.

Recommendation

Staff recommends approval of the attached resolution.

  
\_\_\_\_\_  
Mark S. Watson  
City Manager

Attachment

**RESOLUTION**

A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH THE FERGUSON GROUP, LLC, WASHINGTON, D.C., FOR THE PROVISION OF CONSULTING SERVICES TO PROVIDE GRANT SUPPORT AND TO DEVELOP A COMPREHENSIVE FEDERAL GOVERNMENT RELATIONS AGENDA AND ACTION PLAN FOR AGREED UPON PRIORITIES FOR THE CITY IN THE AMOUNT OF \$30,000.00 AT A MAXIMUM RATE OF \$425.00 PER HOUR WITH AN ALLOWANCE OF \$5,000.00 FOR EXPENSES.

WHEREAS, by Resolution 6-41-2013, City Council approved a Professional Services Agreement between the City of Oak Ridge and The Ferguson Group, LLC, Washington, D.C., to provide consulting services to develop a comprehensive federal government relations agenda and action plan for agreed upon priorities for the City for Fiscal Year 2014 in the amount of \$30,000.00 at a maximum rate of \$425.00 per hour with an allowance of \$5,000.00 for expenses; and

WHEREAS, the current agreement expires on June 30, 2014; and

WHEREAS, the Ferguson Group will provide an hourly rate structure of the employees which will serve as a billing guide for their professional services; and

WHEREAS, the City Manager recommends approval of a Professional Services Agreement with The Ferguson Group, LLC, for Fiscal Year 2015 upon the same terms and conditions as the current agreement with the hourly rate schedule submitted by the Ferguson Group as an addendum to said Professional Services Agreement.

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

That the recommendation of the City Manager is approved and the attached Professional Services Agreement between the City of Oak Ridge and The Ferguson Group, LLC, 1130 Connecticut Avenue, Suite 300, Washington, D.C. 20036, for the provision of consulting services to provide grant support and to develop a comprehensive federal government relations agenda and action plan for agreed upon priorities for the City for Fiscal Year 2015, in the amount of \$30,000.00 at the maximum rate of \$425.00 per hour and such other hourly rates as set out in the billing guide provided by the Ferguson Group as an addendum to the Professional Services Agreement with an allowance of \$5,000.00 for expenses.

BE IT FURTHER RESOLVED that any additional hours over the \$30,000.00 cap must be approved by the City Manager.

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

This the 2nd of June 2014.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

## PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement is entered into as of the day of the 2nd day of June 2014 by and between the City of Oak Ridge, Tennessee, hereinafter referred to as the City, and The Ferguson Group, LLC, 1130 Connecticut Avenue, Suite 300, Washington, D.C. 20036, hereinafter referred to as TFG.

WHEREAS, the City desires to engage a professional consulting firm to develop a comprehensive federal government relations agenda and action plan for agreed upon priorities; and

WHEREAS, TFG has provided such services in the past and is willing to provide such services again on behalf of City under the terms and conditions set forth below.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties do hereby agree as follows:

1. ENGAGEMENT OF TFG

The City hereby engages TFG to perform the services hereinafter set forth, and TFG hereby accepts such engagement.

2. SCOPE OF SERVICES

The City desires to engage TFG to develop a comprehensive federal government relations agenda and action plan for agreed upon priorities. TFG shall perform the following services for the City:

- A. Monitor in general terms developments in Washington, D.C. that may influence the City's interests and report such developments that come to the attention of TFG. Counsel with the City and recommend appropriate response to such developments.
- B. Track the introduction and movement through committees of legislation of interest to the City.
- C. Undertake specific assignments as requested by the City from time to time.
- D. Attend City Council meetings with the purpose of reporting on legislative matters.
- E. Provide grant support to the City.

TFG agrees to keep detailed records of activities conducted on behalf of the City and expenses related to the business of the City. TFG agrees to report to the City regularly on the status of the agenda and to advise the City on additional steps to be taken in order to achieve the City's goals and objectives. In addition, TFG agrees to file all required documentation according to the Lobbying Disclosure Act to represent the City before Congress and federal agencies.

3. TERM

This Agreement shall commence on July 1, 2014 and terminate of June 30, 2015, unless terminated earlier as specified in Section 6.

4. COMPENSATION AND EXPENSES

A. Compensation

For the services to be provided under this Agreement, the City shall pay TFG an amount not to exceed \$30,000.00 based upon a maximum rate of \$425.00 per hour and additional hours over the \$30,000.00 cap must be approved by the City Manager. The attached fee/rate structure of TFG employees shall be used as a billing guide for their services.

B. Reimbursable Expenses

TFG shall be entitled to reimbursement of certain expenses which shall not exceed \$5,000.00 during the full term of this Agreement. Reimbursable expenses shall be invoiced separately to the City along with a detailed list of expenses. Reimbursable expenses shall include long distance telephone calls, faxes, document production, overnight delivery, courier services, business meals, out-of-town travel that has been pre-approved by the City, and in-town taxicab transportation within D.C. Similar expenses not specified above may be reimbursable by the City upon approval of the City.

C. Invoices/Billing

Prior to receiving any compensation under this Agreement, TFG shall submit an itemized invoice/bill containing, at a minimum, what services were provided, who provided the service, the hourly rate for each person providing services, and the amount of time spent on the services by each person.

5. ASSISTANCE FROM THE CITY

To assist TFG in performing legal representation, the City shall furnish to TFG, without charge, copies of all available agreements, reports, memoranda, correspondence, ordinances, legislation, rules and regulations, technical data and other information reasonable request by TFG relevant to the services to be provided by TFG.

6. TERMINATION

Either party may terminate this Agreement at any time upon thirty (30) days' written notice to the other party without penalty.

7. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement among the parties with respect to the transactions contemplated by this Agreement, and it supersedes all prior oral or written agreements, commitments or understandings with respect to the matters provided for in this Agreement. No amendment, modification or discharge of this Agreement shall be valid or binding unless set forth in writing and duly executed by the party against whom enforcement of the amendment, modification or discharge is sought.

8. 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.

9. GOVERNING LAW

This Agreement, the rights and obligations of the parties, and any claims or disputes relating thereto shall be governed and construed in accordance with the laws of the State of Tennessee.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed on their behalf, as of the day and year first written above.

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Mayor

THE FERGUSON GROUP, LLC

\_\_\_\_\_  
William Ferguson, Jr.  
Chief Executive Officer

\_\_\_\_\_  
(Already on file)  
Tax ID Number

Attachment: Fee/Rate Structure

Approved by Resolution \_\_\_\_\_

**CITY COUNCIL MEMORANDUM  
14-19**

**DATE:** May 27, 2014  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Mark S. Watson, City Manager  
**SUBJECT:** ECONOMIC DEVELOPMENT SERVICES AGREEMENTS  
RAY EVANS AND STEVE JONES

Introduction

Items for the agenda are resolutions to approve agreements with Ray Evans and Steve Jones for economic development services in an annual estimated amount of \$42,000.00 per contract for FY 2015.

Funding

Funding will be included in the FY 2015 budget under Economic Development Activity for these services.

Consideration

**Ray Evans**

For two (2) consecutive years, the City Council has approved one-year agreements (Resolution No. 7-59-2012 and Resolution No. 8-79-2013) with Ray Evans to provide economic development support services to the City for projects assigned to Mr. Evans by the City Manager.

The contractual arrangements continue to be extremely helpful to the City Manager's Office and private sector developers. The City Manager has been able to rely on Mr. Evan's expertise to ensure timely responses by the City of Oak Ridge to inquiring developers. Throughout the course of the agreements, Mr. Evans has been instrumental in key projects, most notably the ownership transfer of the Oak Ridge Mall, the redevelopment of the Alexander Inn, the pursuance of the Adventure Tourism District designation, and redevelopment of Jackson Square. Additionally, Mr. Evans continues to work with prospects who are interested in pursuing developments in the City of Oak Ridge, including new property owner and private sector inquiries.

In the coming year, some of Mr. Evan's main focus for economic development will include assistance specific to retail and public projects; implement improvements to Horizon Center Industrial Park developments; assist with riverfront developments; as well as assist with additional TIF projects.

The City Manager recommends continuing the contractual services for Mr. Evans for FY 2015 at the same amount that was approved for FY 2014.

**Steve Jones**

On October 14, 2013, City Council approved Resolution No. 10-101-2013 for an agreement with Steve Jones for economic development services for the remainder of FY 2014, specifically with a focus on industrial services and recruitment. Given the pace of city business, it has been advantageous to contract for additional help for economic development, not only for the City Manager, but also for the Ray Evans.

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

Some of Mr. Jones's main focus for economic development will include serving as the City's point-of-contract for industrial and commercial projects; communication with TVA, Innovation Valley and State agencies; support for development of Horizon and Heritage Centers; recruit and strategize with the City Manager on future enhancements to the City's industrial capacities, job diversification, and job creation.

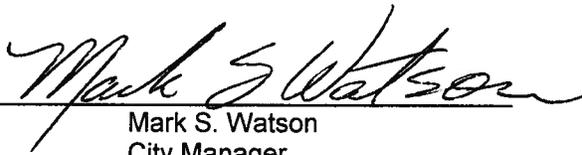
Currently, Steve Jones is working on several large projects, most notably continuing development of Horizon Center, coordination of advance manufacturing projects, and other industrial properties. It is important that Mr. Jones continue his work with these projects in order to help advance the City's industrial developments.

The City Manager recommends continuing the contractual services with Mr. Jones for FY 2015 for \$42,000.00, the same amount to be received by Ray Evans.

Recommendation

Approval of two (2) contracts—one for Ray Evans in the estimated amount of \$42,000.00 and one for Steve Jones in the estimated amount of \$42,000.00—is recommended in keeping with the same pace of economic development in previous fiscal years.

The City Manager recommends approval of the attached resolutions.

  
\_\_\_\_\_  
Mark S. Watson  
City Manager

Attachments

**RESOLUTION**

A RESOLUTION TO APPROVE AN AGREEMENT WITH RAY EVANS FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2015 IN THE AMOUNT OF \$42,000.00.

WHEREAS, by Resolution 8-79-2013, City Council authorized an agreement with Ray Evans for economic development services in the amount of \$42,000.00 for Fiscal Year 2014; and

WHEREAS, this agreement expires on June 30, 2014; and

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

WHEREAS, the City Manager recommends entering into an agreement with Mr. Evans for Fiscal Year 2015 for various economic development services, such as assistance specific to retail and public projects, implementation of improvements to Horizon Center Industrial Park developments, assistance with riverfront developments, and assistance with additional TIF projects

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

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into the attached agreement for Fiscal Year 2015 with Ray Evans for economic development services in the amount of \$42,000.00.

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

This the 2nd day of June 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

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

**AGREEMENT**  
**(Economic Development Support Services)**

This Agreement entered into this 2nd day of June 2014, between the City of Oak Ridge, Tennessee, P.O. Box 1, Oak Ridge, Tennessee 37831, hereinafter referred to as the "City," and Ray Evans, 107 Amanda Place, Oak Ridge, Tennessee 37830, hereinafter referred to as "Mr. Evans."

WITNESSETH:

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

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

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

1. **SCOPE OF SERVICES**

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

- A. To assist and advise the City Manager on City-related details of proposed economic development projects in Oak Ridge, particularly retail and public projects.
- B. Initiate construction and contracts to implement the Jackson Square Tennessee Department of Transportation (TDOT) enhancement grant.
- C. Assist in the implementation and development of the Kroger's Marketplace project and additional TIF projects as required.
- D. Coordinate and respond to out of town developers with necessary community information and with assistance to City contractor Steve Jones and the Oak Ridge Chamber of Commerce.
- E. Serve and assist the City Manager as City point person for project implementation issues with former Oak Ridge Mall properties and implementation of TIF Program.
- F. Advise the City Manager on strategic approaches for developing improved retail activity in Oak Ridge, sustainability of small businesses, and coordinate with City departments.
- G. Implement necessary improvements to Horizon Center Industrial Park Developments in support of the Industrial Development Board (IDB) as requested.
- H. Assist the City Manager on riverfront development projects.

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

2. **COMMENCEMENT**

The services under this Agreement shall commence on July 1, 2014 and shall terminate on June 30, 2015, unless terminated earlier by the City under Section 13.

3. COMPENSATION

The total compensation to be paid to Mr. Evans by the City is estimated to not exceed \$42,000.00, which is based upon the City compensating Mr. Evans at a rate of \$3,500.00 per month for services rendered. Mr. Evans shall provide monthly summaries to the City Manager by email for services completed, which services must be completed to the City's satisfaction. Mr. Evans shall also meet in person with the City Manager no less than once every two weeks to discuss projects and services.

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

4. ASSISTANCE FROM CITY

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

5. NO DISCRIMINATION

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

6. INSURANCE

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

7. INDEMNIFICATION

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

8. AMENDMENTS

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

9. ASSIGNMENT

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

10. COMPLIANCE WITH APPLICABLE LAWS

Mr. Evans shall comply with all applicable federal, state, county and local laws, ordinances, statutes, rules and regulations related to the performance of the services under this Agreement,

and would be subject to all the same laws, ordinances, codes, and policies related to ethics and conflicts of interests as applies to regular city employees.

11. INDEPENDENT CONTRACTORS

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

12. NOTICE

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

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

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

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

13. TERMINATION

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

14. GOVERNING LAW

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

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Mayor

RAY EVANS

\_\_\_\_\_  
Signature

Approved by Resolution \_\_\_\_\_

**RESOLUTION**

A RESOLUTION TO APPROVE AN AGREEMENT WITH STEVE JONES FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2015 IN THE AMOUNT OF \$42,000.00.

WHEREAS, by Resolution 10-101-2013, City Council authorized an agreement with Steve Jones for economic development services in the amount of \$28,000.00 for the remainder of Fiscal Year 2014; and

WHEREAS, this agreement expires on June 30, 2014; and

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

WHEREAS, the City Manager recommends entering into an agreement with Mr. Jones for Fiscal Year 2015 for various economic development services, such as serving as the City's point-of-contract for industrial and commercial projects, support development of Horizon and Heritage Centers, and recruitment and strategize with the City Manager on future enhancements to the City's industrial capacities and job creation.

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

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into the attached agreement for Fiscal Year 2015 with Steve Jones for economic development services in the amount of \$42,000.00.

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

This the 2nd day of June 2014.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**AGREEMENT**  
**(Economic Development Support Services)**

This Agreement entered into this 2nd day of June 2014, between the City of Oak Ridge, Tennessee, P.O. Box 1, Oak Ridge, Tennessee 37831, hereinafter referred to as the "City," and James S. (Steve) Jones, 320 Maple Street, Clinton, Tennessee 37716, hereinafter referred to as "Mr. Jones."

WITNESSETH:

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

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

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

1. **SCOPE OF SERVICES**

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

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

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

2. COMMENCEMENT

The services under this Agreement shall commence on July 1, 2014 and shall terminate on June 30, 2015, unless terminated earlier by the City under Section 13.

3. COMPENSATION

The total compensation to be paid to Mr. Jones by the City is estimated to not exceed \$42,000.00, which is based upon the City compensating Mr. Jones at a rate of \$3,500.00 per month for services rendered. Mr. Jones shall provide monthly summaries to the City Manager by email for services completed, which services must be completed to the City's satisfaction. Mr. Jones shall also meet in person with the City Manager no less than once every two weeks to discuss projects and services.

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

4. ASSISTANCE FROM CITY

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

5. NO DISCRIMINATION

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

6. INSURANCE

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

7. INDEMNIFICATION

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

8. AMENDMENTS

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

9. ASSIGNMENT

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

10. COMPLIANCE WITH APPLICABLE LAWS

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

11. INDEPENDENT CONTRACTORS

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

12. NOTICE

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

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

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

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

13. TERMINATION

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

14. GOVERNING LAW

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

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Mayor

JAMES S. (STEVE) JONES

\_\_\_\_\_  
Signature

Approved by Resolution \_\_\_\_\_

**PUBLIC HEARING  
AND  
FIRST READING  
OF ORDINANCES**

FINANCE DEPARTMENT MEMORANDUM

14-08

**DATE:** May 15, 2014  
**TO:** Mark S. Watson, City Manager  
**FROM:** Janice E. McGinnis, Finance Director  
**SUBJECT:** WASTEWATER ORDINANCE AMENDMENT FOR DOE FACILITIES CHARGE

Introduction

An item for City Council's consideration is an amendment to Wastewater Ordinance Number 21-82 to add Section 13.1 to include a facilities charge to the US Department of Energy's (DOE) monthly wastewater billing for costs related to the construction of the equalization basin near Y-12 (Scarboro Lane EQ Basin) that will service wastewater flow coming out of the federal reservation.

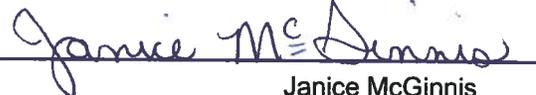
Analysis

Wastewater flows from DOE facilities are estimated to be 67% of the total wastewater flow coming into the Scarboro Lane EQ Basin. Based on a 67% DOE and 33% City split, DOE's share of the costs related to the construction of the Scarboro Lane EQ Basin is estimated to be \$1,407,000. The facilities charge established at \$24,190.49 monthly for a 60 month period beginning in July 2014, is based on an amortization of \$1,407,000 over 60 months at an interest rate equivalent to the State Revolving Loan rate of 1.23%.

Recommendation

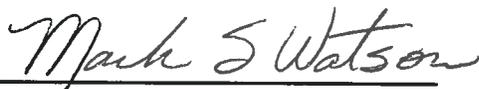
Staff recommends the adoption of the attached ordinance in order to recover costs from DOE related to the construction of the EQ Basin that services wastewater flow from federal reservation facilities. The construction project for the EQ Basin is schedule to be bid before second reading of this wastewater ordinance in July or August. If construction costs come in higher than anticipated, the facilities charge to DOE in this wastewater ordinance can be adjusted at second reading of the ordinance to reflect the actual cost bid for the project construction. The beginning billing month would be adjusted as well depending on the time frame that second reading of the ordinance occurs.

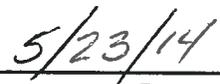
Attachment

  
Janice McGinnis

**City Manager's Comments:**

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

  
Mark S. Watson

  
Date

ORDINANCE NO. \_\_\_\_\_

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 21-82, AS AMENDED, BY ADDING A NEW SECTION 13.1, TITLED "FACILITIES CHARGE," PERTAINING TO THE U.S. DEPARTMENT OF ENERGY'S (DOE) WASTEWATER UTILITY BILLINGS FOR COSTS RELATED TO THE EQUALIZATION BASIN THAT WILL SERVICE THE WASTEWATER FLOW FROM DOE FACILITIES.

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

Section 1. Ordinance No. 21-82, as amended, is hereby amended by adding a new Section 13.1, titled "Facilities Charge," which new section shall read as follows:

Section 13.1 – Facilities Charge

On wastewater billings issued for consumption that occurred from July 2014 through June 2019 (sixty (60) months), the U.S. Department of Energy (DOE) will be billed an additional \$24,190.49 monthly as part of its wastewater utility billings for costs related to the Equalization Basin that will service the wastewater flow from DOE facilities.

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

APPROVED AS TO FORM AND LEGALITY:

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

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

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

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

# FINAL ADOPTION OF ORDINANCES

**CITY CLERK MEMORANDUM**  
**14-35**

**DATE:** May 27, 2014  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Diana R. Stanley, City Clerk  
**SUBJECT:** SUBSTITUTE ZONING ORDINANCE FOR JUNE AGENDA

Attached is the ordinance as approved on first reading during the April 14, 2014 (titled Amended Ordinance Approved on First Reading). However, the Community Development Department has submitted a substitute ordinance for Council's consideration, as recommended by the City Manager, which omits all references to shooting ranges (titled Substitute Ordinance for Second Reading).

The substitute ordinance retains all changes as approved on first reading of the ordinance at the April 14, 2014 City Council meeting. Also included is the material submitted for first reading of the ordinance.

City staff recommends approval of the substitute ordinance.

  
\_\_\_\_\_  
Diana R. Stanley

Attachments

AMENDED ORDINANCE APPROVED ON FIRST READING

ORDINANCE NO. \_\_\_\_\_

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING THE FOLLOWING: ARTICLE II, TITLED "DEFINITIONS" TO UPDATE THE DEFINITION OF "BUSINESS SERVICES" AND TO ADD DEFINITIONS FOR "SPORT SHOOTING RANGE, INDOOR," AND "SPORT SHOOTING RANGE, OUTDOOR"; ARTICLE III, TITLED "GENERAL PROVISIONS," TO ADD A NEW SECTION 3.26, TITLED "SPORT SHOOTING RANGES"; SUBSECTIONS 5.07(C), 5.08(C), 6.01(C), 6.02(C), 7.01(C), 7.02(C), 7.03(C), 7.04(C), 7.05(C), 8.01(D), 8.02(D), 8.03(D), 9.02(C), 9.03(C), AND 9.04(F) TO CHANGE THE PHRASE "USES REQUIRING BOARD OF APPEALS PERMIT" TO "SPECIAL EXCEPTION REQUIRING BOARD OF ZONING APPEALS APPROVAL"; SECTION 5.05, TITLED "R-3, MEDIUM RESIDENTIAL DISTRICT" TO CHANGE THE TITLE TO "R-3, MEDIUM DENSITY RESIDENTIAL DISTRICT," TO REVISE THE PERMITTED PRINCIPAL USE OF BUSINESS AND PROFESSIONAL OFFICES IN SUBPART 4; SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS; SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS AND TO ADD "SPORT SHOOTING RANGES" AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; AND SECTION 11.02, TITLED "REQUIRED OFF-STREET PARKING," TO CLARIFY THE SIDE AND REAR SETBACK REQUIREMENTS FOR R-1-C AND R-2 IN SUBSECTION (E)(2)(A); ALL FOR THE PURPOSES OF ADDRESSING ITEMS THAT WERE ABSENT FROM THE ORDINANCE AND TO UPDATE PROVISIONS IN NEED OF CLARIFICATION.

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

WHEREAS, the amendments will update the Zoning Ordinance to address items that were absent, did not meet the prescribed criteria, and were in need of clarification; and

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

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

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

Section 1. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article II, titled "Definitions," is hereby amended by deleting the definition for "Business Services" in its entirety and substituting therefor a new definition (still in alphabetical order), which new definition shall read as follows:

**ARTICLE II  
DEFINITIONS**

**BUSINESS SERVICES:** Establishments primarily engaged in providing assistance, as opposed to products to other individuals, business, industry, government, and other enterprises, including hotels and other lodging places; personal, business, repair, health, legal, engineering, and other professional services; educational services; membership organizations; and other miscellaneous services.

Section 2. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article II, titled "Definitions," is hereby amended by adding the following new definitions in alphabetical order, which new definitions shall read as follows:

**ARTICLE II**

AMENDED ORDINANCE APPROVED ON FIRST READING

DEFINITIONS

SPORT SHOOTING RANGE, INDOOR: A fully enclosed building or part of building specifically designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include police or military indoor firing ranges operated by any level of government. As used in this section, means any public place or range for shooting and discharging firearms.

SPORT SHOOTING RANGE, OUTDOOR: An outdoor area, not enclosed in a building, designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include police or military firing ranges operated by any level of government, and does not include occasional not-for-profit charitable events (commonly called "turkey shoots").

Section 3. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," is hereby amended by adding a new Section 3.36, titled "Sport Shooting Ranges," which new section shall read as follows:

**Section 3.36. Sport Shooting Ranges**

(a) License Required

No person shall conduct, maintain, operate, or cause to be conducted, maintained or operated, any indoor or outdoor sport shooting range without being licensed through the State of Tennessee Department of Safety and Homeland Security and meet all other applicable state and federal regulations for operating a sport shooting range. Any license or permits required for shooting range activity by any level of government shall be submitted as supporting documentation with the site plan.

(b) Standards, Site Plan

All sport shooting ranges shall be planned, constructed and maintained according to standards that are at least as stringent as the standards contained in the National Rifle Association range manual and the standards set forth by the State of Tennessee Department of Safety and Homeland Security *Handgun Safety School Firing Range Requirements*. The proposed sport shooting range shall be shown on a site plan showing all buildings, firing lines or stations, shooting related activity areas and other areas or structures.

(c) Location

A sport shooting range shall be designed to minimize noise to surrounding properties. No sport shooting range shall be located closer than 1,000 feet (measured from property line to property line) from any school, church, hospital, or other indoor sport shooting range, nor in any location that would constitute a nuisance under the City Code, common law or any other applicable law, statute or regulation, or in a location such that the noise from the indoor sport shooting range would constitute such a nuisance or other violation under the City Code.

(d) Hours of Operation

No sport shooting range shall be operated between the hours of 10:00 p.m. and 7:00 a.m. These hours of operation coincide with allowable decibel levels as

AMENDED ORDINANCE APPROVED ON FIRST READING

defined in Section 12.04 of the Zoning Ordinance.

(e) Safety Rules

In the operation of any sport shooting range, the following safety rules shall at all times be observed:

1. Sport shooting ranges shall contain all projectile and shot fall within the property of the sport shooting range.
2. A lead mitigation plan meeting requirements of the Environmental Protection Agency (EPA) shall be submitted with the site plan.
3. It is the sport shooting range operator's responsibility to determine if a shooter is of appropriate age and has the physical and mental ability to safely utilize the sport shooting range and provide their shooters with appropriate qualified supervision.
4. The sport shooting range shall be properly and adequately ventilated and filtered at all times and comply with all applicable OSHA, NIOSH, EPA standards and any other applicable local, state or federal codes, standards, laws and regulations.

Section 4. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Article VI, titled "Office Districts," Article VII, titled "Parking and Business Districts," Article VIII, titled "Industrial Districts," and Article IX, titled "Special Districts," are hereby amended by changing the phrase "Uses Requiring Board of Appeals Permit" to "Special Exception Requiring Board of Zoning Appeals Approval," in the following subsections: 5.07(c), 5.08(c), 6.01(c), 6.02(c), 7.01(c), 7.02(c), 7.03(c), 7.04(c), 7.05(c), 8.01(d), 8.02(d), 8.03(d), 9.02(c), 9.03(c), and 9.04(f).

Section 5. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.05, titled "R-3, Medium Residential District," is hereby amended by changing the title to "R-3, Medium Density Residential District."

Section 6. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.05, titled "R-3, Medium Density Residential District," Subsection (a), titled "Permitted Principal Uses," is hereby amended by deleting subpart 4 in its entirety and substituting therefor a new subpart 4, which subpart shall read as follows:

**Section 5.05. R-3, Medium Density Residential District**

(a) Permitted Principal Uses:

4. Business and professional offices; including office building uses resulting from professional services, business services, accounting, banking, drafting, and graphic arts.

AMENDED ORDINANCE APPROVED ON FIRST READING

Section 8. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.03, titled "B-2, General Business Districts," Subsection (a), titled "Permitted Principal Uses," is hereby amended by deleting subpart 3 in its entirety and substituting therefor a new subpart 3, which subpart shall read as follows:

**Section 7.03. B-2, General Business Districts**

(a) Permitted Principal Uses:

3. Office building uses resulting from any of the following occupations: professional services, business services, accounting, banking, drafting, and graphic arts.

Section 9. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.04, titled "UB-2, Unified General Business Districts," Subsection (a), titled "Permitted Principal Uses," is hereby amended by deleting subpart 2 in its entirety and substituting therefor a new subpart 2, which subpart shall read as follows:

**Section 7.04. UB-2, Unified General Business Districts**

(a) Permitted Principal Uses:

2. Office building uses resulting from any of the following occupations: professional services, business services, accounting, banking, drafting, and graphic arts.

Section 10. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.04, titled "UB-2, Unified General Business Districts," Subsection (c), titled "Uses Requiring Board of Appeals Permit," is hereby amended by adding a new subpart 11, which subpart shall read as follows:

**Section 7.04. UB-2, Unified General Business Districts**

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

11. Indoor Sport Shooting Range.

Section 11. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article XI, titled "Off Street Parking and Loading Requirements," Section 11.02, titled "Required Off-Street Parking," Subsection (e), titled "Required Yard Parking Regulations," Subpart 2, titled "Parking in Side and Rear Yard," Subparagraph a is hereby deleted in its entirety and substituting therefor a new Subparagraph a, which new subparagraph shall read as follows:

**Section 11.02. Required Off-Street Parking**

e. Required Yard Parking Regulations

2. Parking in Side and Rear Yard.

- a. For single-family detached dwellings and duplexes, residential off-street parking is permitted outside of an approved parking surface only in the side and rear yard provided side and rear yard setbacks are met and the setback area shall remain clear of all vehicles. For the purposes of this subsection, all R-1-C and R-2 side and rear setbacks shall be five (5) feet for parking considerations.

Section 12. This ordinance shall become effective ten (10) days after adoption on second reading, the

AMENDED ORDINANCE APPROVED ON FIRST READING

welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krusherski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

Public Hearing: 04/14/2014

Publication Date: 03/24/2014

First Reading: 04/14/2014

Publication Date: 04/21/2014

Second Reading: 05/12/2014

Publication Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

**COMMUNITY DEVELOPMENT MEMORANDUM  
PLANNING DIVISION  
14-18**

**DATE:** May 16, 2014  
**TO:** Mark Watson, City Manager  
**FROM:** Monica Austin Carroll, Community Development Division Manager  
**THROUGH:** Kathryn Baldwin, Community Development Director  
**SUBJECT:** Zoning Ordinance Amendments

*MAC*  
*KB*

Attached is a substitute ordinance for Council's consideration on second reading. The attached substitute ordinance incorporates the amendments that were made on first reading at the April 14, 2014 City Council meeting - deletion of all references related to transitional housing, and the Not In Our City parking clarification amendments - and removes all references to shooting ranges. Staff requests the substitute ordinance be approved.

SUBSTITUTE ORDINANCE FOR SECOND READING

ORDINANCE NO. \_\_\_\_\_

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING THE FOLLOWING: ARTICLE II, TITLED "DEFINITIONS" TO UPDATE THE DEFINITION OF "BUSINESS SERVICES"; SUBSECTIONS 5.07(C), 5.08(C), 6.01(C), 6.02(C), 7.01(C), 7.02(C), 7.03(C), 7.04(C), 7.05(C), 8.01(D), 8.02(D), 8.03(D), 9.02(C), 9.03(C), AND 9.04(F) TO CHANGE THE PHRASE "USES REQUIRING BOARD OF APPEALS PERMIT" TO "SPECIAL EXCEPTION REQUIRING BOARD OF ZONING APPEALS APPROVAL"; SECTION 5.05, TITLED "R-3, MEDIUM RESIDENTIAL DISTRICT" TO CHANGE THE TITLE TO "R-3, MEDIUM DENSITY RESIDENTIAL DISTRICT," TO REVISE THE PERMITTED PRINCIPAL USE OF BUSINESS AND PROFESSIONAL OFFICES IN SUBPART 4; SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS; SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS; AND SECTION 11.02, TITLED "REQUIRED OFF-STREET PARKING," TO CLARIFY THE SIDE AND REAR SETBACK REQUIREMENTS FOR R-1-C AND R-2 IN SUBSECTION (E)(2)(A); ALL FOR THE PURPOSES OF ADDRESSING ITEMS THAT WERE ABSENT FROM THE ORDINANCE AND TO UPDATE PROVISIONS IN NEED OF CLARIFICATION.

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

WHEREAS, the amendments will update the Zoning Ordinance to address items that were absent, did not meet the prescribed criteria, and were in need of clarification; and

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

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

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

Section 1. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article II, titled "Definitions," is hereby amended by deleting the definition for "Business Services" in its entirety and substituting therefor a new definition (still in alphabetical order), which new definition shall read as follows:

**ARTICLE II  
DEFINITIONS**

**BUSINESS SERVICES:** Establishments primarily engaged in providing assistance, as opposed to products to other individuals, business, industry, government, and other enterprises, including hotels and other lodging places; personal, business, repair, health, legal, engineering, and other professional services; educational services; membership organizations; and other miscellaneous services.

Section 2. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Article VI, titled "Office Districts," Article VII, titled "Parking and Business Districts," Article VIII, titled "Industrial Districts," and Article IX, titled "Special Districts," are hereby amended by changing the phrase "Uses Requiring Board of Appeals Permit" to "Special Exception Requiring Board of Zoning Appeals Approval," in the following subsections: 5.07(c), 5.08(c), 6.01(c), 6.02(c), 7.01(c), 7.02(c), 7.03(c), 7.04(c), 7.05(c), 8.01(d), 8.02(d), 8.03(d), 9.02(c), 9.03(c), and 9.04(f).

## SUBSTITUTE ORDINANCE FOR SECOND READING

Section 3. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.05, titled "R-3, Medium Residential District," is hereby amended by changing the title to "R-3, Medium Density Residential District."

Section 4. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.05, titled "R-3, Medium Density Residential District," Subsection (a), titled "Permitted Principal Uses," is hereby amended by deleting subpart 4 in its entirety and substituting therefor a new subpart 4, which subpart shall read as follows:

### **Section 5.05. R-3, Medium Density Residential District**

(a) Permitted Principal Uses:

4. Business and professional offices; including office building uses resulting from professional services, business services, accounting, banking, drafting, and graphic arts.

Section 5. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.03, titled "B-2, General Business Districts," Subsection (a), titled "Permitted Principal Uses," is hereby amended by deleting subpart 3 in its entirety and substituting therefor a new subpart 3, which subpart shall read as follows:

### **Section 7.03. B-2, General Business Districts**

(a) Permitted Principal Uses:

3. Office building uses resulting from any of the following occupations: professional services, business services, accounting, banking, drafting, and graphic arts.

Section 6. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.04, titled "UB-2, Unified General Business Districts," Subsection (a), titled "Permitted Principal Uses," is hereby amended by deleting subpart 2 in its entirety and substituting therefor a new subpart 2, which subpart shall read as follows:

### **Section 7.04. UB-2, Unified General Business Districts**

(a) Permitted Principal Uses:

2. Office building uses resulting from any of the following occupations: professional services, business services, accounting, banking, drafting, and graphic arts.

Section 7. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article XI, titled "Off Street Parking and Loading Requirements," Section 11.02, titled "Required Off-Street Parking," Subsection (e), titled "Required Yard Parking Regulations," Subpart 2, titled "Parking in Side and Rear Yard," Subparagraph a is hereby deleted in its entirety and substituting therefor a new Subparagraph a, which new subparagraph shall read as follows:

### **Section 11.02. Required Off-Street Parking**

e. Required Yard Parking Regulations

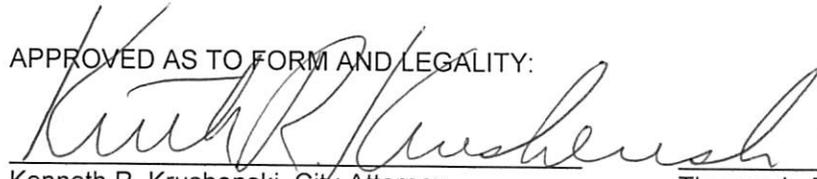
2. Parking in Side and Rear Yard.

SUBSTITUTE ORDINANCE FOR SECOND READING

- a. For single-family detached dwellings and duplexes, residential off-street parking is permitted outside of an approved parking surface only in the side and rear yard provided side and rear yard setbacks are met and the setback area shall remain clear of all vehicles. For the purposes of this subsection, all R-1-C and R-2 side and rear setbacks shall be five (5) feet for parking considerations.

Section 8. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

Public Hearing: 04/14/2014  
Publication Date: 03/24/2014  
First Reading: 04/14/2014  
Publication Date: 04/21/2014  
Second Reading: 06/02/2014  
Publication Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**COMMUNITY DEVELOPMENT MEMORANDUM  
PLANNING DIVISION  
14-11**

**DATE:** March 21, 2014  
**TO:** Mark Watson, City Manager  
**FROM:** Monica Austin Carroll, Community Development Division Manager *MAC*  
**THROUGH:** Kathryn Baldwin, Community Development Director *KB*  
**SUBJECT:** Zoning Ordinance Amendments

Introduction

An item for City Council's consideration is an ordinance to amend several housekeeping items within the Zoning Ordinance. Over the past few months, Planning staff has identified areas in the Zoning Ordinance that were either not addressed, did not meet the criteria as prescribed in our Zoning Ordinance, or needed clarification. Staff felt the issues needed to be addressed in a housekeeping ordinance to formally amend the Zoning Ordinance.

Funding

No funding is necessary for this item.

Analysis

The following is a summary of the changes to the Zoning Ordinance:

- 1. The current Zoning Ordinance does not address sport shooting ranges. Currently, the only similar use located within the City is the Oak Ridge Sportsman Association site, which is zoned RG-1. However, adequate safeguards are needed to address commercial sport shooting ranges, including defining such uses. Add the following definitions to Article II:**

**◆Outdoor Sport Shooting Range**

An outdoor area, not enclosed in a building, designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include police or military firing ranges operated by any level of government, and does not include occasional not-for-profit charitable events (commonly called "turkey shoots").

**◆Indoor Sport Shooting Range**

A fully enclosed building or part of building specifically designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include police or military indoor firing ranges operated by any level of government. As used in this section, means any public place or range for shooting and discharging firearms.

- 2. Add the following supplementary regulations to Article III General Provisions regarding commercial indoor sport shooting ranges. Currently the Zoning Ordinance does not address this use.**

- (a) License Required.

No person shall conduct, maintain, operate, or cause to be conducted, maintained or operated, any indoor or outdoor sport shooting range without being licensed through the State of Tennessee Department of Safety and Homeland Security and meet all other

applicable state and federal regulations for operating a sport shooting range. Any license or permits required for shooting range activity by any level of government shall be submitted as supporting documentation with the site plan.

(b) All sport shooting ranges shall be planned, constructed and maintained according to standards that are at least as stringent as the standards contained in the National Rifle Association range manual and the standards set forth by the State of Tennessee Department of Safety and Homeland Security *Handgun Safety School Firing Range Requirements*. The proposed sport shooting range shall be shown on a site plan showing all buildings, firing lines or stations, shooting related activity areas and other areas or structures.

(c) Location.

Sport shooting range shall be designed to minimize noise to surrounding properties. No indoor sport shooting range shall be located closer than 1,000 feet (measured from property line to property line) from any school, church, hospital, or other indoor sport shooting range, nor in any location that would constitute a nuisance under the Municipal Code, common law or any other applicable law, statute or regulation, or in a location such that the noise from the indoor sport shooting range would constitute such a nuisance or other violation under the Municipal Code.

(d) Hours of Operation.

No indoor sport shooting range shall be operated between the hours of 10:00 p.m. and 7:00 a.m. These hours of operation coincide with allowable decibel levels as defined in Section 12.04 of the Zoning Ordinance.

(e) Safety Rules. In the operation of any sport shooting range, the following safety rules shall at all times be observed:

1. Sport shooting ranges shall contain all projectile and shot fall within the property of the sport shooting range.
2. A lead mitigation plan meeting requirements of the Environmental Protection Agency (EPA) shall be submitted with the site plan.
3. It is the sport shooting range operator's responsibility to determine if a shooter is of appropriate age and has the physical and mental ability to safely utilize the sport shooting range and provide their shooters with appropriate qualified supervision.
4. The sport shooting range shall be properly and adequately ventilated and filtered at all times and comply with all applicable OSHA, NIOSH, EPA standards and any other applicable local, state or federal codes, standards, laws and regulations.

**3. Amend Section 7.04 (c) to add the *Indoor Sport Shooting Range* as a use requiring Board of Zoning Appeals (BZA) approval.**

Staff felt the UB-2 Unified General Business District was an appropriate zoning district for the location of commercial indoor sport shooting ranges because similar uses, such as recreation uses, are allowed with BZA approval. Of the existing commercial districts, this district tends to require additional buffers between non-compatible uses, requires additional setback requirements, and more restrictive allowable uses.

4. The terminology for the list of permitted uses within similar zoning districts is inconsistent; therefore, it creates confusion when determining whether or not similar uses are allowed. The permitted uses identified in the current Zoning Ordinance also still utilize terminology that is no longer applicable with current market trends. The following amendments related to “business services” clarify the definition and ensure that the language is consistent.

**Business Services:** Establishments primarily engaged in providing assistance, as opposed to products *to other* individuals, business, industry, government, and other enterprises, including hotels and other lodging places; personal, business, repair, and amusement services; health, legal, engineering, and other professional services; educational services; membership organizations; and other miscellaneous services.

5. Amend Section 7.03 B-2 General Business Districts (a) Permitted Principal Uses

3. Office building uses resulting from any of the following occupations: executive, administrative, professional *services, business services*, accounting, banking, writing, clerical, stenographic, drafting, *and* graphic arts and sales.

6. Amend Section 7.04 UB-2 Unified General Business Districts (a) Permitted Principal Uses

2. Office building uses resulting from any of the following occupations: executive, administrative, professional *services, business services*, accounting, banking, writing, clerical, stenographic, drafting, *and* graphic arts ~~printing, and sales, including computer, electronic and video sales and services.~~

7. Amend Section 5.05 R-3 Medium Residential District (a) Permitted Principal Uses

4. Business and professional offices; *including office building uses resulting from professional services, business services, accounting, banking, drafting, and graphic arts.*

8. The current Zoning Ordinance does not address transitional housing; however, adequate safeguards are needed to address transitional housing, including defining the use. Add the following new definition to Article II

**Transitional Housing:** A facility operated by a non-profit agency providing temporary housing to indigent, homeless, or transient persons during crisis intervention; may also be integrated with other social services and programs to provide ancillary services such as counseling, vocational training, etc. to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing.

9. Amend Section 3.24 Title to include Transitional Housing for the supplementary regulations listed for permanent and transient group care facilities

Permanent and Transient Group Care Facilities *and Transitional Housing*

10. Add Transitional Housing as a Special Exception Requiring Board of Zoning Appeals (BZA) approval in the following zoning districts: R-2, R-3, and R-4

11. Amend Section 5.07 One-Family Residential Districts, R-1-A/B (c) Use ~~Special Exceptions Requiring Board of Zoning Appeals Approval Permit~~ to have consistent language throughout the Zoning Ordinance and eliminate the following use as a Special Exception in its entirety

2. ~~Permanent and transient~~ group care facilities



TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING THE FOLLOWING: ARTICLE II, TITLED "DEFINITIONS" TO UPDATE THE DEFINITION OF "BUSINESS SERVICES" AND TO ADD DEFINITIONS FOR "SPORT SHOOTING RANGE, INDOOR," "SPORT SHOOTING RANGE, OUTDOOR," AND "TRANSITIONAL HOUSING"; SECTION 3.24, TITLED "PERMANENT AND TRANSIENT GROUP CARE FACILITIES," TO CHANGE THE TITLE TO "PERMANENT AND TRANSIENT GROUP CARE FACILITIES AND TRANSITIONAL HOUSING"; ARTICLE III, TITLED "GENERAL PROVISIONS," TO ADD A NEW SECTION 3.26, TITLED "SPORT SHOOTING RANGES"; SUBSECTIONS 5.07(C), 5.08(C), 6.01(C), 6.02(C), 7.01(C), 7.02(C), 7.03(C), 7.04(C), 7.05(C), 8.01(D), 8.02(D), 8.03(D), 9.02(C), 9.03(C), AND 9.04(F) TO CHANGE THE PHRASE "USES REQUIRING BOARD OF APPEALS PERMIT" TO "SPECIAL EXCEPTION REQUIRING BOARD OF ZONING APPEALS APPROVAL"; SECTION 5.04, TITLED "R-2, LOW DENSITY RESIDENTIAL DISTRICT" TO ADD "TRANSITIONAL HOUSING" AS A NEW USE CATEGORY REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; SECTION 5.05, TITLED "R-3, MEDIUM RESIDENTIAL DISTRICT" TO CHANGE THE TITLE TO "R-3, MEDIUM DENSITY RESIDENTIAL DISTRICT," TO REVISE THE PERMITTED PRINCIPAL USE OF BUSINESS AND PROFESSIONAL OFFICES IN SUBPART 4, AND TO ADD "TRANSITIONAL HOUSING" AS A NEW USE CATEGORY REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; SECTION 5.06, TITLED "R-4, HIGH DENSITY RESIDENTIAL DISTRICT," TO ADD "TRANSITIONAL HOUSING" AS A NEW USE CATEGORY REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; SECTION 5.07, TITLED "ONE-FAMILY RESIDENTIAL DISTRICTS, R-1-A/B," TO DELETE A PERMANENT GROUP CARE FACILITIES AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS; SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS AND TO ADD "SPORT SHOOTING RANGES" AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; AND SECTION 11.02, TITLED "REQUIRED OFF-STREET PARKING," TO CLARIFY THE SIDE AND REAR SETBACK REQUIREMENTS FOR R-1-C AND R-2 IN SUBSECTION (E)(2)(A); ALL FOR THE PURPOSES OF ADDRESSING ITEMS THAT WERE ABSENT FROM THE ORDINANCE AND TO UPDATE PROVISIONS IN NEED OF CLARIFICATION.

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

WHEREAS, the amendments will update the Zoning Ordinance to address items that were absent, did not meet the prescribed criteria, and were in need of clarification; and

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

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

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

Section 1. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article II, titled "Definitions," is hereby amended by deleting the definition for "Business Services" in its entirety and substituting therefor a new definition (still in alphabetical order), which new definition shall read as follows:

**ARTICLE II  
DEFINITIONS**

**BUSINESS SERVICES:** Establishments primarily engaged in providing assistance, as opposed to products to other individuals, business, industry, government, and other enterprises, including hotels and other lodging places; personal, business, repair, health, legal, engineering, and other professional services; educational services; membership organizations; and other miscellaneous services.

Section 2. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article II, titled "Definitions," is hereby amended by adding the following new definitions in alphabetical order, which new definitions shall read as follows:

## **ARTICLE II DEFINITIONS**

**SPORT SHOOTING RANGE, INDOOR:** A fully enclosed building or part of building specifically designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include police or military indoor firing ranges operated by any level of government. As used in this section, means any public place or range for shooting and discharging firearms.

**SPORT SHOOTING RANGE, OUTDOOR:** An outdoor area, not enclosed in a building, designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include police or military firing ranges operated by any level of government, and does not include occasional not-for-profit charitable events (commonly called "turkey shoots").

**TRANSITIONAL HOUSING:** A facility operated by a non-profit agency providing temporary housing to indigent, homeless, or transient persons during crisis intervention; may also be integrated with other social services and programs to provide ancillary services such as counseling, vocational training, etc. to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing.

Section 3. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," is hereby amended by changing the title of Section 3.24 from "Permanent and Transient Group Care Facilities," to "Permanent and Transient Group Care Facilities and Transitional Housing."

Section 4. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," is hereby amended by adding a new Section 3.36, titled "Sport Shooting Ranges," which new section shall read as follows:

### **Section 3.36. Sport Shooting Ranges**

(a) License Required

No person shall conduct, maintain, operate, or cause to be conducted, maintained or operated, any indoor or outdoor sport shooting range without being licensed through the State of Tennessee Department of Safety and Homeland Security and meet all other applicable state and federal regulations for operating a sport shooting range. Any license or permits required for shooting range activity by any level of government shall be submitted as supporting documentation with the site plan.

(b) Standards, Site Plan

All sport shooting ranges shall be planned, constructed and maintained according to standards that are at least as stringent as the standards contained in the National Rifle Association range manual and the standards set forth by the State of Tennessee Department of Safety and Homeland Security *Handgun Safety School Firing Range Requirements*. The proposed sport shooting range shall be shown on a site plan showing all buildings, firing lines or stations, shooting related activity areas and other areas or structures.

(c) Location

A sport shooting range shall be designed to minimize noise to surrounding properties. No sport shooting range shall be located closer than 1,000 feet (measured from property line to property line) from any school, church, hospital, or other indoor sport shooting range, nor in any location that would constitute a nuisance under the City Code, common law or any other applicable law, statute or regulation, or in a location such that the noise from the indoor sport shooting range would constitute such a nuisance or other violation under the City Code.

(d) Hours of Operation

No sport shooting range shall be operated between the hours of 10:00 p.m. and 7:00 a.m. These hours of operation coincide with allowable decibel levels as defined in Section 12.04 of the Zoning Ordinance.

(e) Safety Rules

In the operation of any sport shooting range, the following safety rules shall at all times be observed:

1. Sport shooting ranges shall contain all projectile and shot fall within the property of the sport shooting range.
2. A lead mitigation plan meeting requirements of the Environmental Protection Agency (EPA) shall be submitted with the site plan.
3. It is the sport shooting range operator's responsibility to determine if a shooter is of appropriate age and has the physical and mental ability to safely utilize the sport shooting range and provide their shooters with appropriate qualified supervision.
4. The sport shooting range shall be properly and adequately ventilated and filtered at all times and comply with all applicable OSHA, NIOSH, EPA standards and any other applicable local, state or federal codes, standards, laws and regulations.

Section 5. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Article VI, titled "Office Districts," Article VII, titled "Parking and Business Districts," Article VIII, titled "Industrial Districts," and Article IX, titled "Special Districts," are hereby amended by changing the phrase "Uses Requiring Board of Appeals Permit" to "Special Exception Requiring Board of Zoning Appeals Approval," in the following subsections: 5.07(c), 5.08(c), 6.01(c), 6.02(c), 7.01(c), 7.02(c), 7.03(c), 7.04(c), 7.05(c), 8.01(d), 8.02(d), 8.03(d), 9.02(c), 9.03(c), and 9.04(f).

Section 6. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.04, titled "R-2, Low Density Residential District," Subsection (c), titled "Special Exceptions Requiring Board of Zoning Appeals Approval," is hereby amended by adding a new subpart 6, which new subpart shall read as follows:

**Section 5.04. R-2, Low Density Residential District**

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

6. Transitional housing.

Section 7. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.05, titled "R-3, Medium Residential District," is hereby amended by changing the title to "R-3, Medium Density Residential District."

Section 8. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.05, titled "R-3, Medium Density Residential District," Subsection (a), titled "Permitted Principal Uses," is hereby amended by deleting subpart 4 in its entirety and substituting therefor a new subpart 4, which subpart shall read as follows:

**Section 5.05. R-3, Medium Density Residential District**

(a) Permitted Principal Uses:

4. Business and professional offices; including office building uses resulting from professional services, business services, accounting, banking, drafting, and graphic arts.

Section 9. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.05, titled "R-3, Medium Density Residential District," Subsection (c), titled "Special Exceptions Requiring Board of Zoning Appeals Approval," is hereby amended by adding a new subpart 5, which new subpart shall read as follows:

**Section 5.05. R-3, Medium Density Residential District**

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

5. Transitional housing.

Section 10. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.06, titled "R-4, High Density Residential District," Subsection (c), titled "Special Exceptions Requiring Board of Zoning Appeals Approval," is hereby amended by adding a new subpart 3, which new subpart shall read as follows:

**Section 5.06. R-4, High Density Residential District**

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

3. Transitional housing.

Section 11. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.07, titled "One-Family Residential Districts, R-1-A/B," Subsection (c), titled "Special Exception Requiring Board of Zoning Appeals Approval," is hereby amended by deleting subpart 7 in its entirety without replacement.

Section 12. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.03, titled "B-2, General Business Districts," Subsection (a), titled "Permitted Principal Uses," is hereby amended by deleting subpart 3 in its entirety and substituting therefor a new subpart 3, which subpart shall read as follows:

**Section 7.03. B-2, General Business Districts**

(a) Permitted Principal Uses:

3. Office building uses resulting from any of the following occupations: professional services, business services, accounting, banking, drafting, and graphic arts.

Section 13. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.04, titled "UB-2, Unified General Business Districts," Subsection (a), titled "Permitted Principal Uses," is hereby amended by deleting subpart 2 in its entirety and substituting therefor a new subpart 2, which subpart shall read as follows:

**Section 7.04. UB-2, Unified General Business Districts**

(a) Permitted Principal Uses:

2. Office building uses resulting from any of the following occupations: professional services, business services, accounting, banking, drafting, and graphic arts.

Section 14. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.04, titled "UB-2, Unified General Business Districts," Subsection (c), titled "Uses Requiring Board of Appeals Permit," is hereby amended by adding a new subpart 11, which subpart shall read as follows:

**Section 7.04. UB-2, Unified General Business Districts**

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

11. Indoor Sport Shooting Range.

Section 15. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article XI, titled "Off Street Parking and Loading Requirements," Section 11.02, titled "Required Off-Street Parking," Subsection (e), titled "Required Yard Parking Regulations," Subpart 2, titled "Parking in Side and Rear Yard," Subparagraph a is hereby deleted in its entirety and substituting therefor a new Subparagraph a, which new subparagraph shall read as follows:

**Section 11.02. Required Off-Street Parking**

e. Required Yard Parking Regulations

2. Parking in Side and Rear Yard.
  - a. For single-family detached dwellings and duplexes, residential off-street parking is permitted outside of an approved parking surface only in the side and rear yard provided side and rear yard setbacks are met and the setback area shall remain clear of all vehicles. For the purposes of this

subsection, all R-1-C and R-2 side and rear setbacks shall be five (5) feet.

Section 16. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:

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

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Thomas L. Beehan, Mayor

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Diana R. Stanley, City Clerk

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