

## OAK RIDGE CITY COUNCIL MEETING

Municipal Building Courtroom

September 14, 2015—7:00 p.m.

### AGENDA

#### I. INVOCATION

Reverend Lloyd Johnson, West Village Christian Church

#### II. PLEDGE OF ALLEGIANCE

#### III. ROLL CALL

#### IV. APPEARANCE OF CITIZENS

#### V. PROCLAMATIONS AND PUBLIC RECOGNITIONS

Recognition of the City Council for their support of the organization's Middle School Exchange Program from The Sister City Support Organization.

#### VI. SPECIAL REPORTS

Special Events Advisory Task Force Recommendations delivered by Chair Trina Baughn:

1. A RESOLUTION TO EXPAND THE SCOPE OF THE SECRET CITY FESTIVAL INTO A CELEBRATION OCCURRING WITHIN THE TIMEFRAME OF OCTOBER INTO VETERAN'S DAY (NOVEMBER 11) WITH A MINIMUM DURATION OF ONE WEEK WHICH INCLUDES THE SECRET CITY FESTIVAL.
2. A RESOLUTION DIRECTING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT TO ESTABLISH A 501(C)(3) NON-PROFIT ORGANIZATION WHOSE PURPOSE WILL BE TO ASSUME THE RESPONSIBILITY OF IMPLEMENTING THE SECRET CITY FESTIVAL/CELEBRATION WITH THE GOAL OF THE ORGANIZATION BECOMING SELF-SUSTAINING WITHIN FIVE (5) YEARS.
3. A RESOLUTION TO APPOINT AT THE OCTOBER 2015 CITY COUNCIL MEETING, OR AS SOON THEREAFTER AS PRACTICAL, THE INAUGURAL BOARD OF DIRECTORS FOR THE 501(C)(3) NON-PROFIT ORGANIZATION WHOSE PURPOSE WILL BE TO ASSUME THE RESPONSIBILITY OF IMPLEMENTING THE SECRET CITY FESTIVAL/CELEBRATION.
4. A RESOLUTION TO ENCOURAGE THE 501(C)(3) NON-PROFIT ORGANIZATION WHOSE PURPOSE WILL BE TO ASSUME THE RESPONSIBILITY OF IMPLEMENTING THE SECRET CITY FESTIVAL/CELEBRATION TO DEVELOP A VETERANS THEME FOR THE CELEBRATION AROUND THE ARTS, HISTORY, SCIENCE, AND CULTURE OF THE CITY OF OAK RIDGE EITHER DIRECTLY OR INDIRECTLY WITH OTHER ORGANIZATIONS.
5. A RESOLUTION TO ESTABLISH A FOURTEEN (14) MEMBER BOARD OF DIRECTORS FOR THE 501(C)(3) NON-PROFIT ORGANIZATION WHOSE PURPOSE WILL BE TO ASSUME THE RESPONSIBILITY OF IMPLEMENTING THE SECRET CITY FESTIVAL/CELEBRATION AND TO REQUIRE THE BOARD TO HIRE AN EXECUTIVE DIRECTOR OR CONSULTANT WITHIN

TWELVE (12) MONTHS OF THEIR FIRST MEETING.

VII. CONSENT AGENDA

- a. Approval of the July 27, 2015 City Council Special Meeting Minutes.
- b. Approval of the July 27, 2015 City Council Special Meeting Minutes.
- c. Approval of the August 3, 2015 City Council Special Meeting Minutes.
- d. Approval of the August 10, 2015 City Council Meeting Minutes.
- e. Approval of the August 18, 2015 City Council Special Meeting Minutes.
- f. Approval of a resolution recognizing the 70<sup>th</sup> Anniversary of the surrender documents by Japan (V-J Day) to end World War II.
- g. Approval of a proclamation declaring September 2015 as “Suicide Prevention Month.”
- h. Adoption of a resolution to accept a \$113,623.66.00 reimbursement grant from the State of Tennessee , Department of Military, Tennessee Emergency Management Agency (TEMA) for expenses related to the severe winter storm during February 2015.
- i. Adoption of a resolution authorizing the Mayor and the City Manager to formally support city and community efforts to bring regattas and other rowing events to Oak Ridge through submission of letters and other communications.
- j. Adoption of a resolution approving revised bylaws for the Senior Advisory Board.
- k. Adoption of a resolution to extend the employee medical insurance contract between the City of Oak Ridge and the State of Tennessee Local Government Health Insurance Program for the period of January 1, 2016 through December 31, 2016 at an estimated cost of \$4,520,000.00.
- l. Adoption of a resolution authorizing the application for and acceptance of a grant from the Tennessee Department of Transportation (TDOT) for an Operating Assistance Grant to reimburse the City for up to eighty percent (80%) of the net operating expenses of the City’s public transportation program in the estimated amount of \$165,500.00.
- m. Adoption of a resolution accepting a grant extension through July 31, 2020 from the U.S. Department of Energy (DOE) for the Oral History Project, in the budgeted amount of \$100,000.00 per year subject to availability of DOE funding.

VIII. RESOLUTIONS

- a. A RESOLUTION AUTHORIZING AGREEMENTS WITH SECRET CITY FILMS AND BBB COMMUNICATIONS, LLC, FOR PRESERVATION OF ORAL HISTORIES OF KEY INDIVIDUALS IMPORTANT TO THE HISTORY OF OAK RIDGE IN THE ESTIMATED AMOUNT OF \$35,000.00 EACH.
- b. A RESOLUTION AUTHORIZING THE PURCHASE OF A MEDIUM DUTY 4WD FORD DUMP TRUCK FROM LANDERS FORD, COLLIERVILLE, TENNESSEE, FOR USE BY THE RECREATION AND PARKS DEPARTMENT, IN THE ESTIMATED AMOUNT OF \$49,288.00.
- c. A RESOLUTION APPROVING A CONTRACT WITH GRESHAM, SMITH AND

PARTNERS, NASHVILLE, TENNESSEE, FOR ENGINEERING SERVICES RELATED TO THE RECONSTRUCTION OF A 13KV SPACER CABLE FOR THE ELECTRIC DEPARTMENT IN THE ESTIMATED AMOUNT OF \$56,000.00.

d. A RESOLUTION AWARDING A CONTRACT (FY2016-051) TO FIRST PLACE FINISH, INC., OAK RIDGE, TENNESSEE, FOR THE ABATEMENT AND DEMOLITION OF 105 WADDELL PLACE, A CITY-OWNED RESIDENTIAL STRUCTURE, IN THE ESTIMATED AMOUNT OF \$26,821.00.

e. A RESOLUTION TO AMEND THE POWER CONTRACT WITH THE TENNESSEE VALLEY AUTHORITY AND TO ESTABLISH NEW ELECTRIC RATES EFFECTIVE OCTOBER 2015.

f. CHARTER REVIEW COMMITTEE SELECTION PROCESS:

A RESOLUTION ESTABLISHING THE PROCESS FOR ELECTION OF THE MEMBERS OF THE 2015 CHARTER REVIEW COMMITTEE AND SETTING FORTH THE RESPONSIBILITIES OF THE CHARTER REVIEW COMMITTEE AS ESTABLISHED BY CITY CHARTER. (Option 1)

A RESOLUTION ESTABLISHING THE PROCESS FOR APPOINTMENT OF THE MEMBERS OF THE 2015 CHARTER REVIEW COMMITTEE AND SETTING FORTH THE RESPONSIBILITIES OF THE CHARTER REVIEW COMMITTEE AS ESTABLISHED BY CITY CHARTER. (Option 2)

g. 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.

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

(NONE)

X. FINAL ADOPTION OF ORDINANCES

a. AN ORDINANCE TO AMEND ORDINANCE NO. 17-98 (AS AMENDED), SECTION 1, TO INCREASE THE MONTHLY RESIDENTIAL REFUSE COLLECTION FEE FROM \$7.00 TO \$10.50.

b. AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY AMENDING SECTION 15-114, TITLED "CRASH HELMETS FOR DRIVER AND PASSENGER ON MOTORCYCLE OR MOTOR-DRIVEN CYCLE," AND AMENDING SECTION 15-227, TITLED "USE OF SAFETY BELTS IN PASSENGER VEHICLES"; AND BY CREATING THE FOLLOWING NEW SECTIONS: SECTION 15-132, TITLED "NOTIFICATION OF CHANGE OF ADDRESS AND/OR NAME"; SECTION 15-228, TITLED "ILLUMINATION OF REGISTRATION (LICENSE) PLATE"; AND SECTION 15-349, TITLED "TEXTING WHILE DRIVING PROHIBITED"; WITH ALL AMENDMENTS FOR THE PURPOSE OF BRINGING THE MOTOR VEHICLE PROVISIONS INTO COMPLIANCE WITH STATE LAW.

- XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING
  - a. Elections/Appointments
    - i. City Attorney Evaluation Committee
    - ii. City Manager Evaluation Committee
    - iii. Budget and Finance Committee
  - b. Announcements
  - c. Scheduling
- XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS
- XIII. SUMMARY OF CURRENT EVENTS
  - a. CITY MANAGER'S REPORT
    - Emergency Purchase-Replacements Parts for Emergency Pump Repair at the Turtle Park Sewer Pump Station
  - b. CITY ATTORNEY'S REPORT
- XIV. ADJOURNMENT

# SPECIAL REPORTS

## CITY COUNCIL MEMORANDUM

15-35

**DATE:** September 2, 2015  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Mark S. Watson, City Manager  
**SUBJECT:** SPECIAL EVENTS ADVISORY TASK FORCE RECOMMENDATIONS

### Introduction

Items for City Council's consideration are a series of five (5) resolutions that address each of the Special Events Advisory Task Force's recommendations.

### Background

Resolution No. 02-19-2015 created a seven (7) members Special Events Advisory Task Force for the purpose of providing recommendations on planning, funding review, and execution of all special events managed or supported by the City, with the Task Force providing City Council with a written report in August 2015, and provided for City Council appointments of—Mr. Ben Arnold; Ms. Judi Gray; Mr. Ray Smith; Ms. Kate Groover; Mr. Charlie Hughey; Ms. Michelle Ward; and Mr. Mike Brown—to the task force.

At the task force's July 21 meeting, members voted to provide City Council with five (5) recommendations for consideration. Those recommendations from the task force are as follows:

- 1) Expand the scope of the Secret City Festival into a celebration that occurs within the timeframe of October into Veteran's Day, Nov 11, with a minimum duration of one week and includes the Secret City Festival.
- 2) Establish a 501(c)(3) non-profit to assume the responsibility of implementing the Secret City Celebration with the goal of becoming self-sustaining within five (5) years.
- 3) Appoint the inaugural board of directors of the Secret City Celebration non-profit at the October 2015 City Council meeting.
- 4) Encourage or require the non-profit organization to develop a Veterans theme for the Celebration around the arts, history, science and culture of the City of Oak Ridge either directly or indirectly with other organizations.
- 5) Appoint a board with a minimum of fourteen (14) members, seven (7) of which will include the previously appointed members of the special events advisory task force. In addition, Council will appoint non-voting, ex-officio members as representative members of community organizations with specific areas of expertise. The board shall hire an executive director or consultant within twelve (12) months of their first meeting.

The reasoning of the aforementioned recommendations is detailed in a memorandum provided by the Special Events Advisory Task Force Chair Trina Baughn. City staff has formulated those five (5) recommendations into a series of individual resolutions for Council's review to allow Council to address each one separately. In regards to the resolutions, City Council needs to be aware of the composition of the following resolutions:

*Resolution 3: Appointment of the Boards of Directors:*

This resolution does provide some leniency for City Council to appoint the Board of Directors based on scheduling and the pace of city business if unable to make a determination in October.

*Resolution 4: Development of a Veterans Theme:*

Based on the task force's recommendation, the terminology "encourage" is presented in the resolution. The resolution would need to be amended if Council wishes to make this development a requirement.

*Resolution 5: Board of Directors Composition:*

The Legal Department contacted members of the task force to learn of their interest in serving as a Board of Director. Mr. Charlie Hughey indicated that he cannot serve on the board and staff had not yet received a response from Mr. Ben Arnold at the time this memo was drafted. Given these factors, and potentially others of the Council, the number of board members and any special qualifications of the ex officio members is intentionally left blank and should be determined by City Council as amendments to the resolution.

Recommendation

No specific recommendation is provided as the resolutions are recommendations brought directly to Council from a Council-created task force.



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Mark S. Watson

Attachments  
Resolution No. 02-19-2015  
Secret City Festival Recommended Changes Memo  
Resolutions (5)

**RESOLUTION**

A RESOLUTION TO CREATE A SEVEN (7) MEMBER SPECIAL EVENTS ADVISORY TASK FORCE FOR THE PURPOSE OF PROVIDING RECOMMENDATIONS ON PLANNING, FUNDING REVIEW, AND EXECUTION OF ALL SPECIAL EVENTS MANAGED OR SUPPORTED BY THE CITY, WITH THE TASK FORCE PROVIDING CITY COUNCIL WITH A WRITTEN REPORT IN AUGUST 2015, AND TO APPOINT MEMBERS TO THE TASK FORCE.

WHEREAS, Article III, Section 5, of the Charter of the City of Oak Ridge, Tennessee, provides that City Council shall create by ordinance a personnel advisory board and may create by ordinance, resolution, or motion other long- or short-term advisory boards to the Council or to the City Manager with respect to specific municipal functions as may be deemed necessary; and

WHEREAS, Article III, Section 5, of the Charter of the City of Oak Ridge, Tennessee, further provides that each board shall be prescribed a number of members, the manner of appointment, length of term, and advisory duties; and

WHEREAS, the City Manager recommends creation of Special Events Advisory Task Force for the purpose of providing recommendations on planning, funding review, and execution of all special events managed or supported by the City.

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

That the recommendation of the City Manager is hereby approved and a Special Events Advisory Task Force is hereby created as follows:

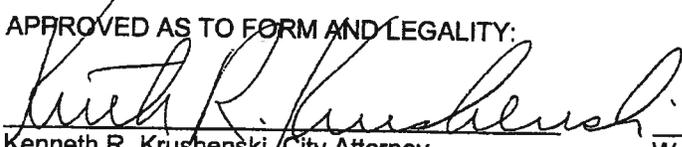
- The Task Force shall be comprised of seven (7) members (each one appointed by a member of City Council) plus three (3) ex officio members (one each from the American Museum of Science and Energy, the Oak Ridge Convention and Visitors Bureau, and the Oak Ridge Recreation and Parks Advisory Board).
- Staff support will be provided by the Recreation and Parks Department Director.
- The purpose of the Task Force is to provide recommendations to City Council on planning, funding review, and execution of all special events managed or supported by the City.
- The Task Force shall meet at least once monthly beginning in February 2015 for a period of six (6) months, and shall provide a written report to City Council of its recommendations in August 2015, with the ability to finalize the report in September 2015 if needed.

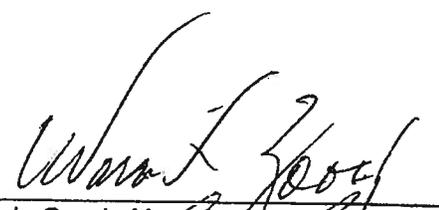
BE IT FURTHER RESOLVED that the Task Force shall terminate upon City Council's receipt of the Task Force's final report.

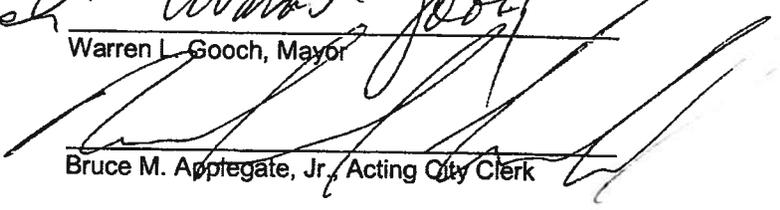
BE IT FURTHER RESOLVED that, upon approval of this resolution, City Council shall immediately appoint the members to the task force.

This the 9th day of February 2015.

APPROVED AS TO FORM AND LEGALITY:

  
Kenneth R. Krushenski, City Attorney

  
Warren L. Gooch, Mayor

  
Bruce M. Applegate, Jr., Acting City Clerk

DATE: August 5, 2015  
TO: Honorable Mayor and Members of City Council  
FROM: Trina Baughn, Chair, Special Events Advisory Task Force  
SUBJECT: Secret City Festival Recommended Changes

### Introduction

An item for the agenda is a set of recommendations provided by the Special Events Advisory Task Force who is recommending expanding the scope of the Secret City Festival into a veteran's themed celebration that occurs sometime between October and Veterans Day, lasting one week and culminating with a festival. The idea is not to limit the celebration to a single event, but to incorporate other activities over an expanded period of time that allow for greater participation by both patrons and various organizations within the community. Additionally, the task force has recommended turning the responsibility of implementing the celebration and festival over to an independent non-profit organization to function similarly to the Dogwood Arts Council.

### Background

At the recommendation of the city manager, at the February 9, 2015, City Council unanimously passed a resolution creating a Special Events Advisory Task Force to review and provide recommendations for city-supported special events. Each council member appointed a designee to form the ad hoc committee and Mayor Gooch appointed myself to chair the committee.

The purpose of the task force was to provide recommendations to City Council on planning, funding review and execution of all special events managed or supported by the City. The committee was tasked with meeting for a period of six months and providing a recommendation to council by August 2015.

In its initial meetings, the committee prioritized its focus on the Secret City Festival based on its understanding that council's expressed concern had primarily been on the festival's financial impact to the taxpayers, its dependence on city staff resources and on its sustainability. The committee studied other events and determined that a six month deadline would not allow time for heavy exploration of other major changes.

### Formal Recommendations

The following recommendations are submitted on behalf of the Special Events Advisory Task Force for council's consideration. While the recommendations were developed with the goal of being implemented collectively, they are submitted separately for ease of discussion and voting purposes. The task force recommends city council:

1. Expand the scope of the Secret City Festival into a celebration that occurs within the timeframe of October into Veteran's Day, Nov 11, with a minimum duration of one week and includes the Secret City Festival.
2. Establish a 501(c)(3) non-profit to assume the responsibility of implementing the Secret City Celebration with the goal of becoming self-sustaining within five (5) years.
3. Appoint the inaugural board of directors of the Secret City Celebration non-profit at the October 2015 City Council meeting.
4. Encourage or require the non-profit organization to develop a Veterans theme for the Celebration around the arts, history, science and culture of the City of Oak Ridge either directly or indirectly with other organizations.
5. Appoint a board with a minimum of fourteen (14) members, seven (7) of which will include the previously appointed members of the special events advisory task force. In addition, Council will appoint non-voting, ex-officio members as representative members of community organizations with specific areas of expertise. The board shall hire an executive director or consultant within twelve (12) months of their first meeting.



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Trina Baughn  
City Councilwoman

**RESOLUTION**

A RESOLUTION TO EXPAND THE SCOPE OF THE SECRET CITY FESTIVAL INTO A CELEBRATION OCCURRING WITHIN THE TIMEFRAME OF OCTOBER INTO VETERAN'S DAY (NOVEMBER 11) WITH A MINIMUM DURATION OF ONE WEEK WHICH INCLUDES THE SECRET CITY FESTIVAL.

WHEREAS, by Resolution 2-19-2015, City Council created a Special Events Advisory Task Force to provide recommendations to City Council on planning, funding review, and execution of all special events managed or supported by the City; and

WHEREAS, Special Events Advisory Task Force Chair provided a verbal report to City Council at the August 10, 2015 regular meeting and written recommendations were submitted to City Council at the August 18, 2015 work session; and

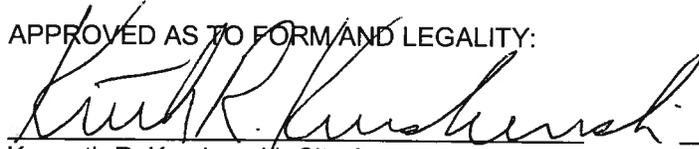
WHEREAS, City Council has considered the written recommendations of the Special Events Advisory Task Force.

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

That, based upon the recommendation of the Special Events Advisory Task Force, City Council hereby expands the scope of the Secret City Festival into a celebration occurring within the timeframe of October into Veteran's Day (November 11) with a minimum duration of one (1) week which includes the Secret City Festival.

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:

  
Kenneth R. Krushenski, City Attorney

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Warren L. Gooch, Mayor

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Diana R. Stanley, City Clerk

**RESOLUTION**

A RESOLUTION DIRECTING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT TO ESTABLISH A 501(C)(3) NON-PROFIT ORGANIZATION WHOSE PURPOSE WILL BE TO ASSUME THE RESPONSIBILITY OF IMPLEMENTING THE SECRET CITY FESTIVAL/CELEBRATION WITH THE GOAL OF THE ORGANIZATION BECOMING SELF-SUSTAINING WITHIN FIVE (5) YEARS.

WHEREAS, by Resolution 2-19-2015, City Council created a Special Events Advisory Task Force to provide recommendations to City Council on planning, funding review, and execution of all special events managed or supported by the City; and

WHEREAS, Special Events Advisory Task Force provided a verbal report to City Council at the August 10, 2015 meeting and written recommendations were submitted to City Council at the August 18, 2015 work session; and

WHEREAS, City Council has considered the written recommendations of the Special Events Advisory Task Force.

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

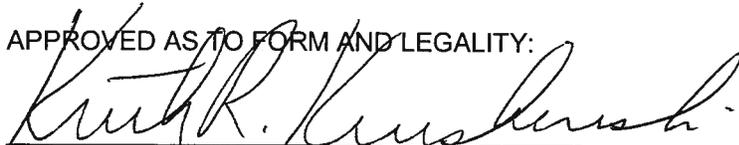
That, based upon the recommendation of the Special Events Advisory Task Force, City Council hereby directs the City Manager to enter into a professional services agreement to establish a 501(c)(3) non-profit organization whose purpose will be to assume responsibility for implementing the Secret City Festival/Celebration with the goal of the organization becoming self-sustaining within five (5) years.

BE IT FURTHER RESOLVED that establishment of the non-profit organization entails selecting a business name related to the organization's purpose, creating and filing the required paperwork such as articles of incorporation, application for state and federal tax exemptions, and creation of bylaws.

BE IT FURTHER RESOLVED that the initial board of directors will be appointed by City Council.

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

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Warren L. Gooch, Mayor

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Diana R. Stanley, City Clerk

**RESOLUTION**

A RESOLUTION TO APPOINT AT THE OCTOBER 2015 CITY COUNCIL MEETING, OR AS SOON THEREAFTER AS PRACTICAL, THE INAUGURAL BOARD OF DIRECTORS FOR THE 501(C)(3) NON-PROFIT ORGANIZATION WHOSE PURPOSE WILL BE TO ASSUME THE RESPONSIBILITY OF IMPLEMENTING THE SECRET CITY FESTIVAL/CELEBRATION.

WHEREAS, by Resolution 2-19-2015, City Council created a Special Events Advisory Task Force to provide recommendations to City Council on planning, funding review, and execution of all special events managed or supported by the City; and

WHEREAS, Special Events Advisory Task Force provided a verbal report to City Council at the August 10, 2015 meeting and written recommendations were submitted to City Council at the August 18, 2015 work session; and

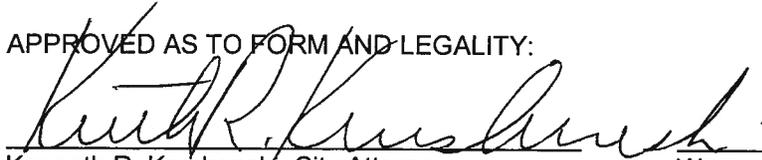
WHEREAS, City Council has considered the written recommendations of the Special Events Advisory Task Force.

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

That, based upon the recommendation of the Special Events Advisory Task Force, City Council will appoint at the October 2015 City Council meeting, or as soon thereafter as practical, the inaugural Board of Directors of the 501(c)(3) non-profit organization whose purpose will be to assume the responsibility of implementing the Secret City Festival/Celebration.

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

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Diana R. Stanley, City Clerk

**RESOLUTION**

A RESOLUTION TO ENCOURAGE THE 501(C)(3) NON-PROFIT ORGANIZATION WHOSE PURPOSE WILL BE TO ASSUME THE RESPONSIBILITY OF IMPLEMENTING THE SECRET CITY FESTIVAL/CELEBRATION TO DEVELOP A VETERANS THEME FOR THE CELEBRATION AROUND THE ARTS, HISTORY, SCIENCE, AND CULTURE OF THE CITY OF OAK RIDGE EITHER DIRECTLY OR INDIRECTLY WITH OTHER ORGANIZATIONS.

WHEREAS, by Resolution 2-19-2015, City Council created a Special Events Advisory Task Force to provide recommendations to City Council on planning, funding review, and execution of all special events managed or supported by the City; and

WHEREAS, Special Events Advisory Task Force provided a verbal report to City Council at the August 10, 2015 meeting and written recommendations were submitted to City Council at the August 18, 2015 work session; and

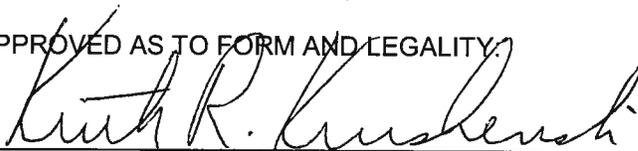
WHEREAS, City Council has considered the written recommendations of the Special Events Advisory Task Force.

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

That, based upon the recommendation of the Special Events Advisory Task Force, City Council hereby encourages the 501(c)(3) non-profit organization whose purpose will be to assume responsibility for implementing the Secret City Festival/Celebration to develop a Veterans theme for the celebration around the arts, history, science, and culture of the City of Oak Ridge either directly or indirectly with other organizations.

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Warren L. Gooch, Mayor

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

**RESOLUTION**

A RESOLUTION TO ESTABLISH A FOURTEEN (14) MEMBER BOARD OF DIRECTORS FOR THE 501(C)(3) NON-PROFIT ORGANIZATION WHOSE PURPOSE WILL BE TO ASSUME THE RESPONSIBILITY OF IMPLEMENTING THE SECRET CITY FESTIVAL/CELEBRATION AND TO REQUIRE THE BOARD TO HIRE AN EXECUTIVE DIRECTOR OR CONSULTANT WITHIN TWELVE (12) MONTHS OF THEIR FIRST MEETING.

WHEREAS, by Resolution 2-19-2015, City Council created a Special Events Advisory Task Force to provide recommendations to City Council on planning, funding review, and execution of all special events managed or supported by the City; and

WHEREAS, Special Events Advisory Task Force provided a verbal report to City Council at the August 10, 2015 meeting and written recommendations were submitted to City Council at the August 18, 2015 work session; and

WHEREAS, City Council has considered the written recommendations of the Special Events Advisory Task Force.

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

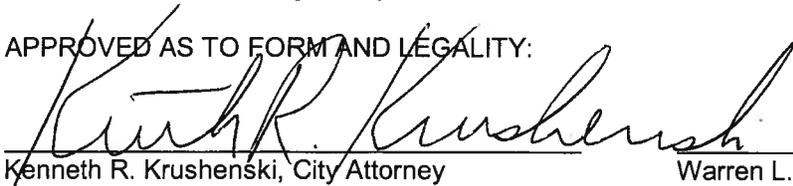
That, based upon the recommendation of the Special Events Advisory Task Force, City Council hereby establishes the board of directors for the 501(c)(3) non-profit organization whose purpose will be to assume the responsibility of implementing the Secret City Festival/Celebration as follows:

- The board shall be comprised of fourteen (14) members, which shall include six (6) members of the Special Events Advisory Task Force created by Resolution 2-19-2015 who are interested in and able to serve on the board: Ben Arnold, Mike Brown, Judi Gray, Kate Groover, Ray Smith, and Michelle Ward.
- There shall be (insert number) non-voting, ex officio members as representative members of the community organizations with specific areas of expertise as follows: (insert areas of expertise or simply determine the community organizations to be represented).

BE IT FURTHER RESOLVED THAT the Board of Directors shall hire an executive director or consultant within twelve (12) months of their first meeting.

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Goch, Mayor

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Diana R. Stanley, City Clerk

# CONSENT AGENDA

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

July 27, 2015

The special meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on July 27, 2015 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

**ROLL CALL**

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

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

**PUBLIC HEARING AND FINAL ADOPTION OF AN ORDINANCE**

**Ordinance No. 11-2015**

**AN ORDINANCE TO PROVIDE FOR A BUDGET AND APPROPRIATIONS FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR WHICH BEGAN JULY 1, 2015 BY ADOPTING A BUDGET AND ADOPTING APPROPRIATIONS.**

At the request of the Mayor, the City Manager explained that the July 27, 2015 Special Meeting did not include any staff recommendations or requests of the City Council regarding discussions on contractual operation of the Oak Ridge Public Library.

Following the explanation, Mayor Gooch opened the floor to receive comments on the appropriation ordinance as part of the scheduled public hearing:

Mr. Leonard Abbatiello, 110 Dover Lane, provided remarks regarding the City's tax rate and its relationship to business competitiveness and sustainability.

Mr. Martin McBride, 954 West Outer Drive, commented regarding the future competitiveness of the City of Oak Ridge's tax rate when compared to other areas and remarked about the Department of Energy (DOE) providing better support on encouraging Oak Ridge residency of their employees.

Ms. Susan Moore, Program Manager for the Healthy Families of Tennessee Program, commented about the support that the program had received from the community, validation of the program, and requested full funding restoration of the program from the City of Oak Ridge.

Ms. Marjorie Appleburn, Home Visitor with Healthy Families of Tennessee Program, expressed her support for the Healthy Start Program and noted the positive impact that the preventative assistance provides mothers.

Mr. Keys Fillauer, 17 Palisades Parkway and Chairman of the Board of Education, commented about the positive working relationship between the Oak Ridge Schools and the City of Oak Ridge throughout the FY2016 budget process and that City Council consider the City's budget in relation to the future of the community.

Mr. Bob Eby, 101 Winston Lane and Vice Chairman of the Board of Education, requested that City Council consider a tax rate that would help fund a 3% salary increase for the Oak Ridge School Staff.

Mr. David Kitzmiller, 144 Wellington Circle, commented that the proposed \$2.52 tax rate does not adequately fund the capital needs of the City and consider competitive measures of a tax rate in relation to surrounding areas.

Mr. Elaine Culbert, 106 Deerfield Lane, expressed her support for the Healthy Start of Anderson County and requested that City Council restore funding for the program.

Mr. Tracy Larabee, 103 Chester Lane, requested that City Council set a property tax rate to support the needs of the community.

Following the comments, the Mayor closed the public hearing.

The City Manager provided an overview of the agenda for the special meeting explaining that City Council was considering approval of a budget (spending plan) as a certified tax rate had not yet been received from the State of Tennessee at the time of posting for the special-called meeting. Mr. Watson further explained that City Council was considering an "Amended Ordinance" as presented in the agenda packet and prepared by City staff that does not contain a tax rate, but the appropriations were the same as presented and approved on first reading at the June 15, 2015 City Council Meeting. The City Manager also noted the following recommendations from City staff for funding of a property tax when City Council was considering the ordinance:

- Reduce the Storm Water Funding by \$100,000.00
- Reinstate Healthy Start Funding at \$20,712.00
- Apply a \$1.00 increase to the City's Refuse Fee
- Reduce the School's Operating Transfer by \$325,000.00 to recommend that School staff receive the same salary adjustment as City staff at a 2% increase

Discussions were held between the City Council and Finance Director Janice McGinnis regarding projected revenue generated by a \$2.52 tax rate versus that of a \$2.50 tax rate.

Ms. Karen Gagliano, Director of Business and Support Services for Oak Ridge Schools, explained that the Oak Ridge School anticipated to receive approximately \$115,000 from Roane County and approximately \$423,000 from Anderson County as a result of the counties setting their property tax rates and calculations for the Maintenance of Effort; however, the amount received from Roane County would be considered a "wash" as the School's would receive a reduction from property tax collections due enrollment shifts in the Roane County Schools.

During discussions of the tax rate, the City Attorney noted that City Council was approving appropriations to operate the City in Fiscal Year 2016 and that the tax rate which would satisfy those appropriations would be addressed later at the second special meeting.

Councilmember Baughn moved to reduce the appropriations of the General Purpose School Fund for Operations from \$15,280,915 to last year's rate of \$14,629,302 by \$651,613. Mayor Gooch requested that the motion be withdrawn until City Council had a motion to consider the Appropriation Ordinance ("Amended Ordinance"). Councilmember Hensley moved, seconded by Mayor Pro Tem Smith, to approve the "Amended Ordinance."

First, Councilmember Baughn moved to reduce the appropriation of the General Purpose School Fund for Operations from \$15,280,915 to last year's rate \$14,629,302 by \$651,613 to maintain the FY 2015 Maintenance of Effort. The motion was seconded by Councilmember Chinn.

Dr. Bruce Borchers, Superintendent of the Oak Ridge Schools, explained that the Board of Education would need to discuss any motions and considerations made by City Council regarding appropriations. Additionally, explanations were provided by Dr. Borchers related to the School's one-to-one initiative and technician positions outlined in their proposed budget.

The motion to reduce the appropriation of the General Purpose School Fund for Operations, failed by board vote with Councilmembers Callison, Hensley, Hope, and Mayor Gooch voting "Nay," and Councilmember Baughn, Councilmember Chinn, and Mayor Pro Tem Smith voting "Aye."

Second, Councilmember Chinn moved to reduce the operating transfer to the General Purpose School Fund from \$15,280,915 to \$14,955,915 to reduce the Maintenance of Effort by \$325,000.00. The motion was seconded by Councilmember Callison.

The motion was approved by board with Councilmembers Baughn, Callison, Chinn, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye," and Councilmember Hensley voting "Nay."

Third, Councilmember Chinn moved to increase the refuse fee from \$7 to \$14 for a direct user fee so as to eliminate the service being subsidized by the General Fund. The motion was seconded by Councilmember Hensley for discussion. Councilmember Chinn noted that this arrangement for fees would be in-line with that of neighboring areas.

Following discussions on the reestablishment of the Solid Waste Fund and the dollar amount of the refuse fee increase, Hensley recommended reducing the amount for the refuse fee to \$3.50. Councilmember Chinn moved to amend his original amendment by substituting the \$7 fee to \$3.50. The motion was seconded by Councilmember Hensley. The motion was approved by board vote with Councilmembers Callison, Chinn, Hensley, Hope, and Mayor Gooch voting "Aye," and Councilmember Baughn and Mayor Pro Tem Smith voting "Nay." The original amendment proposed by Councilmember Chinn to increase the refuse fee to \$10.50 total was approved by board vote with Councilmembers Callison, Chinn, Hensley, Hope, and Mayor Gooch voting "Aye," and Councilmember Baughn and Mayor Pro Tem Smith voting "Nay."

The Finance Director noted that the refuse fee increase of \$3.50 had generated approximately \$335,000 in revenue, thus Councilmember Chinn moved to amend the ordinance to decrease the General Fund balance by \$335,000. The motion was seconded by Councilmember Baughn. The amendment failed by board vote with Councilmembers Callison, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Nay," and Councilmembers Baughn and Chinn voting "Aye."

Next, Mayor Gooch moved, seconded by Councilmember Callison, to amend the ordinance by reducing the Storm Water Funding by \$100,000. The City Manager explained that City staff would be concentrating on drafting policies and the \$100,000 could be deferred at the present time. The amendment passed by unanimous board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Councilmember Hensley moved, seconded by Mayor Pro Tem Smith, to amend the ordinance by increasing the General Fund balance by \$31,500 for the Healthy Start Program.

Upon clarification from Mayor Pro Tem Smith that last year's funding for the Healthy Start Program was \$31,850.00, Councilmember Hensley removed his amendment, and Mayor Pro Tem Smith moved to amend the ordinance by increasing the General Fund balance by \$31,850. The motion was seconded by Councilmember Hensley. The City Manager explained that the recommendation of funding Healthy Start Program at \$20,712 was to provide for a balanced budget at a \$2.52 tax rate. During discussions of funding for Healthy Start, Ms. Susan Moore, Program Manager for the Healthy Families of Tennessee, noted that the organization receives funding from the State of Tennessee, United Way of Anderson County, the City of Oak Ridge, and private donations. The amendment was approved by unanimous board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Following the increase in the General Fund to fund the Healthy Start Program, Mayor Gooch moved to amend the ordinance by reducing the General Fund by \$31,850 to keep the tax rate neutral and not impact the \$335,000 revenue to be received by the refuse fee increase. The motion was seconded by Councilmember Callison. The motion was approved by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, and Mayor Gooch voting "Aye," and Mayor Pro Tem Smith voting "Nay."

Councilmember Baughn moved to reduce the funding to the Oak Ridge Chamber of Commerce from \$175,000 to \$90,000. The motion failed for lack of a second.

Mayor Pro Tem Smith moved to amend the ordinance to appropriate an additional \$260,000 to the Capital Projects Fund and operating transfer from the General Fund related to revenues gained as part of the increase in the refuse fee to accommodate deferred capital projects that were discussed throughout the course of the special meeting. The motion was seconded by Councilmember Hensley. During discussions of capital needs of the City, the motion was approved by board vote with Councilmembers Callison, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye," and Councilmembers Baughn and Chinn voting "Nay."

Councilmember Baughn moved to reduce the City Manager's Budget by \$85,000. The motion failed for lack of second.

Councilmember Callison moved to adopt the budget ordinance with all aforementioned approved amendments. The motion was seconded by Councilmember Hensley. The motion was approved by board vote with Councilmembers Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye," and Councilmember Baughn voting "Nay."

#### **ADJOURNMENT**

The meeting adjourned at 10:00 p.m.

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

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

July 27, 2015

The special meeting of the City Council of the City of Oak Ridge convened at 10:15 p.m. on July 27, 2015 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

**ROLL CALL**

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

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

**CONSIDERATION OF RESOLUTIONS AND AN ORDINANCE**

**Resolution No. 07-80-2015**

**A RESOLUTION ESTABLISHING A CERTIFIED TAX RATE OF \$2.52 FOR THE RECENTLY COMPLETED GENERAL REAPPRAISAL OF PROPERTY WITHIN THE CITY OF OAK RIDGE IN ACCORDANCE WITH THE PROVISIONS OF TENNESSEE CODE ANNOTATED §67-5-1701.**

Mayor Pro Tem Smith moved, seconded by Councilmember Callison, to adopt the resolution.

As City Council began to consider the resolution, the City Attorney noted that the resolution being considered accepts the certified tax rate of \$2.52 from the Board of Equalization and that any amendment(s) from City Council regarding a tax rate should be considered as part of consideration of the ordinance that sets the property tax rate for the City of Oak Ridge.

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

**AN ORDINANCE TO ESTABLISH THE PROPERTY TAX RATE FOR TAX YEAR 2015 (JANUARY 1, 2015 THROUGH DECEMBER 31, 2015) AS \$2.52 PER \$100.00 OF ASSESSED VALUE.**

Councilmember Hensley moved, seconded by Councilmember Callison, to approve the ordinance on first reading.

The City Attorney noted that the second reading of the ordinance was scheduled to occur one week later.

Councilmember Chinn moved, seconded by Councilmember Baughn, to reduce the property tax rate to a revenue neutral rate of \$2.50 based on actual property tax collections in FY2015. The motion failed by board vote with Councilmembers Callison, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Nay," and Councilmembers Baughn and Chinn voting "Aye."

The original motion to approve the ordinance, as presented, was approved by board vote with Councilmembers Callison, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye," and Councilmembers Baughn and Chinn voting "Nay."

**Resolution No. 07-81-2015**

**A RESOLUTION MODIFYING THE DUE DATE AND DELINQUENCY DATE SCHEDULE FOR PROPERTY TAXES FOR TAX YEAR 2015 (JANUARY 1, 2015 THROUGH DECEMBER 31, 2015).**

Councilmember Baughn moved, seconded by Mayor Pro Tem Smith, to adopt the resolution.

The City Manager noted that in accordance with the presented resolution property taxes will become due and payable on September 1, 2015 and delinquent after October 31, 2015.

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

**Resolution No. 07-82-2015**

**A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT A LETTER OF SUPPORT OF THE OAK RIDGE ROWING ASSOCIATION'S EFFORTS TO BRING THE 2016 AMERICAN COLLEGIATE ROWING ASSOCIATION CHAMPIONSHIPS TO OAK RIDGE.**

Councilmember Chinn moved, seconded by Councilmember Baughn, to adopt the resolution.

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

**ADJOURNMENT**

The meeting adjourned at 10:15 p.m.

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

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

August 3, 2015

The special meeting of the City Council of the City of Oak Ridge convened at 5:00 p.m. on August 3, 2015 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

**INVOCATION**

The Invocation was delivered by Mayor Warren L. Gooch.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag of the United States of America was led by Councilmember Rick Chinn.

**ROLL CALL**

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

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

**FINAL ADOPTION OF AN ORDINANCE**

**Ordinance No. 12-2015**

**AN ORDINANCE TO ESTABLISH THE PROPERTY TAX RATE FOR TAX YEAR 2015 (JANUARY 1, 2015 THROUGH DECEMBER 31, 2015) AS \$2.52 PER \$100.00 OF ASSESSED VALUE.**

Mayor Gooch moved, seconded by Councilmember Hensley, to approve the ordinance on second reading as presented.

Councilmember Chinn moved to amend the ordinance to adjust the property tax rate at \$2.50 to reflect a rate that would provide for the same revenues as received in Fiscal Year 2015. The motion was seconded by Councilmember Baughn.

Finance Director Janice McGinnis explained that projected revenues in Fiscal Year 2016 were anticipated to be at \$19,770,818 at a tax rate of \$2.52 and the total collections for Fiscal Year 2015 were \$19,649,132. Councilmember Baughn requested that the statement provided by the Finance Director be recorded into the minutes of the meeting. No opposition was expressed by Council regarding this request.

Mr. Mike Mahathy, 113 Fallberry Road, remarked that the Roane County appraisals could be appealed and the property tax rate could be lower than \$2.52.

Mr. Tracy Larabee, 103 Chester Lane, remarked that City Council consider other sources of revenue for the City as the refuse fee increase will not affect all land owners in the city of Oak Ridge as opposed to property taxes.

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

Mr. Mike Mahathy, 113 Fallberry Road, requested that the \$325,000 generated from the increase in the refuse fee be transferred to the Oak Ridge Schools; however, the Mayor noted that comment was out of

order as it was not related to consideration of the ordinance before Council.

The original motion to approve the ordinance, as presented, on second reading was approved by board vote with Councilmembers Callison, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye," and Councilmembers Baughn and Chinn voting "Nay."

**ADJOURNMENT**

The meeting adjourned at 5:15 p.m.

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

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

August 10, 2015

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on August 10, 2015, in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

### **INVOCATION**

The Invocation was delivered by Mayor Warren L. Gooch.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag of the United States of America was led by Councilmember L. Charles Hensley.

### **ROLL CALL**

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

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

### **Agenda Additions**

Mayor Gooch noted three (3) additions requested to the August 10 agenda. The first, under "Special Reports," is an appearance and visitation by Congressman Chuck Fleischman, Representative for the 3<sup>rd</sup> District of Tennessee. The second as a "Special Report" was a report by the Special Events Advisory Task Force Chair Trina Baughn on the Task Force's recommendations regarding special events in accordance with Resolution No. 2-19-2015. Lastly, Mayor Gooch requested the inclusion of a City Manager's Report related to the Jackson Square Revitalization Project from City Manager Mark Watson. All of the aforementioned items would be addressed following "Proclamations and Public Recognitions."

Mayor Gooch moved to include the three (3) additions to the August 10 agenda, seconded by Councilmember Hope. The motion was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

### **PROCLAMATIONS AND PUBLIC RECOGNITIONS**

*Special presentation of a retirement plaque to Deputy Police Chief Alan Massengill for his years of service with the City of Oak Ridge.*

The City Manager presented the retirement plaque to Deputy Police Chief Alan Massengill. Additionally, the City Manager, Police Chief James Akagi, and members of City Council expressed their appreciation for Deputy Police Chief Massengill's years of service to the community. In closing, the Deputy Chief thanked his family for their support and the community for the opportunity to serve.

### **SPECIAL REPORTS**

*Appearance and visitation by Congressman Chuck Fleischman, Representative for the 3<sup>rd</sup> District of Tennessee.*

Representative Fleischmann commented about the importance of Oak Ridge, the work and dedication of the City Council, as well as expressed his gratitude for representing the community. Lastly,

Representative Fleischmann introduced members of his staff who had accompanied him to the meeting—Mr. Daniel Tidwell, Legislative Director; Ms. Sandy Boshure, Oak Ridge Office; and Bob White District Director—and expressed his appreciation for the work of Ms. Helen Hart, Oak Ridge Office.

*A report by the Special Events Advisory Task Force Chair Trina Baughn on the Task Force's recommendations regarding special events in accordance with Resolution No. 2-19-2015.*

Chairwoman Baughn outlined the work of the task force and basis for the Task Force's following recommendations:

1. Expand the scope of the Secret City Festival into a celebration that occurs within the timeframe of October into Veteran's Day, Nov 11, with a minimum duration of one week and includes the Secret City Festival.
2. Establish a 501(c)(3) non-profit to assume the responsibility of implementing the Secret City Celebration with the goal of becoming self-sustaining within five (5) years.
3. Appoint the inaugural board of directors of the Secret City Celebration non-profit at the October 2015 City Council meeting.
4. Encourage or require the non-profit organization to develop a Veterans theme for the Celebration around the arts, history, science and culture of the City of Oak Ridge either directly or indirectly with other organizations.
5. Appoint a board with a minimum of fourteen (14) members, seven (7) of which will include the previously appointed members of the special events advisory task force. In addition, Council will appoint non-voting, ex-officio members as representative members of community organizations with specific areas of expertise. The board shall hire an executive director or consultant within twelve (12) months of their first meeting.

Special Events Advisory Task Force Advisory Members Ms. Judy Gray and Mr. David Kitzmiller spoke in favor of the "umbrella" concept (expanding festival presence by incorporating other area events) and the work and consideration of the task force.

Throughout discussions of report from Chairwoman Baugh, members of City Council provided inquiries and comments regarding the recommendations with further discussions to occur at the August 18, 2015 Work Session.

*"City Manager's Report" on an Update Jackson Square Revitalization Project*

The City Manager recognized Mr. Dan'l Hall, Project Manager for Vaughn and Melton Consulting Engineers and Mr. Robert Noell of the Woolf-McClane Law Firm representing Ms. Angel Rich of Rich Construction who all provided an overview on the parking lot for the Jackson Square Revitalization Project.

Mr. Hall and Mr. Noell outlined the work that has been performed, the elements of the project that were remaining, and their roles as it relates to the project while also responding to questions, comments, and concerns of the City Council. Both Mr. Hall and Mr. Noell provided a substantial completion date of September 15, 2015 which will include the installation of a needed power component (power pedestal), the fountain, and landscaping.

Ms. Anne Garcia Garland, 120 Outer Drive, expressed her appreciation to the City Council regarding expectations of manageability of the project.

**APPEARANCE OF CITIZENS**

Ms. Anne Garcia Garland, 120 Outer Drive, inquired about a Solid Waste Fund expenditure of approximately \$6,000 for the "Not in Our City" Program and the possibility of a private ownership of Centennial Golf Course to pay down mortgage obligations.

Ms. Judy Kidd, 58 Riverview Drive, expressed concern regarding the participation of the Tennessee Creates Arts and Crafts Event in the Secret City Festival given other events competing in the fall.

### **CONSENT AGENDA**

Councilmember Chinn moved, seconded by Councilmember Baughn to approve the Consent Agenda as presented. The motion was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye," thereby,"

- Approving the July 13, 2015 City Council meeting minutes.
- Adopting **Resolution No. 08-83-2015** authorizing the city to continue participation in the East Tennessee Economic Development Agency, with annual membership dues in the amount of \$26,116.00 for the 2015 calendar year.
- Adopting **Resolution No. 08-84-2015** to approve updated Rules and Procedures for the Oak Ridge Board of Building and Housing Code Appeals.
- Adopting **Resolution No. 08-85-2015** approving an Interlocal Agreement for the City of Oak Ridge to become a member of the Great Smoky Mountains Regional Greenway Council, and appointing Jon Hetrick as the city's government representation and Roger Macklin as the City's citizen representative on the greenway council.

### **RESOLUTIONS**

#### **Resolution No. 08-86-2015**

**A RESOLUTION MAKING AWARDS TO ALTERNATE STAFFING, INC.; EXPRESS EMPLOYMENT PROFESSIONALS; ROBERT HALF INTERNATIONAL (ACCOMTEMPS AND OFFICE TEAM); STAFFING SOLUTIONS; TEMP SYSTEMS, INC.; AND QUALIFIED TECHNICAL FIRMS FOR FURNISHING AS NEEDED TEMPORARY EMPLOYMENT SERVICES FOR FISCAL YEAR 2016 IN AN AMOUNT NOT TO EXCEED \$150,000.00.**

Mayor Pro Tem Smith moved, seconded by Councilmember Callison that the resolution be adopted. The resolution was approved by unanimous board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

#### **Resolution No. 08-87-2015**

**A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO THE BEST PROVIDERS FOR FURNISHING CHEMICALS FOR THE WATER AND WASTEWATER TREATMENT PLANTS FOR FISCAL YEAR 2016 IN THE ESTIMATED AMOUNT OF \$300,000.00.**

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

Councilmember Baughn moved to amend the resolution to reduce the amount to \$225,500.00 based on previous years of spending. The motion was seconded by Councilmember Chinn. During discussions of the amendment, Public Works Director recommended \$250,000.00 amount to maintain potable water based on possible weather needs. The City Manager noted that the request was a just in-case measure and recommended a 10% contingency based on \$237,000.00 (the highest dollar amount used in a three year time span) totaling approximately \$260,000.00.

Councilmember Baughn moved to change the amendment amount to \$260,000.00 with concurrence from Councilmember Chinn. The amendment failed by board vote with Councilmembers Baughn, Chinn, and Hope voting "Aye," and Councilmembers Callison, Hensley, Mayor Pro Tem Smith, and Mayor Gooch voting "Nay."

Mr. T.J. Garland, 120 Outer Drive, remarked regarding his disapproval of using fluoridated treated water in Oak Ridge and recited studies of the effect of fluorides on humans and the environment.

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

Not Adopted

**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 2016 IN THE ESTIMATED AMOUNT OF \$1,305,000.00.**

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

Personnel Director Penelope Sissom provided examples, such as recent purchases in equipment, pending litigation, and workman compensation claims that were factors in the increase in the City's insurance.

The resolution received "Aye" votes by board with Councilmembers Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye," and Councilmember Baughn abstaining.

The City Attorney remarked that waiver of competitive bids required a unanimous vote of City Council to which the Mayor indicated that the resolution was adopted unless otherwise determined by the City Attorney and if the resolution was determined to not be adopted, the resolution could be reconsidered at another meeting.

NOTE: In accordance with Section 5-418 titled "Waiver of Bid Requirements" of the City Code, the resolution required a unanimous vote of those present and procedural could not be adopted as Robert's Rules of Order defines an "abstention" as a "negative vote." (*Robert's Rules of Order Newly Revised*, 11<sup>th</sup> Edition, page 403)

**Resolution No. 08-88-2015**

**A RESOLUTION APPROVING A CONTRACT WITH S&C ELECTRIC COMPANY, CHICAGO, ILLINOIS, TO CONDUCT A RADIO STUDY FOR THE ELECTRIC DEPARTMENT IN THE AMOUNT OF \$56,050.00.**

Councilmember Hope moved, seconded by Councilmember Hensley that the resolution be adopted.

Electric Department Director Jack Suggs responded to questions and comments regarding the radio study being requested, while also addressing the inquiries of Council on the consideration of a city-wide fiber optic system.

Mr. David Kitzmiller, 144 Wellington Circle, expressed his support for discussions regarding a city-wide fiber optic system.

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

Removed from the Agenda

**A RESOLUTION AWARDED A CONTRACT (FY2016-018) TO FIRST PLACE FINISH, INC., OAK RIDGE, TENNESSEE, FOR THE ABATEMENT AND DEMOLITION OF 105 WADDELL PLACE, A CITY-OWNED RESIDENTIAL STRUCTURE, IN AN AMOUNT NOT TO EXCEED \$29,000.00.**

Councilmember Hope moved, seconded by Councilmember Hensley that the resolution be adopted.

Mr. Watson requested to remove the item so that staff could eliminate the fire burn provision and rebid the project as the Fire Department would utilize the fire training at a later date. No opposition was expressed by City Council with Councilmember Hope and Hensley agreeing to withdraw their motion for approval.

**Resolution No. 08-89-2015**

**A RESOLUTION AWARDED A CONTRACT (FY2016-027) TO FIRST PLACE FINISH, INC., OAK RIDGE, TENNESSEE, FOR THE ABATEMENT AND DEMOLITION OF 103 BENNETT LANE AND 106 PEMBROKE ROAD, CITY-OWNED RESIDENTIAL STRUCTURES, IN AN AMOUNT NOT TO EXCEED \$33,477.00.**

Councilmember Hope moved, seconded by Councilmember Callison that the resolution be adopted.

Councilmember Baughn moved to table the item from the agenda for the item to be rebid for further bid opportunities by vendors.

Community Development Housing Specialist Matt Widner commented regarding the specialty of a Regulated Asbestos Containing Material (RACM) demolition. Mr. Widner also noted the since this demolition was being paid by Housing and Urban Development (HUD) Community Development Block Grant (CDBG) federal funds additional compliance with State regulations would also apply.

Ms. Laurel Patrick, First Place Finish, explained that the conditions of the house and the rules and regulations that govern its demolition require special care and handling as part of the demolition process.

Councilmember Baughn moved to defer consideration of the resolution and rebid the package. The motion was seconded by Councilmember Callison. The motion to defer failed by board vote Councilmembers Callison and Baughn voting "Aye," and Councilmembers Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Nay."

The motion to approve the resolution, as presented, was approved by board vote with Councilmembers Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye," and Councilmember Baughn voting "Nay."

**Resolution No. 08-90-2015**

**A RESOLUTION AWARDED A BID IN THE AMOUNT OF \$56,397.00 TO LEGEND FITNESS, KNOXVILLE, TENNESSEE, FOR THE FURNISHING OF FITNESS EQUIPMENT FOR EACH OF THE FOUR FIRE STATIONS.**

Councilmember Hope moved, seconded by Councilmember Callison that the resolution be adopted.

Following an overview by Oak Ridge Fire Chief Darryl Kerley, the resolution was unanimously approved by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

**Resolution No. 08-91-2015**

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES DEPARTMENT OF ENERGY TO CONTINUE THE PROVISION OF FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES AT THE EAST TENNESSEE TECHNOLOGY PARK THROUGH SEPTEMBER 30, 2019.**

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

Following an overview by Oak Ridge Fire Chief Darryl Kerley regarding the changes in the new MOA from the existing agreement, the resolution was unanimously approved by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

**Resolution No. 08-92-2015**

**A RESOLUTION AMENDING THE ADMINISTRATIVE HEARING OFFICER AGREEMENT BETWEEN THE CITY AND HUGH B. WARD, JR., TO PROVIDE FOR INCREASED COMPENSATION.**

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

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

**Resolution No. 08-93-2015**

**A RESOLUTION APPROVING A CONTRACT WITH BARGE WAGGONER SUMNER & CANNON, INC., KNOXVILLE, TENNESSEE, TO PROVIDE PROFESSIONAL SERVICES FOR THE ADDITION OF AN EIGHTH LANE TO THE OAK RIDGE ROWING COURSE IN AN AMOUNT NOT TO EXCEED \$50,000.00.**

Councilmember Chinn moved, seconded by Councilmember Hope that the resolution be adopted.

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

**PUBLIC HEARINGS AND FIRST READING OF ORDINANCES**

First Reading of Ordinances

AN ORDINANCE TO AMEND ORDINANCE NO. 17-98 (AS AMENDED), SECTION 1, TO INCREASE THE MONTHLY RESIDENTIAL REFUSE COLLECTION FEE FROM \$7.00 TO \$10.50.

Councilmember Hensley moved, seconded by Councilmember Callison to approve the ordinance on First Reading.

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

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY AMENDING SECTION 15-114, TITLED "CRASH HELMETS FOR DRIVER AND PASSENGER ON MOTORCYCLE OR MOTOR-DRIVEN CYCLE," AND AMENDING SECTION 15-227, TITLED "USE OF SAFETY BELTS IN PASSENGER VEHICLES"; AND BY CREATING THE FOLLOWING NEW SECTIONS: SECTION 15-132, TITLED "NOTIFICATION OF CHANGE OF ADDRESS AND/OR NAME"; SECTION 15-228, TITLED "ILLUMINATION OF REGISTRATION (LICENSE) PLATE"; AND SECTION 15-349, TITLED "TEXTING WHILE DRIVING PROHIBITED"; WITH ALL AMENDMENTS FOR THE PURPOSE OF BRINGING THE MOTOR VEHICLE PROVISIONS INTO COMPLIANCE WITH STATE LAW.

Councilmember Hope moved, seconded by Councilmember Hensley to approve the ordinance on First Reading.

The City Attorney noted that these changes were to allow safety and public issues listed above to be addressed by City Court. Additionally, Oak Ridge Police Chief James Akagi provided information regarding enforcement on traffic regulations.

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

**FINAL ADOPTION OF ORDINANCES**

(NONE)

**ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

Elections/Appointments

Announcements

Councilmember Hensley remarked that the Oak Ridge Municipal Planning Commission was intending to pass a resolution of the board in support of the Manhattan National Park Service Headquarters being located in Oak Ridge. No opposition was expressed by City Council

Scheduling

The City Manager noted that the he was planning of a future retreat for City Council.

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

Councilmember Baughn inquired about how Oak Ridge citizens could contact the Metropolitan Knoxville Airport Authority regarding the possibility of an installation of an airport in Oak Ridge and Council's future involvement with that process. Mayor Pro Tem Smith further noted that the City needed to be involved in the discussions regarding land transfers and ownership for the airport as well.

**SUMMARY OF CURRENT EVENTS**

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

The City Attorney provided a Robert's Rules reference regarding the definition of an abstention as it related to the wavier of competitive bids indicating that an abstention was considered a "negative vote."

**ADJOURNMENT**

The meeting adjourned at 10:00 p.m.

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

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

August 18, 2015

The special meeting of the City Council of the City of Oak Ridge convened at 6:05 p.m. on August 18, 2015 in the Multipurpose Room of the Central Services Complex with Mayor Pro Tem Ellen D. Smith presiding.

**ROLL CALL**

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

Mayor Warren L. Gooch was absent.

Also present were Mark S. Watson, City Manager; Kenneth R. Krushenski, City Attorney; and Bruce M. Applegate, Jr., Assistant to the City Manager.

**RESOLUTIONS**

**Resolution No. 08-94-2015**

**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 2016 IN THE ESTIMATED AMOUNT OF \$1,305,000.00.**

Councilmember Hensley moved, seconded by Councilmember Callison to adopt the resolution. Following the motion, the resolution was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

**ADJOURNMENT**

The meeting adjourned at 6:10 p.m.

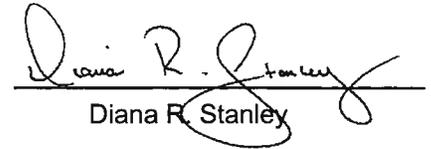
Diana R. Stanley, City Clerk  
CITY OF OAK RIDGE, TENNESSEE

**CITY CLERK MEMORANDUM**  
**15-57**

**DATE:** September 9, 2014  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Diana R. Stanley, City Clerk  
**SUBJECT:** PROCLAMATION FOR CONSENT AGENDA

An item for City Council's consideration is a proclamation requested by Mr. Michael Yates, Director of Development for Ridgeview Behavioral Health Services, recognizing September 2015 as "Suicide Prevention Month."

This proclamation will be presented by Mayor Gooch during a special ceremony on September 16 at Ridgeview Behavioral Health Services.

  
Diana R. Stanley

Attachment:  
Suicide Prevention Month Proclamation

# PROCLAMATION

**WHEREAS**, in the United States, one person dies by suicide every 12.8 minutes, with 41,149 deaths by suicide in during 2013; and

**WHEREAS**, in 2013, 1,017 Tennesseans died by suicide, of which 19 were Anderson County residents, and several thousand friends and family members were changed forever by their loss; and

**WHEREAS**, each person's death by suicide intimately affects at least six other people, with over 200,000 newly bereaved each year; and

**WHEREAS**, many of those people who died never received effective behavioral health services for many reasons; and

**WHEREAS**, Ridgeview Behavioral Health Services is dedicated to reducing the frequency of suicide attempts and deaths, as well as assist with the pain for those affected by suicide deaths through advocacy efforts, educational programs, therapeutic supports, and crisis intervention services; and

**WHEREAS**, Ridgeview Behavioral Health Services would like to encourage residents to: recognize suicide as a significant public health problem in Tennessee and recognize suicide prevention as a community priority; share the accessibility of Ridgeview Behavioral Health Services for all residents of Oak Ridge; and encourage initiatives based on the goals and activities contained in the National Strategy for Suicide Prevention, Zero Suicide of the National Action Alliance for Suicide Prevention, and The Way Forward by the Action Alliance's Suicide Attempt Survivor Task Force; and

**WHEREAS**, suicide prevention tools and treatments are important to the community and its residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE** that the month of September 2015 be proclaimed

## SUICIDE PREVENTION MONTH

in the City of Oak Ridge, Tennessee, and that all citizens be encouraged to learn preventative measures to help those in need.

**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 14<sup>th</sup> day of September in the year 2015.

---

**WARREN L. GOOCH**  
**MAYOR**

**MAYOR'S MEMORANDUM**  
**15-03**

**DATE:** September 3, 2015  
**TO:** Members of City Council  
**FROM:** Warren L. Gooch, Mayor  
**SUBJECT:** 70<sup>TH</sup> ANNIVERSARY OF THE END OF WORLD WAR II

Introduction

An item for the agenda is a resolution recognizing the 70<sup>th</sup> anniversary of the signing of the surrender documents by Japan to end of World War II.

Review

On September 2, 1945, surrender documents were formally signed by the United States and Japan officially ending World War II.

This surrender occurred not only from the sacrifice of veterans and support of Allies, but by the work and dedication of tens of thousands in Oak Ridge who accomplished the mission of the then top-secret Manhattan Project that produced the world's first nuclear weapons and is contributed with ending the war.

The contributions made by Oak Ridge and the Manhattan Project changed the course of history. As a nation and a community, we have not, nor will not, forget the significance of the work performed by those during the Manhattan Project. The most significant of remembrances is occurring now as Oak Ridge (and two other Manhattan Project Sites) transform into one of the three sites for the Manhattan Project National Park which is scheduled to become public in 2016.

Summary

In recognition of the 70<sup>th</sup> Anniversary of this event, approval of the attached resolution is requested.

\_\_\_\_\_  
*/s/*  
Warren L. Gooch

\*Signed copies of the memo available in the City Clerk's Office on September 9, 2015.

**RESOLUTION**

A RESOLUTION RECOGNIZING THE 70<sup>TH</sup> ANNIVERSARY OF THE SIGNING OF THE SURRENDER DOCUMENTS BY JAPAN (V-J DAY) TO END WORLD WAR II.

WHEREAS, President Harry S. Truman officially declared September 2, 1945 as V-J Day (Victory Over Japan Day) which reflects the day surrender documents were formally signed by Japan to end World War II; and

WHEREAS, this surrender occurred not only from the sacrifice of veterans and support of Allies, but by the work and dedication of tens of thousands in Oak Ridge who accomplished the mission of the then top-secret Manhattan Project that produced the world's first nuclear weapons which contributed to the ending of the war; and

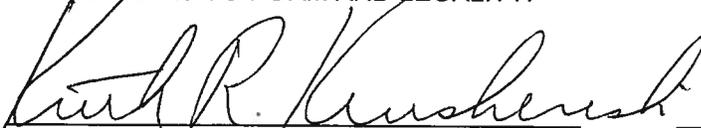
WHEREAS, as a nation and a community we have not, nor will not, forget the significance of the work performed by those during the Manhattan Project and their important role as a gateway to international stability and growth.

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

That the Oak Ridge City Council hereby recognizes the 70<sup>th</sup> Anniversary of V-J Day (Victory Over Japan Day), which reflects the day surrender documents were formally signed by Japan to end World War II, and recognizes Oak Ridge's important role as a gateway to international stability and growth.

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Warren L. Gooch, Mayor

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

## ELECTRIC DEPARTMENT MEMORANDUM

15-25

**DATE:** August 27, 2015  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Electric Director  
**SUBJECT:** ACCEPTANCE OF FEMA GRANT FOR DISASTER REIMBURSEMENT

### Introduction

An item for City Council's consideration is a resolution approving a Governmental Grant Contract between the City of Oak Ridge, Tennessee (City) and the State of Tennessee, Department of the Military, Tennessee Emergency Management Agency (TEMA) allowing partial reimbursement for expenses related to the severe winter weather which occurred during February of 2015 (Presidential Disaster Declaration Number FEMA-4211-DR-TN).

### Funding

Approval of the attached resolution will result in reimbursement to the City from TEMA and the Federal Emergency Management Agency (FEMA) in the amount of \$113,623.66.

### Background

The severe winter weather that occurred during February of this year caused many issues across the City. In addition to clearing streets, City crews also responded to multiple and massive water breaks, cleared roads of fallen trees, removed trees from power lines and repaired damage to City facilities caused by ice and snow. As you will recall, the severe winter weather extended over several days over which essential City services were maintained to our citizens.

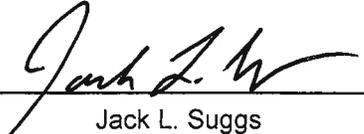
Conditions in our area were so severe that an emergency was declared at the State level which led to a Presidential Disaster Declaration. Such declarations allow the affected public bodies to seek reimbursement for a portion of their expenses, both from FEMA and from TEMA. Staff has worked diligently to document the costs that were incurred and to submit proper documentation that allows reimbursement from these agencies.

The total cost for the storms which fell into FEMA reimbursable categories was \$129,192.99. Of this, FEMA will reimburse the City \$98,054.32 and TEMA \$15,569.34 for a total of \$113,623.66.

Even though no expense is associated with this contract, the reimbursement is a type of grant and thus Council approval is required before the reimbursement can be made. A portion of the resolution establishes that future grants which have no costs or which have costs that are below the authorized levels of expenditure by the City Manager can be approved by the City Manager. This brings the handling of these grant contracts into line with City practice and is intended to streamline future similar applications and contracts.

### Recommendation

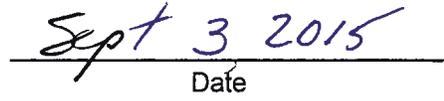
Staff recommends adoption of the attached resolution.

  
\_\_\_\_\_  
Jack L. Suggs

**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 TO ACCEPT A \$113,623.66.00 REIMBURSEMENT GRANT FROM THE STATE OF TENNESSEE , DEPARTMENT OF MILITARY, TENNESSEE EMERGENCY MANAGEMENT AGENCY (TEMA) FOR EXPENSES RELATED TO THE SEVERE WINTER STORM DURING FEBRUARY 2015.

WHEREAS, the winter weather in Oak Ridge in February 2015 resulted in many issues such as massive water breaks, fallen trees, and damage to City facilities caused by ice and snow; and

WHEREAS, the weather was so severe that the State of Tennessee declared an emergency which resulted in a Presidential Disaster Declaration; and

WHEREAS, grant funds are available from the State of Tennessee, Department of Military, Tennessee Emergency Management Agency (TEMA) and the Department of Homeland Security Federal Emergency Management Agency (FEMA) to reimburse some of the City's expenses related to the winter weather; and

WHEREAS, the City Manager recommends acceptance of the reimbursement grant from TEMA.

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

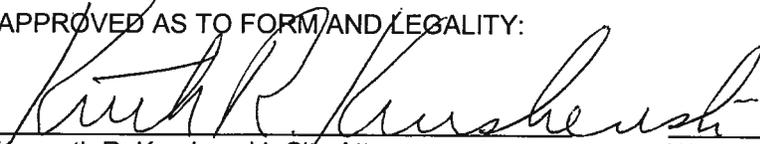
That the recommendation of the City Manager is approved and the City is hereby authorized to accept a reimbursement grant from the State of Tennessee, Department of Military, Tennessee Emergency Management Agency (TEMA) in the amount of \$113,623.66, which includes \$15,569.34 from TEMA and \$98,054.32 from the Department of Homeland Security Federal Emergency Management Agency (FEMA).

BE IT FURTHER RESOLVED that, as the listed signatory on the grant contract from TEMA, the City Manager is hereby authorized to execute the appropriate legal documents to accomplish the same.

BE IT FURTHER RESOLVED that, in order to streamline the grant process, the City Manager is hereby authorized to accept all future grants to the City when there is either no local matching funds or when local matching funds are within the City Manager's authorized levels of expenditure (which is current \$25,000.00 as established by City Code).

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

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

**CITY COUNCIL MEMORANDUM**

**15-34**

**DATE:** August 25, 2015  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Mark S. Watson, City Manager  
**SUBJECT:** SUPPORT FOR ALL REGATTAS AND OTHER ROWING EVENTS

Introduction

An item for City Council's consideration is a resolution authorizing the Mayor and the City of Oak Ridge to submit official communications of support for future regattas, or other rowing events, to be hosted in Oak Ridge.

Summary

In the last few months, City Council has received requests from community members asking for written support for the City of Oak Ridge to serve as a host city for premiere rowing events, such as the American Collegiate Rowing Association (ACRA) 2016 Championship and the Southern Intercollege Rowing Association (SIRA) 2016 Regatta.

The resolution provides for City Council's support of all future regattas, or other rowing events, to be located in Oak Ridge at the Melton Lake Rowing Course. This support would be provided through a formal communication that will be submitted on behalf of the Mayor and the City of Oak Ridge to be included in such things as bid packages or invitation requests. The attached resolution would further showcase the support of the City Council by showing organizations that the City of Oak Ridge always welcomes the opportunity to host rowing events in our community, as well as allow the City to meet the timely demands of requestors or projects.

The City is always supportive of one of its most treasured recreational activities, as well as those in the community that are trying to promote the Melton Lake Rowing Course and Oak Ridge as a premiere destination. Hosting these sporting events will continue to help support the local economy and will allow the City to showcase one its most prized recreational activities and venues.

Recommendation

Adoption of the attached resolution is recommended as a show of support for all future rowing events.

  
Mark S. Watson

Attachment

**RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY MANAGER TO FORMALLY SUPPORT CITY AND COMMUNITY EFFORTS TO BRING REGATTAS AND OTHER ROWING EVENTS TO OAK RIDGE THROUGH SUBMISSION OF LETTERS AND OTHER COMMUNICATIONS.

WHEREAS, by Resolution 7-82-2015, City Council authorized the Mayor to submit a letter of support on behalf of the City of Oak Ridge, Tennessee, to the American Collegiate Rowing Association (ACRA) as part of efforts to bring the 2016 ACRA Championships event to Oak Ridge; and

WHEREAS, Oak Ridge is in the continual process of competing for regattas and rowing events, which are beneficial for the local economy and showcase the City's rowing course at Melton Lake Park; and

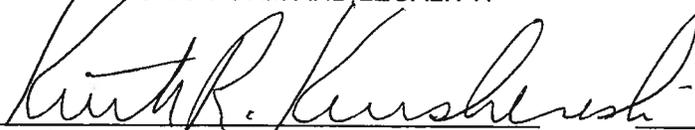
WHEREAS, organizations may request of the Mayor or City Manager formal communications supporting a regatta or other rowing events on behalf of the City of Oak Ridge.

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

That the Mayor and City Manager are hereby authorized to submit letters of support or other requested forms of communication on behalf of the City of Oak Ridge, Tennessee, supporting efforts to bring regattas and other rowing events to Oak Ridge.

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:



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

\_\_\_\_\_  
Warren L. Gooch, Mayor

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

**RECREATION AND PARKS DEPARTMENT MEMORANDUM**

**15-06**

**DATE:** August 24, 2015  
**TO:** Mark S. Watson, City Manager  
**THROUGH:** Jon Hetrick, Recreation & Parks Director   
**FROM:** Linda McGhee, Recreation Manager Senior Programs and S.A.B. Staff Liaison  
**SUBJECT:** BYLAW CHANGE FOR SENIOR ADVISORY BOARD

Introduction

An item for City Council's consideration is a change to Senior Advisory Board bylaws to remove under section III, Powers and Functions, the words "intergenerational interaction." Also to remove under item f. of this same heading "and intergenerational interaction" and the entire item g. as well.

Funding

There is no funding requirement for this item.

Background

The members of the Senior Advisory Board feel that the board should focus its efforts on activities that have a direct impact on senior citizens in Oak Ridge, rather than other age groups. Therefore the board voted unanimously to amend the bylaws to remove all references to intergenerational activities under the Powers and Functions heading. This recommendation does not affect the ability of the Oak Ridge Senior Center to offer intergenerational programming for seniors; it only guides the board to focus on senior citizen issues more directly.

On a differing perspective from the City Manager's Office, future grant opportunities may be considered and are at a better advantage if intergenerational activities are delineated as part of the City of Oak Ridge's Senior Advisory Board bylaws and those opportunities arise. Bylaws are used in Oak Ridge to establish general responsibilities and goals of the Boards. Removal of the language is not necessary.

Recommendation

The Senior Advisory Board requests that the attached amended copy of the board bylaws be adopted by City Council.

Attachment(s)

An amended copy of the Senior Advisory Board bylaws



Linda McGhee

**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  
SENIOR ADVISORY BOARD

BYLAWS

- I. Name. The name of the organization is: Senior Advisory Board
- II. Membership. The number of Board members is established by resolution of City Council. Members of the Board shall share a concern for the senior members of the community and a preference for membership to reflect a variety of ages as well as knowledge and background in senior interests such as health, safety, recreational activities, and transportation. Each member is elected for a three-year term of office. Any vacancies occurring during the year will be filled in accordance with current city policies and procedures.
- III. Functions and Powers. The function of the Board shall be to provide advice to City Council on senior related issues including but not limited to: health, nutrition, safety and security, recreational activities and facilities, **and** transportation, ~~and intergenerational interaction~~, all in order to enrich and enhance the quality of life for seniors in Oak Ridge.

In performance of its functions, the Board is authorized to:

- a. Recommend and conduct, as required, any studies or reviews as advised regarding assessment of needs, development, and maintenance of a program or activities and services which meet the needs and wishes of senior citizens in Oak Ridge so that seniors may continue to contribute, participate, and share in the life of the community.
  - b. Cooperate with any group or organization in any way that will aid in fulfilling its functions to enhance senior lifestyles.
  - c. Make recommendations regarding policies for (1) use of the Senior Center and (2) the reserving of certain hours for exclusive use by senior citizens.
  - d. Adopt any rules and procedures it feels advisable for the conduct of its meetings.
  - e. Act as a sounding board for senior citizens in the community who seek new or altered opportunities for activities, education, policies, and services.
  - f. Support the use of the Senior Center as a source of education and programming for senior health, nutrition, safety and security, recreational activities, and transportation. ~~and intergenerational interaction.~~
  - g. ~~Engage senior citizens programs in activities that will enhance intergenerational action such as literacy, tutoring, or mentoring programs.~~
- IV. Meetings.
- A. The Board shall meet the first Monday of each month at the Senior Center, unless it is a city holiday and then the Board shall meet on the second Monday of the month.
  - B. Special meetings may be called upon the request of the Chairperson or any three members of the Board. The notice of a special meeting shall be given at least 24 hours prior to the meeting and shall state the subject matter to be considered and no other matter shall be before the Board.
  - C. In the event there is no matter to be considered, the Chairperson may dispense with a meeting by notifying the Board's staff liaison and each Board member at least 24 hours prior to the time set for the meeting.
- V. Quorum. A majority of the Board shall constitute a quorum for the transaction of business, and all actions shall require the concurring vote of a majority of members present.

- VI. Absences. Absences shall be treated in accordance with the established City Council attendance policy for boards and commissions.
- VII. Officers. At the regular January meeting after all newly-elected or reelected members have taken the oath of office, the Board shall elect a Chairperson and a Vice Chairperson for one-year terms beginning immediately. A member shall be eligible for reappointment to one of these offices as long as he or she remains on the Board.

Duties of Officers

The Chairperson shall preside at all meetings of the Board, decide all points of order, appoint membership to such temporary committees as deemed necessary, sign documents on behalf of the Board, and call regular or special meetings of the Board.

The Vice Chairperson shall assume all the duties of the Chairperson in his or her absence.

The Board's staff liaison will record the minutes of the meeting and be responsible for their distribution to Board members and appropriate city offices.

- VIII. Agenda. At least 48 hours prior to each meeting, the members shall be furnished with an agenda reflecting items to be considered. The Board's staff liaison is responsible for preparation and distribution of the agenda and the minutes of the previous meeting, as well as any other materials relative to the upcoming agenda. The order of business of all regular meetings shall be as follows:

1. Call to Order
2. Approval of Minutes
3. Reports
4. Unfinished Business
5. New Business
6. Announcements
7. Adjournment

Under each heading shall be listed the items scheduled for consideration at the meeting. (See attached example.)

- IX. Notice. Adequate notice of all meetings and matters to be discussed shall be given to the public and appropriate City offices, and shall be posted at the Senior Center. All meetings shall be open to the public.
- X. Annual Report. The Board will prepare an annual written report of its activities and recommendations for submission to City Council by June 30 of each year.
- XI. Amendment. These bylaws may be amended by majority vote of the members of the Board. An amendment to the bylaws shall be voted on at the next regular meeting after the regular meeting at which the amendment is proposed.

APPROVED BY THE SENIOR ADVISORY BOARD

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Chairperson

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Date of Meeting

Approved by City Council by Resolution  
Effective Date for Bylaws:

Attachment: Sample Agenda

## EXAMPLE OF AGENDA FOR SENIOR ADVISORY BOARD

1. Call to Order - Chairperson \_\_\_\_\_
2. Approval of Minutes - January 8, 2013
3. Appearance of Citizens (Items not on the Agenda)
4. Reports
  - a. Senior Center Manager's Report
  - b. Secretary's Review of Correspondence or other Actions
  - c. Recent Actions of City Council
  - d. Oak Ridge Senior Foundation Report
5. Unfinished Business  
Construction of New Senior Center
6. New Business  
New Funding Opportunities
7. Announcements
8. Adjournment

CITY OF OAK RIDGE, TENNESSEE  
SENIOR ADVISORY BOARD

BYLAWS

- I. Name. The name of the organization is: Senior Advisory Board
- II. Membership. The number of Board members is established by resolution of City Council. Members of the Board shall share a concern for the senior members of the community and a preference for membership to reflect a variety of ages as well as knowledge and background in senior interests such as health, safety, recreational activities, and transportation. Each member is elected for a three-year term of office. Any vacancies occurring during the year will be filled in accordance with current city policies and procedures.
- III. Functions and Powers. The function of the Board shall be to provide advice to City Council on senior related issues including but not limited to: health, nutrition, safety and security, recreational activities and facilities, and transportation, all in order to enrich and enhance the quality of life for seniors in Oak Ridge.

In performance of its functions, the Board is authorized to:

  - a. Recommend and conduct, as required, any studies or reviews as advised regarding assessment of needs, development, and maintenance of a program or activities and services which meet the needs and wishes of senior citizens in Oak Ridge so that seniors may continue to contribute, participate, and share in the life of the community.
  - b. Cooperate with any group or organization in any way that will aid in fulfilling its functions to enhance senior lifestyles.
  - c. Make recommendations regarding policies for (1) use of the Senior Center and (2) the reserving of certain hours for exclusive use by senior citizens.
  - d. Adopt any rules and procedures it feels advisable for the conduct of its meetings.
  - e. Act as a sounding board for senior citizens in the community who seek new or altered opportunities for activities, education, policies, and services.
  - f. Support the use of the Senior Center as a source of education and programming for senior health, nutrition, safety and security, recreational activities, and transportation.
- IV. Meetings.
  - A. The Board shall meet the first Monday of each month at the Senior Center, unless it is a city holiday and then the Board shall meet on the second Monday of the month.
  - B. Special meetings may be called upon the request of the Chairperson or any three members of the Board. The notice of a special meeting shall be given at least 24 hours prior to the meeting and shall state the subject matter to be considered and no other matter shall be before the Board.
  - C. In the event there is no matter to be considered, the Chairperson may dispense with a meeting by notifying the Board's staff liaison and each Board member at least 24 hours prior to the time set for the meeting.
- V. Quorum. A majority of the Board shall constitute a quorum for the transaction of business, and all actions shall require the concurring vote of a majority of members present.
- VI. Absences. Absences shall be treated in accordance with the established City Council attendance policy for boards and commissions.
- VII. Officers. At the regular January meeting after all newly-elected or reelected members have taken the oath of office, the Board shall elect a Chairperson and a Vice Chairperson for one-year terms beginning

immediately. A member shall be eligible for reappointment to one of these offices as long as he or she remains on the Board.

Duties of Officers

The Chairperson shall preside at all meetings of the Board, decide all points of order, appoint membership to such temporary committees as deemed necessary, sign documents on behalf of the Board, and call regular or special meetings of the Board.

The Vice Chairperson shall assume all the duties of the Chairperson in his or her absence.

The Board's staff liaison will record the minutes of the meeting and be responsible for their distribution to Board members and appropriate city offices.

VIII. Agenda. At least 48 hours prior to each meeting, the members shall be furnished with an agenda reflecting items to be considered. The Board's staff liaison is responsible for preparation and distribution of the agenda and the minutes of the previous meeting, as well as any other materials relative to the upcoming agenda. The order of business of all regular meetings shall be as follows:

1. Call to Order
2. Approval of Minutes
3. Reports
4. Unfinished Business
5. New Business
6. Announcements
7. Adjournment

Under each heading shall be listed the items scheduled for consideration at the meeting. (See attached example.)

- IX. Notice. Adequate notice of all meetings and matters to be discussed shall be given to the public and appropriate City offices, and shall be posted at the Senior Center. All meetings shall be open to the public.
- X. Annual Report. The Board will prepare an annual written report of its activities and recommendations for submission to City Council by June 30 of each year.
- XI. Amendment. These bylaws may be amended by majority vote of the members of the Board. An amendment to the bylaws shall be voted on at the next regular meeting after the regular meeting at which the amendment is proposed.

APPROVED BY THE SENIOR ADVISORY BOARD

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
July 6, 2015

Date of Meeting

Approved by City Council by Resolution \_\_\_\_\_  
Effective Date for Bylaws: \_\_\_\_\_

Attachment: Sample Agenda

## EXAMPLE OF AGENDA FOR SENIOR ADVISORY BOARD

1. Call to Order - Chairperson\_\_\_\_\_
2. Approval of Minutes - January 8, 2013
3. Appearance of Citizens (Items not on the Agenda)
4. Reports
  - a. Senior Center Manager's Report
  - b. Secretary's Review of Correspondence or other Actions
  - c. Recent Actions of City Council
  - d. Oak Ridge Senior Foundation Report
5. Unfinished Business  
Construction of New Senior Center
6. New Business  
New Funding Opportunities
7. Announcements
8. Adjournment

**RESOLUTION**

A RESOLUTION APPROVING REVISED BYLAWS FOR THE SENIOR ADVISORY BOARD.

WHEREAS, the Senior Advisory Board is a board created by resolution and comprised of Oak Ridge citizens whose purpose is to provide advice to City Council on senior related issues to enrich and enhance the quality of life for seniors in Oak Ridge; and

WHEREAS, the current version of the Board's bylaws was approved by Resolution 10-100-2014; and

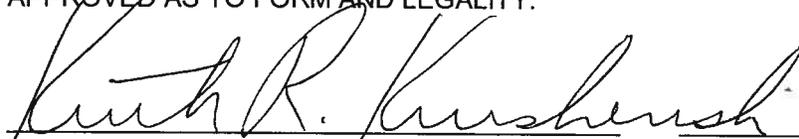
WHEREAS, at their July 6, 2015 meeting, the Senior Advisory Board unanimously voted to revise their bylaws to delete all reference to intergenerational interaction thereby focusing their efforts solely on senior citizens.

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

The attached revised bylaws for the Senior Advisory Board are hereby approved.

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:



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

\_\_\_\_\_  
Warren L. Gooch, Mayor

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

CITY OF OAK RIDGE, TENNESSEE  
SENIOR ADVISORY BOARD

BYLAWS

- I. Name. The name of the organization is: Senior Advisory Board
- II. Membership. The number of Board members is established by resolution of City Council. Members of the Board shall share a concern for the senior members of the community and a preference for membership to reflect a variety of ages as well as knowledge and background in senior interests such as health, safety, recreational activities, and transportation. Each member is elected for a three-year term of office. Any vacancies occurring during the year will be filled in accordance with current city policies and procedures.
- III. Functions and Powers. The function of the Board shall be to provide advice to City Council on senior related issues including but not limited to: health, nutrition, safety and security, recreational activities and facilities, and transportation, all in order to enrich and enhance the quality of life for seniors in Oak Ridge.  
  
In performance of its functions, the Board is authorized to:
  - a. Recommend and conduct, as required, any studies or reviews as advised regarding assessment of needs, development, and maintenance of a program or activities and services which meet the needs and wishes of senior citizens in Oak Ridge so that seniors may continue to contribute, participate, and share in the life of the community.
  - b. Cooperate with any group or organization in any way that will aid in fulfilling its functions to enhance senior lifestyles.
  - c. Make recommendations regarding policies for (1) use of the Senior Center and (2) the reserving of certain hours for exclusive use by senior citizens.
  - d. Adopt any rules and procedures it feels advisable for the conduct of its meetings.
  - e. Act as a sounding board for senior citizens in the community who seek new or altered opportunities for activities, education, policies, and services.
  - f. Support the use of the Senior Center as a source of education and programming for senior health, nutrition, safety and security, recreational activities, and transportation.
- IV. Meetings.
  - A. The Board shall meet the first Monday of each month at the Senior Center, unless it is a city holiday and then the Board shall meet on the second Monday of the month.
  - B. Special meetings may be called upon the request of the Chairperson or any three members of the Board. The notice of a special meeting shall be given at least 24 hours prior to the meeting and shall state the subject matter to be considered and no other matter shall be before the Board.
  - C. In the event there is no matter to be considered, the Chairperson may dispense with a meeting by notifying the Board's staff liaison and each Board member at least 24 hours prior to the time set for the meeting.
- V. Quorum. A majority of the Board shall constitute a quorum for the transaction of business, and all actions shall require the concurring vote of a majority of members present.
- VI. Absences. Absences shall be treated in accordance with the established City Council attendance policy for boards and commissions.
- VII. Officers. At the regular January meeting after all newly-elected or reelected members have taken the oath of office, the Board shall elect a Chairperson and a Vice Chairperson for one-year terms beginning

immediately. A member shall be eligible for reappointment to one of these offices as long as he or she remains on the Board.

Duties of Officers

The Chairperson shall preside at all meetings of the Board, decide all points of order, appoint membership to such temporary committees as deemed necessary, sign documents on behalf of the Board, and call regular or special meetings of the Board.

The Vice Chairperson shall assume all the duties of the Chairperson in his or her absence.

The Board's staff liaison will record the minutes of the meeting and be responsible for their distribution to Board members and appropriate city offices.

VIII. Agenda. At least 48 hours prior to each meeting, the members shall be furnished with an agenda reflecting items to be considered. The Board's staff liaison is responsible for preparation and distribution of the agenda and the minutes of the previous meeting, as well as any other materials relative to the upcoming agenda. The order of business of all regular meetings shall be as follows:

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Under each heading shall be listed the items scheduled for consideration at the meeting. (See attached example.)

- IX. Notice. Adequate notice of all meetings and matters to be discussed shall be given to the public and appropriate City offices, and shall be posted at the Senior Center. All meetings shall be open to the public.
- X. Annual Report. The Board will prepare an annual written report of its activities and recommendations for submission to City Council by June 30 of each year.
- XI. Amendment. These bylaws may be amended by majority vote of the members of the Board. An amendment to the bylaws shall be voted on at the next regular meeting after the regular meeting at which the amendment is proposed.

APPROVED BY THE SENIOR ADVISORY BOARD

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
July 6, 2015

Date of Meeting

Approved by City Council by Resolution \_\_\_\_\_  
Effective Date for Bylaws: \_\_\_\_\_

Attachment: Sample Agenda

## EXAMPLE OF AGENDA FOR SENIOR ADVISORY BOARD

1. Call to Order - Chairperson \_\_\_\_\_
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Construction of New Senior Center
6. New Business  
New Funding Opportunities
7. Announcements
8. Adjournment

Personnel Memorandum  
15-139

September 1, 2015

TO: Mark S. Watson, City Manager  
FROM: Penelope H. Sissom, Personnel Director  
SUBJECT: MEDICAL INSURANCE RENEWAL

Introduction

The attached resolution extends the contract with the State of Tennessee Local Government Health Insurance Program to purchase employee medical insurance for calendar year 2016 in the estimated amount of \$4,520,000.

Funding

Funds are available from employee deductions and in the FY2016 Budget for the City's portion of the premium.

Background

The State program that became effective January 1, 2011 offers a wide variety of choices with different premium rates for Employee Only, Employee plus Child(ren), Employee plus Spouse, and Employee plus Spouse plus Child(ren) and Employee Dual (both spouses are City employees under one contract). In prior years, the employee chose either a Standard PPO (Preferred Provider Organization), a Partnership PPO or a PPO Limited and all three of these options were offered by both Blue Cross Blue Shield and CIGNA HealthCare. In 2016, there is a new category called HealthSavings CDHP (Consumer Driven Health Plan). Each of the four plans has different coinsurance and different deductible amounts. Another factor in the employee's decision is that not all physicians and hospitals are in every provider network.

The HealthSavings CDHP is a lower monthly premium plan with a higher deductible. It includes a health savings account (HSA) which can be used to pay for qualified medical, dental and vision expenses. The employee owns the HSA which can be rolled over each year and is the employee's to take if he or she leaves the City. Employees electing this plan must meet the deductible before the plan starts paying for covered expenses and there is coinsurance instead of copays until the maximum out-of-pocket is reached.

Fortunately, the City was advised in April of this year that based on projected benefit and expenses there will be **no increase in premiums in CY 2016**. Due to the elimination of the CIGNA surcharge, premiums will be identical for both Blue Cross Blue Shield and CIGNA HealthCare. Employees who remain with CIGNA will see a light reduction in premiums.

The charts on the next page reflect the medical insurance premium charges for each plan and the impact these premiums have on both the City and employees. There is a new cost section for the Health Savings CDHP.

Level of Coverage	Total Premiums		Employee Cost	
	Monthly	Annual	Pay Period	Annual
<b>Partnership PPO</b>				
Employee	\$611.55	\$7,338.60	\$24.68	\$641.68
Employee + Child(ren)	\$947.90	\$11,374.80	\$110.25	\$2,866.50
Employee + Spouse	\$1,314.81	\$15,777.72	\$152.97	\$3,977.22
Employee + Spouse + Child(ren)	\$1,651.18	\$19,814.16	\$199.55	\$5,188.30
Employee Dual			\$49.36	\$1,283.36
<b>Standard PPO</b>				
Employee	\$636.55	\$7,638.60	\$36.22	\$941.72
Employee + Child(ren)	\$972.90	\$11,674.80	\$121.79	\$3,166.54
Employee + Spouse	\$1,364.81	\$16,377.72	\$176.05	\$4,577.30
Employee + Spouse + Child(ren)	\$1,701.18	\$20,414.16	\$222.63	\$5,788.38
Employee Dual			\$72.44	\$1,883.44
<b>PPO-Limited</b>				
Employee	\$391.61	\$4,699.32		
Employee + Child(ren)	\$606.99	\$7,283.88		
Employee + Spouse	\$841.96	\$10,103.52		
Employee + Spouse + Child(ren)	\$1,057.35	\$12,688.20		

NO charge to Employee with Any Option

**Health Savings (CDHP)**

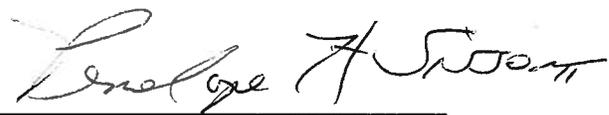
Employee	\$366.61	\$4,399.32		
Employee + Child(ren)	\$568.24	\$6,818.88		
Employee + Spouse	\$788.21	\$9,458.52		
Employee + Spouse + Child(ren)	\$989.85	\$11,878.20		

NO charge to Employee with Any Option

Employees have been advised that the annual enrollment transfer period will be during the period of October 1 through October 30, 2015. During that time employees may change plans (Partnership, Standard or Limited PPO or enroll in the HealthSavings CDHP), may change medical providers (BCBS or CIGNA) or may enroll dependents without a qualifying event.

Recommendation

Sufficient funds are included in the FY 2016 Budget for medical insurance premiums. Therefore, Staff recommends adoption of the attached resolution. If you need additional information, please let me know.



Penelope H. Sissom

**City Manager's Comments:**

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

Mark S. Watson      9/3/2015  
Mark S. Watson      Date

**RESOLUTION**

A RESOLUTION TO EXTEND THE EMPLOYEE MEDICAL INSURANCE CONTRACT BETWEEN THE CITY OF OAK RIDGE AND THE STATE OF TENNESSEE LOCAL GOVERNMENT HEALTH INSURANCE PROGRAM FOR THE PERIOD OF JANUARY 1, 2016 THROUGH DECEMBER 31, 2016 AT AN ESTIMATED COST OF \$4,520,000.00.

WHEREAS, it is appropriate for the City to ensure that its employees have affordable medical insurance coverage for themselves and their families; and

WHEREAS, it is appropriate for the City to provide medical insurance coverage for its employees that is comparable to that provided by similar cities and employers; and

WHEREAS, it is appropriate for the City to ensure that those who have retired from City employment after having served the City have medical insurance coverage for themselves and their families; and

WHEREAS, it is appropriate for the City to provide for a medical reimbursement account for those employees who elect not to have medical insurance through the City; and

WHEREAS, the State of Tennessee offers to local government employees and retirees a self-insured medical insurance plan and contracts for the administration of said plan; and

WHEREAS, by Resolution 9-148-98, City Council approved a contract with the State of Tennessee for the purchase of employee medical insurance; and

WHEREAS, the City of Oak Ridge has the option to extend said contract for the period of January 1, 2016 through December 31, 2016, at an estimated cost of \$4,520,000.00; and

WHEREAS, the City Manager recommends extension of said contract.

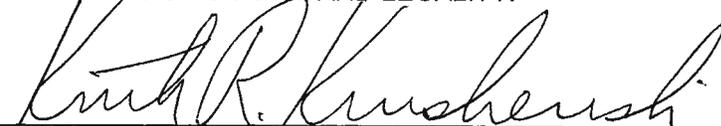
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the contract between the City of Oak Ridge and the State of Tennessee Local Government Health Insurance Program, Nashville, Tennessee, to provide employee medical insurance is hereby extended for the period January 1, 2016 through December 31, 2016 at an estimated cost of \$4,520,000.00.

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

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Warren L. Gooch, Mayor

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

## FINANCE DEPARTMENT MEMORANDUM

15-17

**DATE:** August 28, 2015  
**TO:** Mark S. Watson, City Manager  
**FROM:** Janice E. McGinnis, Finance Director  
**SUBJECT:** TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) OPERATING ASSISTANCE GRANT

### Introduction

An item for City Council's consideration is a resolution authorizing the City of Oak Ridge to (request and) receive a TDOT public transit operating assistance grant. The City has received this grant since 1993.

### Funding

The State has allocated \$165,500 in operational funding to the City of Oak Ridge for public transit programs for the grant period through October 31, 2016. The State grant reimbursement amount continues to be 80% of allowable expenditures for this grant period. The City's share of expenses for these programs is anticipated to be approximately \$41,375 and is funded from state-shared fuel taxes.

### Background

The City's transportation program consists of a Demand Responsive System and a Transportation Assistance Program as outlined below:

Demand Responsive Transit System: The City's Demand Responsive Systems was created in 1993 to provide transportation service to all persons within the corporate limits of Oak Ridge. Riders can utilize the City's disabled-accessible minibuses to travel to their medical appointments, places of employment, shopping centers and social venues. There were 6,468 trips in fiscal 2015 with approximately 40% of the passenger trips for individuals in wheelchairs.

By Resolution 8-76-2013, City Council authorized the City to enter into a contract with the East Tennessee Human Resources Agency (ETHRA) for management of the City's transit system. ETHRA is responsible for the daily operations and management of the system. This contract was for an initial one-year term beginning on November 1, 2013 and provides for up to nine (9) additional one-year terms at the City's option and subject to grant funding. The maximum annual compensation under the contract is \$175,373.

ETHRA provides the fully ADA-compliant and wheelchair lift equipped buses for this program. A minimum of two vehicles are required to be in service at all times during service hours. The vehicles currently operate six days a week, Monday through Saturday, from 8:00 a.m. until 4:30 p.m. ETHRA is responsible for maintenance, at its expense, of the vehicles in accordance with manufacturers and state maintenance standards and also provides fuel for operation of the vehicles.

Passengers are picked up and delivered anywhere within the City limits for only \$2.00 per one-way trip, or \$4.00 round trip. Rides are scheduled one day in advance by calling 482-2785. Routine trips can be scheduled for a standing appointment.

Transportation Assistance Program: The Transportation Assistance Program began in December 1974, offering a means to supplement transportation for eligible participants to healthcare, shopping, social, cultural and recreational events. Originally established to assist senior citizens, the program was restructured in 1987 to provide help for disabled adults as well. Any resident aged 55 or older or any disabled resident aged 18 or older with documentation of disability may purchase taxicab coupons. One coupon may be used per one-way trip. In fiscal 2015, there were 207 participants in the program with 16,920 coupons sold.

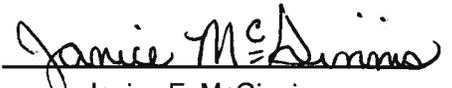
Coupons are sold from 9:00 a.m. to 4:00 p.m., Monday through Friday, at the Oak Ridge Senior Center. Proof of identification, age and residency is required. Any one person per year may purchase a maximum of 144 coupons. Coupons are sold in books of 12 for \$9.00 per book. Each coupon is good from July 1 through June 30. Persons' having coupons left over after June 30 can trade them at the Senior Center for current coupons. The taxicab company offers a 10% discount, absorbing thirty cents of the coupon cost, and the City provides the remaining \$1.95.

Ticket Breakdown:		
City's Share	\$1.95	65%
Participant's Share	\$0.75	25%
Taxicab Share	<u>\$0.30</u>	<u>10%</u>
	\$3.00	100%

Recommendation

Staff recommends requesting grant funding in order to continue funding these two programs.

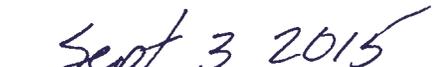
Attachment

  
Janice E. McGinnis

**City Manager's Comments:**

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

  
Mark S. Watson

  
Date

**RESOLUTION**

A RESOLUTION AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR AN OPERATING ASSISTANCE GRANT TO REIMBURSE THE CITY FOR UP TO EIGHTY PERCENT (80%) OF THE NET OPERATING EXPENSES OF THE CITY'S PUBLIC TRANSPORTATION PROGRAM IN THE ESTIMATED AMOUNT OF \$165,500.00.

WHEREAS, the City has implemented a public transportation program including a demand-responsive transit system and a transportation assistance program; and

WHEREAS, the Tennessee Department of Transportation (TDOT) has grant monies available under its Operating Assistance Grant program and has allocated funding in the amount of \$165,500.00 to reimburse the City for a portion of the operating expenses for the City's transit system; and

WHEREAS, by Resolution 8-76-2013, City Council authorized the City to enter into a contract with the East Tennessee Human Resources Agency (ETHRA) for management of the City's transit system, which contract is renewable contingent upon the City's receipt of grant funding from TDOT for partial funding of the City's operating expenses for the transit program; and

WHEREAS, upon approval of grant funding, the contract with ETHRA will be renewed for the current grant year (November 1, 2015 through October 31, 2016); and

WHEREAS, the City Manager recommends application for and acceptance of the TDOT grant which will allow continued operation of the City's transit system.

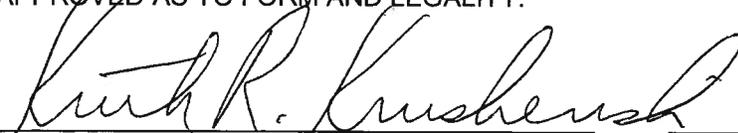
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to apply for, and accept if approved, an Operating Assistance Grant from the Tennessee Department of Transportation to reimburse the City for up to eighty percent (80%) of the net operating expenses of the City's Public Transportation Program in the estimated amount of \$165,500.00.

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

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Warren L. Gooch, Mayor

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

**Library Memorandum**  
**15-9**

**TO:** Mark Watson, City Manager  
**FROM:** Kathy E. McNeilly, Library Director  
**DATE:** August 12, 2015  
**SUBJECT:** ACCEPTANCE OF A GRANT EXTENSION FROM THE U.S. DEPARTMENT OF ENERGY FOR THE COROH ORAL HISTORY PROJECT

Introduction

An item for the agenda is a resolution authorizing the City to accept a grant extension from the U. S. Department of Energy (DOE) through July 31, 2020 for the oral history project.

Funding

Acceptance of the grant extension through July 31, 2020 requires no matching funds from the City.

Background

By Resolution 12-111-08, City Council authorized the City to apply for, and accept if approved, an initial five-year grant from DOE to support the Center for Oak Ridge Oral History (COROH) located at the Oak Ridge Public Library. The grant was approved and has been extended over time for a total of \$615,000.00 in grant funds. Grant funds have been used to collect, preserve, and make available to the public oral histories of key individuals, with particular focus on the Manhattan Project years. To date, 548 interviews have been completed.

DOE has extended the grant for an additional five-year term (August 1, 2015 through July 31, 2020) and has budgeted \$100,000.00 for the current grant term (August 1, 2015 through July 31, 2016). Continued grant funding after the current grant term in the amount of \$100,000.00 per year is subject to availability of DOE funding.

This grant extension will allow COROH to continue its work of collecting and preserving oral histories of Oak Ridge with a new emphasis on the 1950's, 1960's and the Cold War years. (See attached Mission Statement.)

Recommendation

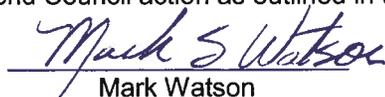
Staff recommends approval of the attached resolution.

  
Kathy E. McNeilly

Attachments: Mission Statement  
Resolution

**City Manager's Comments:**

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

  
Mark Watson

9/4/2015  
Date



*The Center for Oak Ridge Oral History*  
Mission Statement

A committee of citizens and representatives of local, state, and federal organizations have joined together to collect the oral histories of members of the scientific/technical community and area residents in an effort to ensure that the memories of those involved in the history of the City of Oak Ridge, Tennessee, from its inception to the present, and its profound significance to the region, the United States, and the world will not be lost.

For the purposes of the Oral History Steering Committee, the term “oral histories” will include the audio and/or video formats and the written transcriptions based on them.

Activities carried out by the Committee in support of this mission will include but not be limited to the following:

- To coordinate an area-wide catalog and index of existing oral histories
- To promote the continuing collection of oral histories in accordance with the highest standards of the oral history tradition
- To gather and preserve these oral histories using the most current technologies
- To provide on-going access to these resources for public, educational and scholarly use
- To determine a long-term storage plan for all tapes and other materials pertaining to the oral history research

**RESOLUTION**

A RESOLUTION ACCEPTING A GRANT EXTENSION THROUGH JULY 31, 2020 FROM THE U.S. DEPARTMENT OF ENERGY (DOE) FOR THE ORAL HISTORY PROJECT, IN THE BUDGETED AMOUNT OF \$100,000.00 PER YEAR SUBJECT TO AVAILABILITY OF DOE FUNDING.

WHEREAS, by Resolution 12-111-08, City Council authorized the City to apply for, and accept if approved, an initial five-year grant from the U.S. Department of Energy (DOE) to support the Center for Oak Ridge Oral History (COROH) initiative to collect and preserve and make available to the public oral histories of key individuals important to the history of Oak Ridge; and

WHEREAS, said grant was approved and has been extended over time for a total of \$615,000.00 in grant funds for the oral history project; and

WHEREAS, to date, 548 oral histories have been collected using this grant; and

WHEREAS, DOE has extended the grant term for another five years through July 31, 2020 in the budgeted amount of \$100,000.00 per year subject to the availability of DOE funding; and

WHEREAS, the City Manager recommends acceptance of the grant extension from DOE.

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

That the recommendation of the City Manager is approved and the City hereby accepts the five-year grant extension from the U.S. Department of Energy (DOE) for the oral history project in the budgeted amount of \$100,000.00 per year subject to availability of DOE funding.

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

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

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

# RESOLUTIONS

**Library Memorandum**  
**15-10**

**TO:** Mark Watson, City Manager  
**FROM:** Kathy E. McNeilly, Library Director  
**DATE:** August 12, 2015  
**SUBJECT:** AGREEMENTS WITH SECRET CITY FILMS AND BBB COMMUNICATIONS, LLC FOR THE ORAL HISTORY PROJECT

Introduction

An item for the agenda is a resolution authorizing the City to enter in agreements with Secret City Films and BBB Communications, LLC, for videographer services for the oral history project in the estimated amount of \$35,000.00 per agreement, with up to four (4) additional one-year renewal options dependent upon grant funding.

Funding

The oral history project is paid for through federal grant funds from the U.S. Department of Energy (DOE). DOE recently extended the oral history project's grant funding through July 31, 2020 at \$100,000.00 per year subject to the availability of funding.

Background

In 2009, the City became a recipient of federal grant funds from DOE to support the Center for Oak Ridge Oral History (COROH) initiative. COROH's steering committee consists of citizens and representatives of local, state and federal organizations who have joined together to collect the oral histories of members of the scientific/technical community and area residents in an effort to ensure that the memories of those involved in the history of Oak Ridge, from its inception to the present, and its profound significance to the region, the United States, and the world, will not be lost.

In an effort to begin this project, Oak Ridge Public Library staff and COROH developed a list of key individuals important to the history of Oak Ridge. In 2010, the City issued a Request for Proposals (RFP) seeking qualified producers to complete a two-year oral history project. As a result of the RFP, Secret City Films and BBB Communications, LLC, were selected to produce oral histories for the project. With continued grant funding, the oral history project has completed 548 interviews to date focusing on the Manhattan Project years.

Review

DOE has renewed grant funding for this project through July 31, 2020 at \$100,000.00 a year subject to availability of funds. The City desires to continue utilizing the services of Secret City Films and BBB Communications, Inc., for the project. Oral histories produced under the renewed grant funding will bring the focus of the oral history project up to the 1950s and 1960s.

Recommendation

Staff recommends approval of the attached resolution.

Kathy E. McNeilly  
Kathy E. McNeilly

Attachment: Resolution

**City Manager's Comments:**

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

Mark S Watson  
Mark Watson

9/4/2015  
Date

**RESOLUTION**

A RESOLUTION AUTHORIZING AGREEMENTS WITH SECRET CITY FILMS AND BBB COMMUNICATIONS, LLC, FOR PRESERVATION OF ORAL HISTORIES OF KEY INDIVIDUALS IMPORTANT TO THE HISTORY OF OAK RIDGE IN THE ESTIMATED AMOUNT OF \$35,000.00 EACH.

WHEREAS, by Resolution 2-9-11 and Resolution 4-22-2012, City Council authorized professional services agreements with Secret City Films and BBB Communications, LLC, respectively, for preservation of oral histories of key individuals important to the history of Oak Ridge and said agreements were extended through May 30, 2015 by Resolution 7-63-2013; and

WHEREAS, Secret City Films and BBB Communications, LLC, were selected through a Request for Proposals process to find videographers to collect and preserve oral histories; and

WHEREAS, the oral history project is paid for with federal grant funds from the United States Department of Energy (DOE); and

WHEREAS, DOE recently extended the grant agreement through July 31, 2020 for continuation of this project in the budgeted amount of \$100,000.00 per grant year (August 1 – July 31), subject to availability of DOE funding; and

WHEREAS, the City Manager recommends approval of agreements with Secret City Films and BBB Communications, LLC, to continue the oral history project for the extended grant term.

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

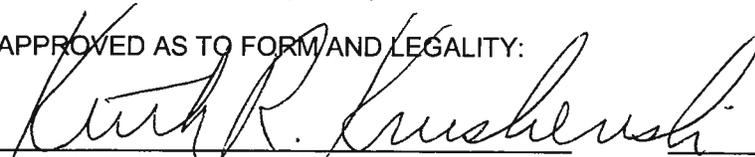
That the recommendation of the City Manager is approved and the City is hereby authorized to enter into agreements with Secret City Films and BBB Communications, LLC, to produce oral histories; said agreements in the approximate amount of \$35,000.00 each for the first term.

BE IT FURTHER RESOLVED that said agreements will automatically renew for up to four (4) additional terms provided funding is available from DOE under the grant agreement.

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

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Warren L. Gooch, Mayor

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

RECREATION AND PARKS DEPARTMENT MEMORANDUM

15-05

**DATE:** August 25, 2015  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jonathan W. Hetrick, Recreation and Parks Director  
**SUBJECT: VEHICLE PURCHASE**

Introduction

An item for City Council's consideration is a resolution for the purchase of one (1) new Ford Medium Duty 4WD dump truck for the Recreation & Parks Department in the estimated amount of \$ 49,288.00.

Funding

The funds are available in the FY2016 Equipment Replacement Fund for this purchase.

Analysis

Request # 144318 - Recommendation to Landers Ford, Collierville, TN - \$ 49,288.00

This truck will replace vehicle #306, a model year 2000 Ford Medium Duty 4WD dump truck assigned to the Recreation & Parks Department. The vehicle, which receives heavy use on an almost daily basis, has 91,765 miles on the odometer as of 8/11/2015. The truck has frequent mechanical issues, including the transmission and Power Take-Off (PTO) system. The recommended replacement is a Ford Medium Duty 4WD Dump Truck. The State of Tennessee contracts were reviewed for the vehicle bid, but this piece of equipment was not available with the dump bed and Gross Vehicle Weight Rating (GVWR) specified. Sealed bids were received, with award of the bids based on the lowest bid received for the (1) item of equipment recommended for purchase. Truck #306 will be sold as surplus.

Recommendation

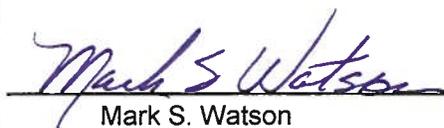
Staff recommends approval of the resolution as submitted.

  
Jonathan W. Hetrick

Attachments: Abstract

**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 #144318

OPENING DATE: July 14, 2015 2:00 P.M.

FOR ---			BIDDER:		BIDDER:		BIDDER:		BIDDER:	
Medium Duty 4WD Truck Dump Bed, Hoist and Cross-Frame Toolbox			Landers Ford 2082 West Popular Avenue Collierville, TN 38017		Sam Swope Auto Group LLC 1603 Melody Lane Chattanooga, TN 37412		Cherokee Truck Equipment, LLC 3501 Cummings Road Chattanooga, TN 37419		Ford of Murfreesboro 1550 N.W. Broad St. Murfreesboro, TN 37129	
DESCRIPTION	ITEM	QUANTITY	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
THE FURNISHING OF A NEW 4 WHEEL DRIVE DUMP 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 PARKS DEPARTMENT	1	1	\$49,288.00	\$ 49,288.00	\$ 54,193.00	\$ 54,193.00	\$ 56,081.00	\$ 56,081.00	\$ 56,888.00	\$ 56,888.00
<b>TOTAL PRICE</b>			\$	49,288.00	\$	54,193.00	\$	56,081.00	\$	56,888.00
<b>TERMS</b>			Net 30		Net 30		Net 30		Net 30	
<b>DELIVERY</b>			90 days		90 to 260 days		140 days from PO		ETA 12-10-2015	
<b>F.O.B.</b>			Oak Ridge		Oak Ridge		Chattanooga, TN		Delivered	
<b>VIA</b>			Best Way		Driver		Delivery		Drivers	

**OTHER BIDDERS CONTACTED:**  
 Allen Vigil Ford - Fayetteville, GA  
 Beatty Chevrolet - Knoxville, TN  
 David Clifton Chevrolet - Harriman, TN  
 Golden Circle Ford - Jackson, TN  
 Lenoir City Chrysler Dodge Jeep Ram - Lenoir City, TN  
 McNelly-Whaley - Sevierville, TN  
 Oak Ridge Nissan - Oak Ridge, TN  
 Sexton Automotive Group - Oak Ridge, Harriman & Morgan City, TN  
 Rice CDJR - Alcoa, TN  
 Secret City Dodge - Oak Ridge, TN  
 Town & Country Ford - Nashville, TN

**BIDS OPENED AND RECORDED BY---**  
*Lyn Majeski*  
 Lyn Majeski  
 Accounting Division Manager

**REASON FOR AWARD:**

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"/>

**RECOMMEND AWARD BE MADE TO:**

Landers Ford  
 2082 West Popular Avenue  
 Collierville, TN 38017

**BIDS REVIEWED BY---**  
*Janice McGinnis*  
 Janice McGinnis  
 Finance Director

# BID PROCESS FORM



<b>BID NAME</b>	Replacement 4WD Dump Truck for Recreation and Parks	<b>DESCRIPTION</b>	The furnishing of a new 4 wheel drive dump 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 Parks Department.
<b>CITY COUNCIL MEETING</b>	September 14, 2015		

## BIDDERS CONTACTED ( CONTACT INFORMATION)

<u>Company</u>	<u>Address</u>	<u>City, State ZIP</u>	<u>Phone</u>	<u>Email</u>	<u>Contacted Via</u>
Sam Swope Auto Group, LLC	1603 Melody Lane	Chattanooga, TN 37412		mackgilliland1@yahoo.com	[e-mail]
Sam Swope Auto Group, LLC	2740 Whitten Rd	Memphis, TN 38133	901-413-5086	mpoolefleet@hotmail.com	[e-mail]
Cherokee Truck Equipment, LLC	3501 Cummings Road	Chattanooga, TN 37412	800-365-7189	pat.graham@cherokeetruck.com	[e-mail]
Ford of Murfreesboro	1550 N.W. Broad St.	Murfreesboro, TN 37129	615-713-1436	jmccullough@fordofmurfreesboro.com	[e-mail]
Columbia CDJR	106 S. James Campbell Blvd.	Columbia, TN 38401	877-349-9378	russell.moles@yahoo.com	[e-mail]
Allan Vigil Ford of Fayetteville	275 N. Glynn Street	Fayetteville, BA 30214	678-364-3983	hop@allanvigilford.com	[e-mail]
Beatty Chevrolet	9615 Parkside Drive	Knoxville, TN 37922	865-693-7712	bob @allanvigilford.com	[e-mail]
David Clifton Chevrolet	994 N Gateway Ave	Rockwood, TN 37854	865-354-0152	fleet@beatychevrolet.com	[e-mail]
Golden Circle Ford	1432 US Highway 45 Bypass	Jackson, TN 38305	731-664-0873	dc43@comcast.net	[e-mail]
McNelly-Whaley Motor Company	750 Dolly Parton Pkwy	Sevierville, TN 37862	865-453-2833	sblackstock@goldencircle.com	[e-mail]
Oak Ridge Nissan	1549 Oak Ridge Turnpike	Oak Ridge, TN 37830	865-687-7710	tonywatkins@mcnellywhaley.us	[e-mail]
Sexton Automotive Group	269 S Roane St	Harriman, TN 37748	865-882-0833	pattyseals777@yahoo.com	[e-mail]
Sexton Oak Ridge	799 Oak Ridge Turnpike	Oak Ridge, TN 37830	865-272-3223	sextonautomotivegroup@yahoo.com	[e-mail]
Sexton Morgan County	1226 Knoxville Highway	Wartburg, TN 37887	423-346-6227	saor799@comcast.net	[e-mail]
Town and Country Ford	101 Anderson LN	Madison, TN 37115	615-865-1280	sextonfordofmorgancounty@gmail.com	[e-mail]
Rice CDJR	3033 Alcoa Hwy	Alcoa, TN 37701	865-622-2412	bthorne@fordnashville.com	[e-mail]
Secret City CDJR	1005 Oak Ridge Turnpike	Oak Ridge, TN 37830	865-482-6227	jaylong@riceautomotive.com	[e-mail]
Lenoir City CDJR	1206 E Broadway St	Lenoir City, TN 37772	888-569-9619	i_oak@bellsouth.net	[e-mail]
				jlong@riceautomotive.com	[e-mail]

## BIDS RECEIVED FROM BIDDERS CONTACTED DIRECTLY BY THE CITY

Sam Swope Auto Group LLC; Cherokee Truck Equipment, LLC; and Ford of Murfreesboro

## BIDS RECEIVED FROM BIDDERS NOT DIRECTLY CONTACTED BY THE CITY

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

Landers Ford

## ADVERTISEMENT

The City of Oak Ridge advertised this bid on the Finance Department's Departmental Webpage for a duration of 20 days.

**RESOLUTION**

A RESOLUTION AUTHORIZING THE PURCHASE OF A MEDIUM DUTY 4WD FORD DUMP TRUCK FROM LANDERS FORD, COLLIERVILLE, TENNESSEE, FOR USE BY THE RECREATION AND PARKS DEPARTMENT, IN THE ESTIMATED AMOUNT OF \$49,288.00.

WHEREAS, the City of Oak Ridge has issued an invitation to bid for the furnishing of a medium duty 4WD dump truck for the Recreation and Parks Department to replace a 2000 Ford medium duty 4WD dump truck (Vehicle #306) with high mileage and mechanical issues; and

WHEREAS, bid were received and publicly opened on July 14, 2015, with Landers Ford, Collierville, 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 Landers Ford, 2082 West Popular Avenue, Collierville, Tennessee 38017, for the furnishing of one (1) Medium Duty 4WD Ford Dump Truck for use by the Recreation and Parks Department; said award in strict accordance with Requisition No. 144318 the required specifications, and the bid as publicly opened on July 14, 2015, and in the estimated amount of \$49,288.00.

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Diana R. Stanley, City Clerk

## ELECTRIC DEPARTMENT MEMORANDUM

15-26

**DATE:** August 28, 2015  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Electric Director  
**SUBJECT:** AWARD OF ENGINEERING CONTRACT

### Introduction

An item for City Council's consideration is a resolution approving a contract between the City of Oak Ridge and Gresham, Smith and Partners, Nashville, Tennessee for the provision of engineering services related to the reconstruction of 13kV Spacer Cable in the estimated amount of \$56,000.00.

### Funding

Funding is through the Electric Fund.

### Background and Analysis

Service to the Country Club subdivision is provided through a power line along Gum Hollow Road. The lack of an alternate feed into the area and the high tree density led the City long ago to opt to installing a special type of overhead line construction called "spacer cable." Spacer cable is more expensive than traditional overhead lines, but supplies higher resistance to damage- especially that caused ~~by tree~~ contact. The individual conductors are partially insulated and are held in a tight bundle that contains a strong support cable.

The spacer cable along Gum Hollow Road has reached the end of its life. Problems observed include rotten poles, deteriorated cable insulation and broken spacers. Another short section of deteriorated spacer cable was found on North Illinois Avenue. Both of these sections need to be replaced.

Although the Department is capable of maintaining spacer cable, special tools, materials and techniques are required to install the cable efficiently. The design of these projects is also somewhat specialized and requires experienced personnel to be done competently.

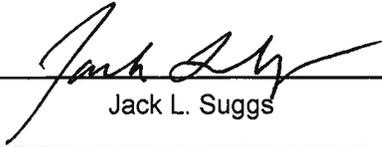
Based on these observations, staff contacted engineering firms to evaluate the project. We are recommending the firm of Gresham, Smith and Partners to the conduct the engineering design for replacing the existing cable. Gresham, Smith and Partners has an engineer located in Knoxville who is experienced in this kind of work who can be assigned to the project.

The resulting design from this contract will be bid and brought back to Council for award.

Staff believes that this is the most cost effective and efficient method for maintaining quality electric service to the areas described.

### Recommendation

Staff recommends approval of the attached resolution.

  
\_\_\_\_\_  
Jack L. Suggs

**City Manager's Comments:**

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

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

  
\_\_\_\_\_  
Date

**RESOLUTION**

A RESOLUTION APPROVING A CONTRACT WITH GRESHAM, SMITH AND PARTNERS, NASHVILLE, TENNESSEE, FOR ENGINEERING SERVICES RELATED TO THE RECONSTRUCTION OF A 13KV SPACER CABLE FOR THE ELECTRIC DEPARTMENT IN THE ESTIMATED AMOUNT OF \$56,000.00.

WHEREAS, the spacer cable along Gum Hollow Road and a short section of North Illinois Avenue is in need of replacement; and

WHEREAS, toward this effort, the City desires to contract with an engineering firm to design this project due to specialized nature of the work; and

WHEREAS, Gresham, Smith and Partners, Nashville, Tennessee, has been selected by the Electric Department to provide the design and has a Knoxville engineer experienced in this kind of work; and

WHEREAS, the City Manager recommends approval of a contract with Gresham, Smith and Partners, for the spacer cable design project.

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 a contract with Gresham, Smith and Partners, Nashville, Tennessee, for performance of engineering services related to the reconstruction of a 13kV spacer cable for the Electric Department, in the estimated amount of \$56,000.00.

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

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Warren L. Gooch, Mayor

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

DEPARTMENT OF COMMUNITY DEVELOPMENT MEMORANDUM

15-35

**DATE:** August 27, 2015  
**TO:** Mark S. Watson, City Manager  
**THROUGH:** Kathryn Baldwin, Community Development Director   
**FROM:** Matthew Widner, Housing Specialist   
**SUBJECT:** **AWARDING A CONTRACT TO FIRST PLACE FINISH, INC. FOR ABATEMENT AND DEMOLITION OF ONE CITY-OWNED RESIDENTIAL STRUCTURE (105 WADDELL PLACE)**

Introduction

An item for City Council's consideration is a resolution awarding a contract to First Place Finish, Inc. Oak Ridge, Tennessee for abatement and demolition of one City-owned residential structure located at 105 Waddell Place in the estimated amount of \$26,821.00

Funding

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

Background/Analysis/Review/Consideration

105 Waddell Place was previously owned by Rex R. Gass and purchased by the City of Oak Ridge on December 30, 2014 through the CDBG Voluntary Acquisition Program. The Board of Building and Housing Code Appeals declared this dwelling Unfit for Human Occupation and Use (Case #14-03) and ordered the house to be demolished. After purchase the residential structure was used for training by both the City of Oak Ridge Police and Fire Department. This property was originally scheduled to be burned for Fire Department training purposes, and City solicited for bids. Due to personnel changes in the Fire Department, in addition to only receiving one bid, this project was removed from Council agenda so it could re-advertised as a standard abatement and demolition project.

An invitation to bid was distributed via email by the City of Oak Ridge Finance Department to twelve (12) known qualified contractors. A follow-up invitation letter was also sent via confirmed email by the City of Oak Ridge Community Development Department in an effort to encourage more bidder participation. After a ten (10) day advertisement period, two (2) qualified bids were received on August 25, 2015 with First Place Finish, Inc. being the lowest responsible bidder in the amount of \$26,821.00.

It is imperative that this unsafe nuisance residential structure be demolished as soon as possible to protect the health and welfare of the public. First Place Finish, Inc. has successfully performed prior demolitions for the City with no negative reports or contract violations.

Recommendation

Approval of the attached resolution is recommended.

Attachment(s)

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

Mark S. Watson  
Name

**City Manager's Comments:**

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

Mark S. Watson  
Mark S. Watson

9/4/2015  
Date

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

FY2016-051

OPENING DATE: August 25, 2015 2:00 P.M.

DESCRIPTION			UNIT	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
FURNISH ALL LABOR, MATERIALS, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES FOR ABATEMENT AND DEMOLITION FOR RESIDENTIAL STRUCTURE AT 105 WADDELL PLACE PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE COMMUNITY DEVELOPMENT DEPARTMENT											
Abatement of Environmental Issues					\$ 19,989.00		\$ 18,000.00				
Demolition and Clean-up					\$ 6,832.00		\$ 15,500.00				
<b>TOTAL PRICE</b>					\$ 26,821.00		\$ 33,500.00		\$ -		\$ -
<b>TERMS</b>					NET 30		NET 30				
<b>DELIVERY</b>					PER CONTRACT		PER CONTRACT				
<b>F.O.B.</b>					JOBSITE		JOBSITE				
<b>VIA</b>					CONTRACTOR		CONTRACTOR				

<p><b>OTHER BIDDERS CONTACTED:</b>                  Blue Cove Construction - Villa Rica, GA (Non-Responsive Bid - No State of TN Contractor's License)                  Keith Powell Heating and Cooling - Oak Ridge, TN                  ES&amp;H, Inc. - Knoxville, TN                  Claiborne Hauling Contractors, LLC - Knoxville, TN                  Service One, Inc. - Knoxville, TN                  S &amp; F Environmental Consulting, LLC 37863</p>		<p>Adkins Excavating Contractors - Oliver Springs, TN                  Eastern Environmental, Inc. - Hampstead, NC                  Wright Contracting - Knoxville, TN                  E Luke Greene Co., Inc. - Knoxville, TN</p>		<p>Tetra Tech - Powell, TN                  Enviro Master, Inc. - Carrollton, GA                  Cozy Excavation - Clinton, TN</p>		<p><b>BIDS OPENED AND RECORDED BY---</b>                    Lyn Majeski                  Accounting Division Manager</p>	
<p><b>REASON FOR AWARD</b></p> <p>ONLY BID RECEIVED <input type="checkbox"/></p> <p>LOW PRICE <input type="checkbox"/></p> <p>BETTER OR REQUIRED DESIGN <input type="checkbox"/></p> <p>EARLY DELIVERY <input type="checkbox"/></p> <p>LOWEST TOTAL COST <input checked="" type="checkbox"/></p>		<p><b>RECOMMEND AWARD BE MADE TO:</b></p> <p>First Place Finish, Inc.                  1020 Commerce Park Drive Suite G                  Oak Ridge, TN 37830</p>		<p><b>BIDS REVIEWED BY---</b>                    Janice McGinnis                  Finance Director</p>			

# BID PROCESS FORM



<b>BID NAME</b>	Abatement and Demolition for Residential Structure Located at 105 Waddell Place	<b>DESCRIPTION</b>	Furnish all labor, materials, tools, and equipment necessary to perform all work and services for abatement and demolition for residential structure at 105 Waddell Place per the specifications provided by the City of Oak Ridge Community Development Department.
<b>CITY COUNCIL MEETING</b>	September 14, 2015		

## BIDDERS CONTACTED ( CONTACT INFORMATION)

<u>Company</u>	<u>Name</u>	<u>Address</u>	<u>City, State ZIP</u>	<u>Phone</u>	<u>Email</u>	<u>Contacted Via</u>
First Place Finish, Inc.	Laurel Patrick	1020 Commerce Park Drive Suite G	Oak Ridge, TN 37830	865-482-1959	lpatrick@firstplacefinish.us	[e-mail]
B & A Construction	Bobby Adkins	390 Lake Lane	Caryville, TN 37714	423-562-4628	adkinsdemoliton@bellsouth.net	[e-mail]
E Luke Greene Co., Inc.	Todd	10909 McBride Ln	Knoxville, TN 37932	865-675-4161	todd@elukegreene.com	[e-mail]
ES&H, Inc.	Erik Cuerto	944 Sanctuary Lane	Knoxville, TN 37932	865-671-2374	josephine@elukegreene.com	[e-mail]
Claiborne Hauling Contractors, LLC	Herb Anders	6210 Rutledge Pike	Knoxville, TN 37924	865-540-4409	ecuerto@eshinc.com	[e-mail]
					phil.gilbert@claibornehauling.com	[e-mail]
Service One Inc.	Joy Brandon Vaulton	7808 Asheville Hwy	Knoxville, TN 37924	865-932-0020	mike.kough@claibornehauling.com	[e-mail]
					jvaulton@s1inc.co	[e-mail]
					ctrotter@s1inc.co	[e-mail]
Adkins Excavating Contractors	Mike Adkins	149 Lively Ln	Oliver Springs, TN 37840	865-385-5302	mikeadkins149@gmail.com	[e-mail]
Eastern Environmental, Inc.	Daniel Broadhead	25224 US Hwy 17N	Hampstead, NC 28443	910-329-1129	db92461@aol.com	[e-mail]
Wright Contracting	Bill Gardner	1116 Farrington Dr.	Knoxville, TN 37923	865-388-2067	bgardner@wrighttn.com	[e-mail]
Tetra Tech	Mikael Spangberg	7608 La Barrington Blvd	Powell, TN 37849	865-938-6912	mikael.spangberg@tetrattech.com	[e-mail]
Keith Powell Heating and Cooling	Keith Powell	585 Oak Ridge Turnpike	Oak Ridge, TN 37830	865-483-9223	Keithpowell3@comcast.net	[e-mail]
Enviro Master, Inc.	Bobby	2790 N US Hwy 27	Carrollton, GA 30117	770-834-8160	Leadoff@bellsouth.net	[e-mail]
S & F Environmental Consulting, LLC	Deborah	190 Community Center Dr., Ste. 104	Pigeon Forge, TN 37863	865-908-1097	nlikeflynn1@yahoo.com	[e-mail]
Cozy Excavation	Alan Glessner	768 Old Emory Road	Clinton, TN 37716	865-457-2699	cozyland90@aol.com	[e-mail]

## BIDS RECEIVED FROM BIDDERS CONTACTED DIRECTLY BY THE CITY

First Place Finish, Inc. and B & A Construction

## BIDS RECEIVED FROM BIDDERS NOT DIRECTLY CONTACTED BY THE CITY

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

Blue Cove Construction - Villa Rica, GA (Non-Responsive Bid - Did not have a State of TN Contractor's License which is a required BEFORE bidding on projects \$25,000 and up, as a prime (general) contractor as required under TN State law.)

## ADVERTISEMENT

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

City of  
OAK RIDGE



Community Development Dept. (865) 425-3584

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

## Request for Bid (RFB) Invitation

Date: August 12, 2015

Name of Project: Abatement & Demolition For Residential Structure

Bid Document #: FY 2016 - 051

Contractors / Bidders,

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

Sealed Bids will be received by the City of Oak Ridge, Finance Department, until 2:00pm (local time), on Tuesday, August 25, 2015, and then publicly opened at the City of Oak Ridge, Central Services Complex, Materials Management Conference Room, located at 100 Woodbury Lane, Oak Ridge, TN 37830

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

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

Respectfully,

A handwritten signature in black ink that reads "M. Widner" with a stylized flourish at the end.

Matthew Widner  
Community Development

**RESOLUTION**

A RESOLUTION AWARDING A CONTRACT (FY2016-051) TO FIRST PLACE FINISH, INC., OAK RIDGE, TENNESSEE, FOR THE ABATEMENT AND DEMOLITION OF 105 WADDELL PLACE, A CITY-OWNED RESIDENTIAL STRUCTURE, IN THE ESTIMATED AMOUNT OF \$26,821.00.

WHEREAS, the City issued an invitation to bid for the abatement and demolition of the residential structure located at 105 Waddell Place, now City-owned, which was found unfit for human occupation or use by the Board of Building and Housing Code Appeals; and

WHEREAS, bids were received and publicly opened on August 25, 2015, with First Place Finish, Inc., submitting the lowest and best bid, which bid the City Manager recommends be accepted.

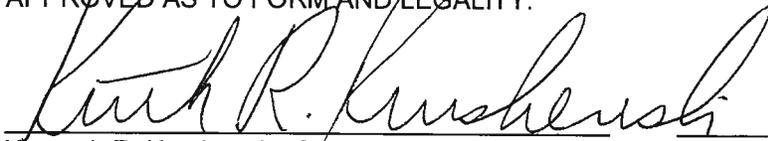
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and award is hereby made to First Place Finish, Inc., 1020 Commerce Park Drive Suite G, Oak Ridge, Tennessee 37830, for the furnishing of all labor, tools, materials, equipment and supplies necessary to abate and demolish the City-owned residential structure located on 105 Waddell Place; said award in strict accordance with FY2016-051, the required specifications, and the bid as publicly opened on August 25, 2015, and the estimated amount of \$26,821.00.

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

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:



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

\_\_\_\_\_  
Warren L. Gooch, Mayor

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

**ELECTRIC DEPARTMENT MEMORANDUM  
15-24**

**FINANCE DEPARTMENT MEMORANDUM  
15-16**

**DATE:** August 28, 2015

**TO:** Mark S. Watson, City Manager

**FROM:** Jack L. Suggs, Electric Director  
Janice E. McGinnis, Finance Director

**SUBJECT:** ADOPTION OF NEW ELECTRIC RATES

Introduction

An item for City Council's consideration is the approval of a resolution authorizing the Mayor to execute a Rate Change Amendment to TVA Power Contract TV-54097A and establishing new electric rates based on that document in combination with the Tennessee Valley Authority Adjustment Addendum to the Schedule of Rates and Charges for Oak Ridge, Tennessee effective October 1, 2015.

Funding

There is no direct cost associated with this action with the exception of adjusting the billing system. Since the action is a simple "pass-through" of TVA rate actions, no significant impact on net revenue will occur.

Background and Analysis

The purpose of this action is to establish new electric rates for customers of the City of Oak Ridge. The new rates are mandated by a rate change action on the part of TVA in combination with a TVA rate adjustment.

As we have discussed with the Council, TVA is mandating a "rate change" to the power billing rate structure for its distributors. The purpose of the new structure is to provide a differential in rates both seasonally and on a time of use basis at the wholesale level.

Since Oak Ridge has a power usage pattern that is very similar to other distributors our system will "peak" during the times of highest demand, the most expensive times. Because of this, the impact of the rate change is negative for Oak Ridge and will cost our rate payers an estimated \$195,000 per year.

TVA maintains that the new structure maximizes the use of existing resources, which will in turn lower fuel costs and reduce spending by delaying the need for generation investment. That said, TVA concedes that the rate action impacts each wholesale customer differently, and as such has committed to a slow, deliberate approach "to control impacts and provide local power companies with the time they need to determine how to best reduce their power costs."

Note that these changes will affect the cost of power sold to the City at the wholesale level. Staff is not recommending at this time that a seasonal rate or time of use rate be put in place at the retail level. That said, should TVA continue this trend, retail rates may have to be adjusted to seasonal or time of use rates to decrease exposure of the Electric Fund to weather variations. Time of use rates would, of course, require a new Automated Meter Infrastructure.

In addition to the rate change, TVA is increasing wholesale rates 2 ½% through a "rate adjustment." According to information previously provided by TVA, the funds will go primarily toward reduction of debt

and capital maintenance items on the TVA system. This adjustment translates to roughly 1.39% at the retail level.

Oak Ridge is *not* requesting any rate increase to support its own operations at this time.

The impact on customers will vary widely based on the specific load profiles of those involved. For an average residential customer who consumes 976 kWh per month, the cost of power will increase a total of 1.78%, increasing the average monthly bill by \$1.92.

The smallest commercial customers will see an increase of 1.69%. This equates to an increase of \$3.33 per month for the average customer, although the actual increase in billing will vary widely depending on usage.

The impact on the largest customers depends on their power usage profile. We have discussed these rates with our largest industrial customers individually to help them choose options that make sense for their operations.

A number of strategies to reduce purchase power cost are under consideration and development at the staff level. Regardless of the success of these future efforts, however, the cost increase cannot be absorbed and must therefore be passed on to customers.

The consequences of not approving the resolution are negative for the City and its customers. Concerning the rate adjustment, TVA has stated that regardless of our action, they will impose the new rate structure. Additionally, the rate change agreement contains in it a new "Small Manufacturing Credit" which should help some of our customers under specific conditions. Failure to approve the attached resolution will result in Oak Ridge not being able to offer that credit to its customers.

Failure to make the rate adjustment will negatively affect the financial security and stability of the Electric Fund and mandate higher rate increases in future years in order for the fund to remain viable and meet accepted and mandated standards for fund performance.

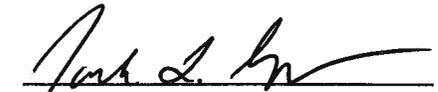
Sample rates for the most common classes are attached for your consideration.

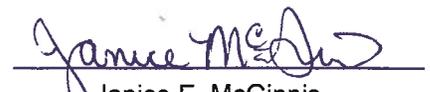
#### Recommendation

Staff recommends adoption of the attached resolution.

Attachment(s)

Sample Rates

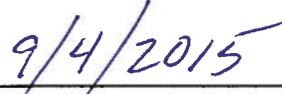
  
\_\_\_\_\_  
Jack L. Suggs

  
\_\_\_\_\_  
Janice E. McGinnis

**City Manager's Comments:**

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

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

  
\_\_\_\_\_  
Date

City of Oak Ridge  
Sample Proposed Rates Effective October 1, 2015

Retail Rate WITHOUT FUEL COST ADDED

Residential		
Customer Charge		11.43
Energy All kWh		0.07853
GSA1		
Customer Charge		18.14
Energy		
Summer kWh		0.09171
Winter kWh		0.09171
Transition kWh		0.09171
GSA2		
Customer Charge		80.95
Summer		
1st 15,000 kWh		0.09335
Additional kWh		0.04059
kW, excess over 50 kW		16.13
Winter		
1st 15,000 kWh		0.09335
Additional kWh		0.04059
kW, excess over 50 kW		16.13
Transition		
1st 15,000 kWh		0.09335
Additional kWh		0.04059
kW, excess over 50 kW		16.13
GSA3		
Customer Charge		202.38
Energy Summer		
All kWh		0.04198
1st 1,000 kW		15.63
Excess over 1,000 kW		18.64
Winter		
All kWh		0.04198
1st 1,000 kW		15.63
Excess over 1,000 kW		18.64
Transition		
All kWh		0.04198
1st 1,000 kW		15.63
Excess over 1,000 kW		18.64
Outdoor Lighting		
Summer kWh		0.043
Winter kWh		0.043
Transition kWh		0.043

**RESOLUTION**

A RESOLUTION TO AMEND THE POWER CONTRACT WITH THE TENNESSEE VALLEY AUTHORITY AND TO ESTABLISH NEW ELECTRIC RATES EFFECTIVE OCTOBER 2015.

WHEREAS, the City of Oak Ridge is a distributor of electric power purchased from the Tennessee Valley Authority (TVA) under an agreement known as the Power Contract (TV-54097A); and

WHEREAS, TVA is mandating a rate change to the power billing rate structure for its distributors, which includes the City of Oak Ridge, and is increasing wholesale rates by 2.5% through a rate adjustment, with both changes taking effect October 2015; and

WHEREAS, a rate increase is necessary in order to recover the wholesale rate increase from TVA and to assure the financial integrity of the Electric Fund; and

WHEREAS, TVA has submitted the required documents to incorporate the rate change and rate adjustment, which documents are recommended for approval by the City Manager.

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

That the recommendations of the City Manager are hereby approved and the City is hereby authorized to:

- Execute the Rate Change Amendment, which amends the Power Contract (TV-54097A) with the Tennessee Valley Authority (TVA), to incorporate the new wholesale rate structures effective October 2015; and
- Execute TVA's Adjustment Addendum to Schedule of Rates and Charges for Oak Ridge, Tennessee, which establishes new electric retail rates effective October 2015.

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

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Diana R. Stanley, City Clerk

LEGAL DEPARTMENT MEMORANDUM  
15-26

DATE: September 1, 2015  
TO: Honorable Mayor and Members of City Council  
FROM: Kenneth R. Krushenski, City Attorney  
SUBJECT: 2015 CHARTER REVIEW COMMITTEE

Introduction

An item for the agenda is a resolution to appoint a 2015 Charter Review Committee as required by Oak Ridge City Charter Article III, Section 14.

Funding

This item does not require any funding.

Background

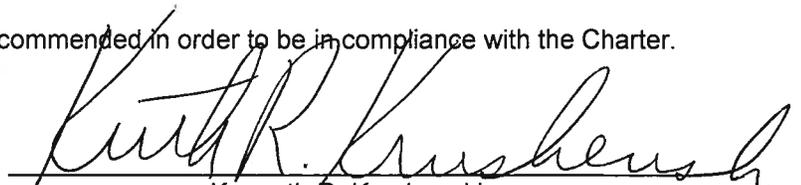
On October 4, 2004, the revised Oak Ridge City Charter as approved by the voters at the August 5, 2004 election became effective. Article III, Section 14, of the revised Charter provides that every eight (8) years, beginning in July 2007, the City Council shall appoint a Charter Review Committee whose duty shall be to review the charter to ensure consistency with State law. A copy of the Charter Article III, Section 14 is attached.

Council will need to establish a procedure to select the Committee. The Committee in 2007 was elected by Council from a group of individuals who submitted applications with the City Clerk. Council may decide to adopt that same procedure for the 2015 or adopt a different selection process.

Two resolutions are attached for Council's consideration. One allows for election of the Committee and the other permits each Councilmember to select their own individual appointment. The resolution for election of the Committee sets forth a Council meeting date of November 9, 2015 for the election. This is to give sufficient time to advertise for resumes, whereas the October 12, 2015 meeting would only give approximately two weeks for advertisement and submission of resumes in order to meet the agenda preparation deadline.

Recommendation

Approval of one of the attached resolutions is recommended in order to be in compliance with the Charter.

  
Kenneth R. Krushenski

Attachments: City Charter Article III, Section 14, Periodic Charter Review  
Resolution – Option 1 – Election of Committee  
Resolution – Option 2 – Appointment of Committee

**Section 14. Periodic charter review.**

Every eight years beginning in July 2007, the city council shall appoint a Charter Review Committee. The duty of the Committee shall be to review the Charter to ensure consistency with state law. The Charter Review Committee shall consist of seven members appointed by the city council. The city manager and city attorney shall serve as non-voting ex officio members. The Charter Review Committee shall conduct regular meetings, appoint one of its members as chair, keep minutes of its meetings, and submit its proposed amendments to the city council not later than 10 months from the date of official appointment. The city council shall consider the recommendations of the Charter Review Committee, and submit amendments that the council deems appropriate to a referendum of the voters in accord with the home rule provisions of the Tennessee Constitution.

NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION ESTABLISHING THE PROCESS FOR ELECTION OF THE MEMBERS OF THE 2015 CHARTER REVIEW COMMITTEE AND SETTING FORTH THE RESPONSIBILITIES OF THE CHARTER REVIEW COMMITTEE AS ESTABLISHED BY CITY CHARTER.

WHEREAS, Article III, Section 14, of the Charter of the City of Oak Ridge, Tennessee, provides that every eight years beginning in July 2007 the City Council shall appoint a Charter Review Committee whose duty shall be to review the Charter to ensure consistency with state law; and

WHEREAS, City Council resolution set forth the process for appointment of the 2007 Charter Review Committee; and

WHEREAS, it is appropriate to establish the process for appointment of the 2015 Charter Review Committee to specify the qualifications of its members and to document and clarify its charge as set forth in the Charter.

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

That in accordance with Article III, Section 14, of the Charter of the City of Oak Ridge, Tennessee, City Council shall appoint a seven (7) member Charter Review Committee whose duty shall be to review the Charter to ensure consistency with state law.

BE IT FURTHER RESOLVED, that in accordance with Article III, Section 14, of the Charter of the City of Oak Ridge, Tennessee, the City Manager and the City Attorney shall serve as non-voting ex officio members of the Committee.

BE IT FURTHER RESOLVED, that in accordance with Article III, Section 14, of the Charter of the City of Oak Ridge, Tennessee, the Committee shall conduct regular meetings, appoint one of its members as chair, and keep minutes of its meetings.

BE IT FURTHER RESOLVED that the Committee shall submit its proposed amendments to City Council in sufficient time for inclusion in the November 2016 election.

BE IT FURTHER RESOLVED, that in accordance with Article III, Section 14, of the Charter of the City of Oak Ridge, Tennessee, City Council shall consider the recommendations of the Committee and submit amendments that the Council deems appropriate to a referendum of the voters in accordance with the home rule provisions of the Tennessee Constitution.

BE IT FURTHER RESOLVED that the members of the Committee shall be residents of Oak Ridge and shall not be current City employees.

BE IT FURTHER RESOLVED that persons interested in serving on the Committee shall submit résumés to the City Clerk for inclusion in the agenda packet for the meeting at which the election of the Committee is scheduled to occur, as provided in Article I, Section E.3, of the Rules and Procedures of the Oak Ridge City Council.

BE IT FURTHER RESOLVED that Council shall elect the members of the Committee during its November 9, 2015 meeting; provided, however, the election of the Committee may be postponed to another meeting of City Council in the event of an insufficient number of candidates.

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

---

Warren L. Gooch, Mayor

---

Diana R. Stanley, City Clerk

NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION ESTABLISHING THE PROCESS FOR APPOINTMENT OF THE MEMBERS OF THE 2015 CHARTER REVIEW COMMITTEE AND SETTING FORTH THE RESPONSIBILITIES OF THE CHARTER REVIEW COMMITTEE AS ESTABLISHED BY CITY CHARTER.

WHEREAS, Article III, Section 14, of the Charter of the City of Oak Ridge, Tennessee, provides that every eight years beginning in July 2007 the City Council shall appoint a Charter Review Committee whose duty shall be to review the Charter to ensure consistency with state law; and

WHEREAS, City Council resolution set forth the process for appointment of the 2007 Charter Review Committee; and

WHEREAS, it is appropriate to establish the process for appointment of the 2015 Charter Review Committee and to document and clarify its charge as set forth in the Charter.

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

That in accordance with Article III, Section 14, of the Charter of the City of Oak Ridge, Tennessee, City Council shall appoint a seven (7) member Charter Review Committee whose duty shall be to review the Charter to ensure consistency with state law.

BE IT FURTHER RESOLVED, that in accordance with Article III, Section 14, of the Charter of the City of Oak Ridge, Tennessee, the City Manager and the City Attorney shall serve as non-voting ex officio members of the Committee.

BE IT FURTHER RESOLVED, that in accordance with Article III, Section 14, of the Charter of the City of Oak Ridge, Tennessee, the Committee shall conduct regular meetings, appoint one of its members as chair, and keep minutes of its meetings.

BE IT FURTHER RESOLVED that the Committee shall submit its proposed amendments to City Council in sufficient time for inclusion in the November 2016 election.

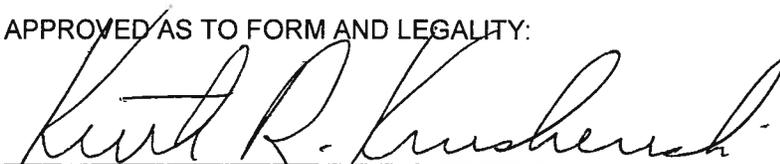
BE IT FURTHER RESOLVED, that in accordance with Article III, Section 14, of the Charter of the City of Oak Ridge, Tennessee, City Council shall consider the recommendations of the Committee and submit amendments that the Council deems appropriate to a referendum of the voters in accordance with the home rule provisions of the Tennessee Constitution.

BE IT FURTHER RESOLVED that the members of the Committee shall be residents of Oak Ridge and shall not be current City employees.

BE IT FURTHER RESOLVED that at the next available meeting, each Councilmember shall select his or her appointment for the Committee.

This the 14th day of September 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

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

CITY COUNCIL MEMORANDUM  
15-36

DATE: September 2, 2015  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: PROFESSIONAL SERVICES AGREEMENT – THE FERGUSON GROUP, LLC, FOR FISCAL YEAR 2016

Introduction

An item for City Council's consideration is a resolution to approve a Professional Services Agreement between the City and The Ferguson Group to provide 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 2016 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.

Funding

Funding for this agreement is available 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 2015. 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

Approval of the attached resolution is recommended.

  
Mark S. Watson

Attachments: Annual Federal Advocacy Update  
Resolution  
Proposed Agreement



1130 Connecticut Avenue, NW  
Suite 300  
Washington, D.C. 20036  
202.331.8500  
202.331.1598 fax



To: City of Oak Ridge  
From: Jennifer Imo  
Date: September 1, 2015  
Re: Annual Federal Advocacy Update

As you know, the City of Oak Ridge is represented in Washington, D.C. by The Ferguson Group. Until last spring, the City worked directly with Kareem Murphy. He left D.C. for Minneapolis, and City's federal representation was seamlessly continued by Jennifer Imo and Karl Kalbacher. Karl was later assigned to a different project for the City and is not currently involved in the City's federal advocacy. This memorandum highlights the work achieved from July 1, 2014 through June 30, 2015. You will see that Oak Ridge's local priorities have been, and continue to be, well represented and advanced at the federal level. We hope to continue and bolster our work together.

### Federal Advocacy Highlights

- Worked extensively on strategy and advocacy with Manhattan Project partners to establish the **Manhattan Project National Historic Park**, which was designated in the 2015 National Defense Authorization Act.
- Work with local consultants through the Metropolitan Knoxville Airport Authority to communicate with the FAA and expedite inclusion of a **general aviation airport in Oak Ridge** on the FAA's National Plan of Integrated Airport Systems (NPIAS).
- Drafted detailed memorandum and corresponding comments on the EPA's and Army Corps of Engineers' proposal to expand the scope of the Clean Water Act (commonly referred to as **Waters of the U.S.**). Provided ongoing updates on the rule's status and potential impacts.
- Drafted and submitted comments on the Obama Administration's **Executive Order on Flood Plain Management**. Worked closely with local staff on this issue.
- Provided guidance on the use of **New Market Tax Credits** to attract new business to the area.
- Drafted a White Paper detailing the **Attorney General's Order limiting civil asset forfeiture** and how the Order will affect the Police Department and its budget.
- Drafted a comprehensive **funding guide for water and water-related projects**.

- Provided real-time updates on the Senate's transportation reauthorization bill (**DRIVE Act**) and relevant amendments to that bill.
- Provide **weekly legislative and grant opportunity updates**.
- Provide notice of various **state and foundation funding opportunities**.
- Remain **on-call** to local staff to help with the various issues that arise.

As you can see, we have had a very productive year working on the City's behalf. We feel strongly that there is much more we can do to help the City as we continue our work together to promote your interests at the federal level. For example, TFG believes City interests are best served exploring through both the Executive and Legislative Branches opportunities to fully fund the Payment In Lieu of Taxes (PILT) program - particularly in light of the Department of Energy's efforts to locate the proposed landfill, or Environmental Management Disposal Facility, in the City. At a minimum, the City should fully engage on this very important local issue that could impact the quality of life of your residents. TFG stands ready to assist and we look forward to another successful year.

**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 6-52-2014, 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 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 a maximum rate of \$425.00 per hour with an allowance of \$5,000.00 for expenses; and

WHEREAS, the current agreement expired on June 30, 2015; and

WHEREAS, the City Manager recommends approval of a Professional Services Agreement with The Ferguson Group, LLC, for Fiscal Year 2016 upon the same terms and conditions as the Fiscal Year 2015 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, 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 14th of September 2015.

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Warren L. Gooch, Mayor

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

## PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement is entered into as of the day of the 14th day of September 2015 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, 2015 and terminate of June 30, 2016, 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

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

\_\_\_\_\_  
Warren L. Gooch, Mayor

THE FERGUSON GROUP, LLC

\_\_\_\_\_  
W. Roger Gwinn, President and CEO

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

Attachment: Fee/Rate Structure

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



1130 Connecticut Avenue, NW  
Suite 300  
Washington, D.C. 20036  
202.331.8500  
202.331.1598 fax

## 2015 FEES FOR PROFESSIONAL SERVICES

### HOURLY CONTRACTS

#### (Expenses not included)

<b>Hourly Rates:</b>	\$465	Partners
	\$395	Principals
	\$265	Senior Associates
	\$245	Director of Grant Services
	\$185	Associates
	\$125	Research Assistants

**Expenses:** Client billed monthly for reimbursable expenses, including out-of-town travel (pre-approved by client), in-town travel (taxicab), long-distance telephone charges, facsimiles, document reproduction, overnight delivery and in-town courier services. Contract may specify an annual limit on reimbursable expenses.

Contracts may specify an annual cap on reimbursable expenses in order to provide predictability for the client. These will be billed separately, and TFG will provide appropriate documentation for billing and payment.

[www.fergusongroup.us](http://www.fergusongroup.us)

**FINAL ADOPTION  
OF  
ORDINANCES**

ELECTRIC DEPARTMENT MEMORANDUM

15-22

**DATE:** August 3, 2015  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Electric Director  
**SUBJECT:** INCREASE IN REFUSE FEE

Introduction

An item for City Council's consideration is the adoption of an ordinance increasing the refuse fee for residential customers by \$3.50. The new total fee will be \$10.50.

Funding

Adoption of this ordinance will increase funding to the City by approximately \$335,000 for fiscal year 2016.

Review

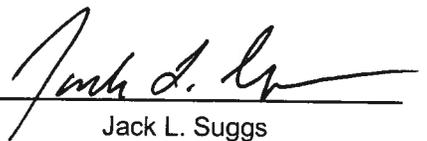
During the Council meeting of July 27, 2015, Council voted to increase revenue generated from the refuse fee, which is a stand-alone user fee, by raising it from the current level of \$7.00 to a new level of \$10.50.

Since the refuse fee is set by ordinance, adoption of an ordinance is necessary to meet the intent of Council as expressed through the vote taken.

The attached ordinance raises the fee as indicated, with the fee being effective November 1, 2015.

Recommendation

Staff recommends adoption of the attached ordinance.

  
Jack L. Suggs

cc: Janice McGinnis, Finance Director  
Marlene Witt, Business Office Manager

**City Manager's Comments:**

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

  
Mark S. Watson

8/4/15  
Date

**TITLE**

AN ORDINANCE TO AMEND ORDINANCE NO. 17-98 (AS AMENDED), SECTION 1, TO INCREASE THE MONTHLY RESIDENTIAL REFUSE COLLECTION FEE FROM \$7.00 TO \$10.50.

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

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

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

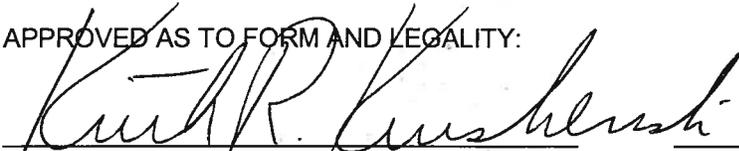
WHEREAS, as part of the FY2016 budget as approved by Ordinance 11-2015, City Council reduced the proposed budget in response to discussions to increase the monthly residential refuse fee from \$7.00 to \$10.50 which will result in approximately \$335,000.00 in additional revenue.

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

Section 1: Ordinance No. 17-98 (as amended), Section 1, is hereby amended by increasing the monthly residential refuse collection fee from \$7.00 to \$10.50 effective with the November 2015 billing cycle.

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

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

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

First Reading: \_\_\_\_\_

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

Second Reading: \_\_\_\_\_

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

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

LEGAL DEPARTMENT MEMORANDUM  
15-21

DATE: July 21, 2015  
TO: Mark S. Watson, City Manager  
FROM: Tammy M. Dunn, Senior Staff Attorney  
Kenneth R. Krushenski, City Attorney  
SUBJECT: ORDINANCE – CITY CODE MOTOR VEHICLE PROVISIONS

Introduction

An item for the agenda is an ordinance to update motor vehicle provisions in the City Code. The amendments to the City Code are for state law compliance. The new sections to the City Code were made at the request of the Police Department. The updates have been reviewed and agreed upon by the Police Department, who will have a representative present at the City Council meeting to respond to any questions.

Funding

Implementation of the ordinance does not require any funding.

Background

The attached ordinance is a result of continued efforts to keep the City Code current with state law provisions. Various provisions of motor vehicle statutes were revised this legislative session. During discussion of these updates with the Police Department, other provisions were requested to be added to the City Code. The City is authorized by Tennessee Code Annotated §16-18-302 to enforce in City Court any ordinance that mirrors or substantially duplicates the language of a state criminal statute if the state offense is a Class C misdemeanor and the civil fine for the ordinance violation is not in excess of fifty dollars (\$50.00). Violation of each of the items listed below is a Class C misdemeanor and, therefore, the City is allowed by state law to create an ordinance violation for the offense enforceable in City Court.

Below is an explanation of each revision to the City Code set forth in the attached ordinance. Please see the attached bold-strikethrough document for further detail.

*Motorcycle Helmets (Amendment)*

Public Chapter 492, effective July 1, 2015, adds a new exemption to the requirement of wearing a helmet while operating a motorcycle. The new exemption pertains to funeral processions, memorial rides under police escort, and body escort details meeting certain age, speed, and distance restrictions. Upon review of City Code §15-114 on the subject, it was determined the city ordinance provision on motorcycle helmets had not been updated since 1969 and was not in current compliance with state law. The attached ordinance amends City Code §15-114 for compliance with Public Chapter 492 as well as other provisions as set forth in Tennessee Code Annotated §55-9-302.

*Seat (Safety) Belts (Amendment)*

Public Chapter 296, effective January 1, 2016, increases the fines for seat belt violations from ten dollars (\$10.00) for a first offense and twenty dollars (\$20.00) for a second and subsequent offense to twenty-five dollars (\$25.00) for a first offense and fifty dollars (\$50.00) for a second and subsequent offense. For seat belt violations committed by sixteen (16) and seventeen (17) year olds, the fine amount was increased from twenty dollars (\$20.00) to twenty-five dollars (\$25.00).

Public Chapter 25, effective July 1, 2015, modified the seat belt requirements for utility workers and meter readers. Previously, the law exempted these workers from wearing a seat belt during the course of their employment. The new law places further restrictions on the exemption and exempts utility workers and meter readers from wearing a seat belt only while emerging from and reentering a vehicle at frequent intervals and operating the vehicle at speeds not in excess of forty (40) mph.

Upon review of City Code §15-227 on the subject, it was determined the language on seat belt exemptions for persons with a physical disability which prevents them from proper use of a seat belt (as certified by a physician) did not match up completely with state law. The attached ordinance amends City Code §15-227 for compliance with Public Chapters 296 and 25 as well as modifies the language regarding a physical disability to match up with Tennessee Code Annotated §55-9-603.

*Change of Address and/or Name – Driver's License, Registration, and Title (New to City Code)*

Tennessee Code Annotated §55-50-333 requires a person to notify the Department of Safety within ten (10) days of a change in address and/or change in name as shown on the person's driver's license. Tennessee Code Annotated §55-4-131 requires a person to notify the Department of Safety within ten (10) days of a change in address and/or change in name as shown on the person's vehicle registration or title.

The Police Department requested inclusion of these provisions into the City Code. Officers will occasionally come across name or address changes when issuing a citation. Having this violation in the City Code will allow the officer to issue the citation into City Court rather than having to issue a separate state warrant for the violation. Typically, when an officer writes violations for multiple offenses and some offenses must be written on a state warrant, all of the violations are then written on a state warrant rather than splitting the violations between city and state courts. Additionally, while having the correct name and address is important for state law compliance, it is especially important that an individual's correct information is listed on the citation and in the City Court system as that information is used in court to determine the violator's history (such as driving school attendance or repeat violator status) and is used by the state to contact the individual (such as for proposed suspensions for operating without insurance).

*License Plate Light Required (New to City Code)*

Tennessee Code Annotated §55-4-110 requires the license plate (referred to as a "registration plate") to be illuminated at all times when the headlights are illuminated for those vehicles that are factory-equipped to illuminate the plate. This statute is not applicable to antique vehicles.

The Police Department requested inclusion of this provision into the City Code. Illumination of a license plate is important to identify the vehicle owner (most often the driver) when issuing citations during non-daylight hours. Having this violation in the City Code will allow the officer to issue the citations into City Court rather than having to issue state warrants for the violations if this violation is the probable cause for a traffic stop.

This offense is considered by state law to be a nonmoving violation—similar to a seat belt violation—which means no points are assessed against the driver's record. Further, it has a state law imposed fine amount (\$10.00 for first offense, \$20.00 for second and subsequent offenses) and no other fees can be assessed (court costs, litigation tax, etc.).

Texting While Driving Prohibited (New to City Code)

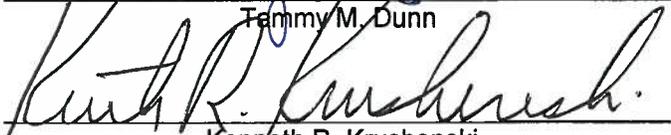
Tennessee Code Annotated §55-8-199 prohibits texting while driving.

The Police Department requested inclusion of this provision into the City Code. Having this violation in the City Code will allow the officer to issue a citation into City Court rather than having to issue a state warrant for the violation.

This offense is also considered by state law to be a nonmoving violation which means no points are assessed against the driver's record. It has a state law imposed fine amount (not to exceed \$50.00, which is the maximum fine allowed in municipal courts as well) and court cost amount (not to exceed \$10.00). No litigation taxes can be imposed on a texting violation.

Recommendation

Approval of the attached ordinance is recommended in order to keep the motor vehicle provisions of the City Code in compliance with State law.

  
\_\_\_\_\_  
Tammy M. Dunn  
  
\_\_\_\_\_  
Kenneth R. Krushenski

Attachments: ~~Bold-Strikethrough~~ City Code Amendments – Motor Vehicles  
Proposed Ordinance

**City Manager's Comments:**

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

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

**BOLD STRIKETHROUGH  
CITY CODE AMENDMENTS – MOTOR VEHICLES**

**Section 15-114. Crash helmets for driver and passenger on motorcycle or motor-driven cycle.**

The driver of a motorcycle or motor-driven cycle and any passenger thereon shall wear a crash helmet of a type approved by the state commissioner of safety meeting the requirements of Tennessee Code Annotated §55-9-302.

This section does not apply to persons riding:

- (1) Within an enclosed cab,
- (2) Motorcycles that are fully enclosed, have three wheels in contact with the ground, weigh less than one thousand five hundred pounds (1,500 lbs.), and have the capacity to maintain posted highway speed limits,
- (3) Golf carts,
- (4) In a parade, at a speed not to exceed thirty (30) miles per hour, if the person is eighteen (18) years of age or older, or
- (5) In a funeral procession, memorial ride under police escort, or body escort detail provided that the driver travels at a speed not to exceed thirty (30) miles per hour, the driver or passenger is twenty-one (21) years of age or older, and the funeral procession, memorial ride, or body escort detail does not exceed a distance of fifty (50) miles.

Note: This provision of the City Code has not been amended since 1969. Since then, state law has adopted various exceptions to the requirement of wearing a helmet while operating a motorcycle or motor-driven cycle. Public Chapter 492, effective July 1, 2015, added a new exemption (subpart 5 above) to the list. In order to bring the City Code into compliance with state law (Tennessee Code Annotated §55-9-302), the recently adopted exemption is being added as well as the previously adopted exemptions.

**BOLD STRIKETHROUGH**  
**CITY CODE AMENDMENTS – MOTOR VEHICLES**  
**(Continued)**

**Section 15-227. Use of safety belts in passenger vehicles.**

- (8) (a) A person charged with a violation of this section may, in lieu of appearance in court, submit a fine of ten dollars (\$10.00) for a first violation, and twenty dollars (\$20.00) on second and subsequent violations to the city court clerk. **Effective January 1, 2016, the fine amount shall increase to twenty-five dollars (\$25.00) for a first violation and fifty dollars (\$50.00) for a second or subsequent violation.**
- (b) Notwithstanding subdivision (8)(a) to the contrary, a person charged with a violation of subsection (3) may, in lieu of appearance in court, submit a fine of twenty dollars (\$20.00) to the city court clerk. **Effective January 1, 2016, the fine amount shall increase to twenty-five dollars (\$25.00).**
- (10) This section does not apply to:
- (a) A passenger or operator with a ~~physically disabling condition whose physical disability would~~ **which** prevents appropriate restraint in ~~such a~~ safety seat or safety belt; provided, that ~~such the~~ condition is duly certified in writing by a physician who shall state the nature of the ~~handicap disability~~, as well as the reason ~~such a~~ restraint is inappropriate;
- (d) Utility workers, water, gas and electric meter readers ~~in the course of their employment while the meter reader or utility worker is emerging from and reentering a vehicle at frequent intervals and operating the vehicle at speeds not exceeding forty miles per hour (40 mph);~~

Note: The amendment to subsection (8) is for compliance with state law (Tennessee Code Annotated 55-9-603) as amended by Public Chapter 296. This public chapter increases the fine amounts for seat belt violations effective January 1, 2016.

The amendment to subsection (10)(a) is for compliance with state law (Tennessee Code Annotated §55-9-603). This subsection was not modified by any current public chapter, however, when reviewing this City Code section for compliance with state law it was found that the subsection's wording did not match up exactly with state law. While the language is essentially the same, this amendment will change the wording to the more appropriate wording of disability as opposed to handicap.

The amendment to subsection (10)(d) is for compliance with state law (Tennessee Code Annotated §55-9-603) as amended by Public Chapter 25. This public chapter modified the safety belt exemption for utility workers and meter readers effective July 1, 2015.

**BOLD STRIKETHROUGH  
CITY CODE AMENDMENTS – MOTOR VEHICLES  
(Continued)**

**Section 15-132. Notification of change of address and/or name.**

- (a) Whenever any person, after applying for or receiving a license, moves from the address named in the application or license, or when the name of a licensee is changed for any reason, the person shall within ten (10) days thereafter notify the Department of Safety of the change or changes. It is unlawful to fail to comply with the requirements of this subsection.**
- (b) Whenever any person, after applying for or receiving a title or registration, moves from the address named in the application or title or registration, or when the name of an applicant is changed for any reason, the person shall within ten (10) days thereafter, notify the Department of Safety of the change or changes. It is unlawful to fail to comply with the requirements of this subsection.**

**Note:** This addition to the City Code mirrors Tennessee Code Annotated §55-50-333 (license) and Tennessee Code Annotated §55-4-131(title or registration). Per Tennessee Code Annotated §55-50-601(6) and Tennessee Code Annotated §55-4-131, these offenses are a Class C misdemeanor and, as such, the City can adopt an ordinance mirroring the statutes and enforce violations in City Court.

**Section 15-228. Illumination of registration (license) plate.**

- (1) For all motor vehicles that are factory-equipped to illuminate the registration (license) plate, the registration (license) plate shall be illuminated at all times that headlights are illuminated. This section is not applicable to antique vehicles as defined in Tennessee Code Annotated §55-4-111(b).**
- (2) It is unlawful to fail to comply with the requirements of this section. By Tennessee Code Annotated §55-4-110(d)(3), a violation of this section is subject only to imposition of a fine of ten dollars (\$10.00) for a first violation and twenty dollars (\$20.00) for second and subsequent violations, and no litigation tax, clerk's fee, or court costs shall not be imposed.**
- (3) By Tennessee Code Annotated §55-4-110(d)(3), a traffic citation that is based solely upon a violation of this section shall be considered a nonmoving traffic violation and no points shall be added to a driver record for the violation.**

**Note:** This addition to the City Code mirrors Tennessee Code Annotated §55-4-110. This offense is a Class C misdemeanor and, as such, the City can adopt an ordinance mirroring the statute and enforce violations in City Court.

**BOLD STRIKETHROUGH  
CITY CODE AMENDMENTS – MOTOR VEHICLES  
(Continued)**

**Section 15-349. Texting while driving prohibited.**

- (1) For the purposes of this section, unless the context requires otherwise, the following definitions apply:**
  - (a) "Mobile telephone" means a cellular, analog, wireless or digital device that provides for voice communication and for data communication other than by voice; and**
  - (b) "Personal digital assistant" means a wireless electronic communication device that provides for data communication other than by voice.**
- (2) No person while driving a motor vehicle on any public road or highway shall use a hand-held mobile telephone or a hand-held personal digital assistant to transmit or read a written message; provided, that a driver does not transmit or read a written message for the purpose of this subsection (2) if the driver reads, selects, or enters a telephone number or name in a hand-held mobile telephone or a personal digital assistant for the purpose of making or receiving a telephone call.**
- (3) This section shall only apply to a person driving a motor vehicle that is in motion at the time a written message from a mobile telephone or hand-held personal digital assistant is transmitted or read by the person.**
- (4) It is unlawful to fail to comply with the requirements of this section. By Tennessee Code Annotated §55-8-199, a violation of this section is subject only to imposition of a fine not to exceed fifty dollars (\$50.00) and court costs not to exceed ten dollars (\$10.00), including, but not limited to, any statutory fees of officers. No state or local litigation taxes shall be applicable to a case prosecuted under this section.**
- (5) By Tennessee Code Annotated §55-8-199, this section shall not apply to the following persons:**
  - (a) Officers of the state or of any county, city, or town charged with the enforcement of the laws of the state, when in the actual discharge of their official duties;**
  - (b) Campus police officers and public safety officers, as defined by Tennessee Code Annotated §49-7-118, when in the actual discharge of their official duties;**
  - (c) Emergency medical technicians, emergency medical technician-paramedics, and firefighters, both volunteer and career, when in the actual discharge of their official duties; and**
  - (d) Emergency management agency officers of the state or of any county, city, or town, when in the actual discharge of their official duties.**
- (6) By Tennessee Code Annotated §55-8-199, a traffic citation that is based solely upon a violation of this section shall be considered a nonmoving traffic violation and no points shall be added to a driver record for the violation.**

Note: This addition to the City Code mirrors Tennessee Code Annotated §55-8-199. This offense is a Class C misdemeanor and, as such, the City can adopt an ordinance mirroring the statute and enforce violations in City Court.

TITLE

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY AMENDING SECTION 15-114, TITLED "CRASH HELMETS FOR DRIVER AND PASSENGER ON MOTORCYCLE OR MOTOR-DRIVEN CYCLE," AND AMENDING SECTION 15-227, TITLED "USE OF SAFETY BELTS IN PASSENGER VEHICLES"; AND BY CREATING THE FOLLOWING NEW SECTIONS: SECTION 15-132, TITLED "NOTIFICATION OF CHANGE OF ADDRESS AND/OR NAME"; SECTION 15-228, TITLED "ILLUMINATION OF REGISTRATION (LICENSE) PLATE"; AND SECTION 15-349, TITLED "TEXTING WHILE DRIVING PROHIBITED"; WITH ALL AMENDMENTS FOR THE PURPOSE OF BRINGING THE MOTOR VEHICLE PROVISIONS INTO COMPLIANCE WITH STATE LAW.

WHEREAS, City Code Title 15 contains provisions pertaining to motor vehicles and some provisions are in need of modification for compliance with state law; and

WHEREAS, Tennessee Code Annotated §55-9-302 sets forth certain exemptions from wearing a helmet while on a motorcycle or motor-driven cycle that need to be incorporated into City Code §15-114; and

WHEREAS, Tennessee Code Annotated §55-9-603 contains increased fines for seat belt violations (effective January 1, 2016), modified language for exemptions for disabled persons, and modified language for exemptions for utility workers and meter readers that need to be incorporated into City Code §15-227; and

WHEREAS, additionally, there are new provisions that can be incorporated into Title 15 of the City Code by the authority given in Tennessee Code Annotated §16-18-302 to enforce in City Court any ordinance that mirrors, substantially duplicates, or cross-references the language of a state criminal statute if the state offense is a Class C misdemeanor and the civil fine for the ordinance violation is not in excess of \$50.00; and

WHEREAS, the following state laws may be incorporated into the City Code as ordinance violations: requirement to notify the Department of Safety within ten (10) days of an address and/or name change on the driver's license, title, or registration (Tennessee Code Annotated §55-50-601(6) and Tennessee Code Annotated §55-4-131); requirement that if a motor vehicle is factory equipped with lighting to illuminate the license plate that said license plate be illuminated at all times when the headlights are illuminated (Tennessee Code Annotated §55-4-110); and a prohibition on texting while driving (Tennessee Code Annotated §55-8-199); and

WHEREAS, the City desires to adopt ordinances mirroring the above-referenced state statutes to incorporate the violations into the City Code as municipal offenses.

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

Section 1. Title 15, titled "Motor Vehicles, Traffic and Parking," Chapter 1, titled "In General," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Section 15-114, titled "Crash helmets for driver and passenger on motorcycle or motor-driven cycle," in its entirety and substituting therefor a new Section 15-114, titled "Crash helmets for driver and passenger on motorcycle or motor-driven cycle," which new section shall read as follows:

Section 15-114. Crash helmets for driver and passenger on motorcycle or motor-driven cycle.

The driver of a motorcycle or motor-driven cycle and any passenger thereon shall wear a crash helmet meeting the requirements of Tennessee Code Annotated §55-9-302.

This section does not apply to persons riding:

- (1) Within an enclosed cab;
- (2) Motorcycles that are fully enclosed, have three wheels in contact with the ground, weigh less than one thousand five hundred pounds (1,500 lbs.), and have the capacity to maintain posted highway speed limits;
- (3) Golf carts;
- (4) In a parade, at a speed not to exceed thirty (30) miles per hour, if the person is eighteen (18) years of age or older; or
- (5) In a funeral procession, memorial ride under police escort, or body escort detail provided that the driver travels at a speed not to exceed thirty (30) miles per hour, **the driver or passenger** is twenty-one (21) years of age or older, and the funeral procession, memorial ride, or body escort detail does not exceed a distance of fifty (50) miles.

Section 2. Title 15, titled “Motor Vehicles, Traffic and Parking,” Chapter 2, titled “Vehicle Equipment,” Section 15-227, titled “Use of safety belts in passenger vehicles,” of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by adding language to the end of Subsection (8)(a) and Subsection (8)(b) as follows:

Section 15-227. Use of safety belts in passenger vehicles.

- (8) (a) .... Effective January 1, 2016, the fine amount shall increase to twenty-five dollars (\$25.00) for a first violation and fifty dollars (\$50.00) for a second or subsequent violation.
- (b) .... Effective January 1, 2016, the fine amount shall increase to twenty-five dollars (\$25.00).

Section 3. Title 15, titled “Motor Vehicles, Traffic and Parking,” Chapter 2, titled “Vehicle Equipment,” Section 15-227, titled “Use of safety belts in passenger vehicles,” of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Subsections (10)(a) and (10)(d) in their entirety and substituting therefor new Subsections (10)(a) and (10)(d) which new subsections shall read as follows:

Section 15-227. Use of safety belts in passenger vehicles.

- (10) This section does not apply to:
  - (a) A passenger or operator with a physical disability which prevents appropriate restraint in a safety seat or safety belt; provided, that the condition is duly certified in writing by a physician who shall state the nature of the disability, as well as the reason a restraint is inappropriate;
  - ...
  - (d) Utility workers, water, gas and electric meter readers while the meter reader or utility worker is emerging from and reentering a vehicle at frequent intervals and operating the vehicle at speeds not exceeding forty miles per hour (40 mph);

Section 4. Title 15, titled “Motor Vehicles, Traffic and Parking,” Chapter 1, titled “In General,” of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by creating a new Section 15-132, titled “Notification of change of address and/or name” which section shall read as follows:

Section 15-132. Notification of change of address and/or name.

- (a) Whenever any person, after applying for or receiving a license, moves from the address named in the application or license, or when the name of a licensee is changed for any reason, the person shall within ten (10) days thereafter notify the Department of Safety of the change or changes. It is unlawful to fail to comply with the requirements of this subsection.
- (b) Whenever any person, after applying for or receiving a title or registration, moves from the address named in the application or title or registration, or when the name of an applicant is changed for any reason, the person shall within ten (10) days thereafter, notify the Department of Safety of the change or changes. It is unlawful to fail to comply with the requirements of this subsection.

Section 5. Title 15, titled "Motor Vehicles, Traffic and Parking," Chapter 2, titled "Vehicle Equipment," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by creating a new Section 15-228, titled "Illumination of registration (license) plate," which section shall read as follows:

Section 15-228. Illumination of registration (license) plate.

- (1) For all motor vehicles that are factory-equipped to illuminate the registration (license) plate, the registration (license) plate shall be illuminated at all times that headlights are illuminated. This section is not applicable to antique vehicles as defined in Tennessee Code Annotated §55-4-111(b).
- (2) It is unlawful to fail to comply with the requirements of this section. By Tennessee Code Annotated §55-4-110(d)(3), a violation of this section is subject only to imposition of a fine of ten dollars (\$10.00) for a first violation and twenty dollars (\$20.00) for second and subsequent violations, and no litigation tax, clerk's fee, or court costs shall not be imposed.
- (3) By Tennessee Code Annotated §55-4-110(d)(3), a traffic citation that is based solely upon a violation of this section shall be considered a nonmoving traffic violation and no points shall be added to a driver record for the violation.

Section 6. Title 15, titled "Motor Vehicles, Traffic and Parking," Chapter 3, titled "Operation of Vehicles Generally," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by creating a new Section 15-349, titled "Texting while driving prohibited," which section shall read as follows:

Section 15-349. Texting while driving prohibited.

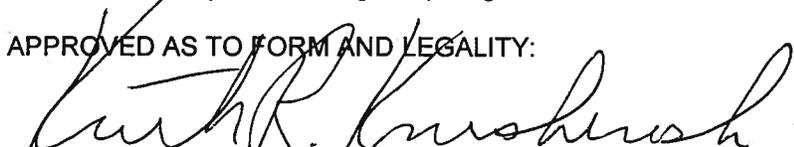
- (1) For the purposes of this section, unless the context requires otherwise, the following definitions apply:
  - (a) "Mobile telephone" means a cellular, analog, wireless or digital device that provides for voice communication and for data communication other than by voice; and
  - (b) "Personal digital assistant" means a wireless electronic communication device that provides for data communication other than by voice.
- (2) No person while driving a motor vehicle on any public road or highway shall use a hand-held mobile telephone or a hand-held personal digital assistant to transmit or read a written message; provided, that a driver does not transmit or read a written message for the purpose of this subsection (2) if the driver reads, selects, or enters a telephone

number or name in a hand-held mobile telephone or a personal digital assistant for the purpose of making or receiving a telephone call.

- (3) This section shall only apply to a person driving a motor vehicle that is in motion at the time a written message from a mobile telephone or hand-held personal digital assistant is transmitted or read by the person.
- (4) It is unlawful to fail to comply with the requirements of this section. By Tennessee Code Annotated §55-8-199, a violation of this section is subject only to imposition of a fine not to exceed fifty dollars (\$50.00) and court costs not to exceed ten dollars (\$10.00), including, but not limited to, any statutory fees of officers. No state or local litigation taxes shall be applicable to a case prosecuted under this section.
- (5) By Tennessee Code Annotated §55-8-199, this section shall not apply to the following persons:
  - (a) Officers of the state or of any county, city, or town charged with the enforcement of the laws of the state, when in the actual discharge of their official duties;
  - (b) Campus police officers and public safety officers, as defined by Tennessee Code Annotated §49-7-118, when in the actual discharge of their official duties;
  - (c) Emergency medical technicians, emergency medical technician-paramedics, and firefighters, both volunteer and career, when in the actual discharge of their official duties; and
  - (d) Emergency management agency officers of the state or of any county, city, or town, when in the actual discharge of their official duties.
- (6) By Tennessee Code Annotated §55-8-199, a traffic citation that is based solely upon a violation of this section shall be considered a nonmoving traffic violation and no points shall be added to a driver record for the violation.

Section 7. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:

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

  
 \_\_\_\_\_  
 Warren L. Gooch, Mayor

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

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

**ELECTIONS**

**&**

**APPOINTMENTS**

**ANNOUNCEMENTS**

**SCHEDULING**

**MAYOR'S MEMORANDUM**  
**15-02**

**DATE:** August 28, 2015  
**TO:** Members of City Council  
**FROM:** Warren L. Gooch, Mayor  
**SUBJECT:** APPOINTMENTS FOR CITY COUNCIL COMMITTEES

At the September 14, 2015 City Council meeting, City Council will need to confirm appointments for the City Attorney and City Manager Evaluation Committees, as well as the Budget and Finance Committee. Given that all three (3) of the aforementioned committees are appointed on an annual basis, City Council will be utilizing the appointment methods provided in Resolution No. 11-106-07.

City Attorney and City Manager Evaluation Committees

As outlined in the employment agreements, City Council shall complete performance evaluations for both the City Attorney and the City Manager on an annual basis.

Resolution No. 11-106-07 established a policy of rotating councilmembers from committees, and that policy has been in practice for the selection of councilmembers for the Evaluation Committees for the City Attorney and City Manager with the listing of committee members maintained by the City Clerk. In FY2014, the City Attorney's Evaluation Committee consisted of Trina Baughn, Chair; David N. Mosby; and Thomas L. Beehan, and the City Manager's Evaluation Committee consisted of D. Jane Miller, Chair; L. Charles Hensley; and Anne Garcia Garland.

The below committee composition is recommended:

City Attorney's Evaluation

Charles J. Hope, Chair  
Rick Chinn  
Warren L. Gooch

City Manager's Evaluation

L. Charles Hensley, Chair  
Kelly Callison  
Ellen D. Smith

Following the established membership of the Committees, it is recommended that all members of City Council receive the evaluation forms utilized for the FY2015 evaluations and upon receipt by staff of all completed forms, the committee members will meet with the City Manager and City Attorney to review the evaluations and discuss recommendations to provide to City Council.

Due to a demanding work load in the latter half of FY2015, the evaluations were not completed in accordance with the dates outlined in the City Manager's and City Attorney's Employment Agreements, but the process outlined above will afford Council the opportunity to expedite and complete the evaluation process for FY2015.

It is the Mayor's recommendation to appoint the City Attorney and City Manager Evaluation Committee's as presented above.

Budget and Finance Committee

With the adoption of Resolution No. 09-90-2014, City Council reestablished the Budget and Finance Committee with the mission to assist City Council in providing guidance to the City Manager with respect to budget preparation, as required by Article V, Section 10, of the City Charter.

The FY 2015 Budget and Finance Committee was comprised of Charles J. Hope, Jr., Chair; Trina Baughn, and L. Charles Hensley. For FY2016, the following composition is recommended in accordance with Resolution No. 11-106-07:

Budget and Finance Committee

Trina Baughn, Chair  
Kelly Callison  
L. Charles Hensley

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

\_\_\_\_\_/s/\*  
Warren L. Gooch

\*Signed copies of the memo available in the City Clerk's Office on September 9, 2015.

**SUMMARY**  
**OF**  
**CURRENT EVENTS**  
**(CITY MANAGER'S REPORT)**

**PUBLIC WORKS  
INTEROFFICE MEMORANDUM**

**DATE:** August 31, 2015

**TO:** Mark S. Watson, City Manager

**FROM:** Gary M. Cinder, P.E., Public Works Director 

**SUBJECT:** REPLACEMENT PARTS FOR AN EMERGENCY PUMP REPAIR AT THE  
TURTLE PARK SEWER PUMP STATION

On Thursday, August 27, 2015, Public Works staff ordered repair parts in the amount of \$44,420 for the large pump at the Turtle Park Sewer Pump Station (TPSPS). Due to the potential for sewer overflows during a rain event and the need to expedite delivery of the needed parts, an emergency was declared by the City Manager per Code § 5-404 which states:

"(1) Notwithstanding any other provision of this section, emergency purchases shall not require competitive bidding or prior approval of city council. When an emergency purchase amounts to more than twenty-five thousand dollars (\$25,000.00), a full report of the emergency purchase shall be filed by the city manager with city council at the next council meeting to inform city council of the emergency purchase. (2) "Emergency purchase" means a purchase made in response to unforeseen circumstances beyond the control of the city which presents a real, immediate and material threat to the public interests or property of the city. (Ord. #23-99, Oct. 1999, as amended by Ord. #11-07, May 2007).

Turtle Park Sewer Pump Station is the primary pump station that all sewer flows go to from within the collection system in the main part of Oak Ridge; it is then pumped to the treatment plant. It contains two (2), 250 horsepower pumps and two (2), 200 horsepower pumps. During normal, dry weather flow, all pumps are not in operation at the same time, but during rainy weather, the flow increases and it requires the larger pumps and one of the smaller pumps operating at the same time to pump wastewater to the plant and to prevent it from overflowing the system. With one of the larger pumps out of service, the chance of a sewer overflow during a rain event increases significantly.

On Saturday, August 22, 2015, the wastewater treatment plant operator on duty was making routine rounds of the plant and found the basement floor of TPSPS flooded. He notified the on-call plant maintenance person of the situation. The maintenance crew responding found water pouring out of one of the larger pumps and beginning to overcome the sump pumps. They closed the valves to that pump to inspect and discovered the packing gland had blown out, allowing the sewage in the volute of the pump to be forced out at a volume great enough to overcome the sump pumps and flood the basement. They cleaned up the mess and locked the pump out of service for the rest of the weekend.

On Monday, the maintenance crew disassembled the pump to make repairs. It was discovered that debris had been sucked into the pump volute causing it to cavitate and become unbalanced. This caused the thrust bearing to break apart, damaging the entire rotating assembly and the packing gland. The pump was damaged beyond normal repair.

A new rotating assembly and stuffing box head was ordered to make the repairs so that the pump could be put back in service. Parts for this pump are not readily available and have to be made by the manufacturer. There is a 40-day lead time for replacement parts to be delivered. Repairing the existing pump was determined to be the best solution for this situation as the price of an entirely new pump is \$99,000. During the time this pump is out of service, a stand-by pump must be rented and put in place to have in case of a rain event. The City continues to pay \$9,561 per month in rental fees for a temporary pump, so there is an urgency to get a permanent pump into place and cut unnecessary expenditures

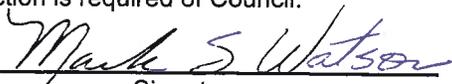
Staff anticipates the situation to be returned to normal within six to seven weeks.

GMC/tkp

Cc: Jack Suggs, Electric Department Director  
Scott Jackson, Public Works Operations Manager

City Manager's Comments:

I have reviewed the contents of the memo and am including it on the September 14, 2015 City Council Agenda for City Council's information and in accordance with Section 5-404 of the City Code. No action is required of Council.

  
Signature

  
Date