

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

June 13, 2016 —7:00 p.m.

AGENDA

- I. INVOCATION  
Reverend Tandy Scheffler, Oak Ridge Unitarian Universalist Church
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPEARANCE OF CITIZENS
- V. PROCLAMATIONS AND PUBLIC RECOGNITIONS  
Proclamations
  - a. A proclamation recognizing the 25<sup>th</sup> anniversary of the Sister City Agreement with Naka, Japan and the Middle School Student Exchange
  - b. A proclamation designating June 13-19, 2016 as Men's Health Week
  - c. A proclamation recognizing AmeriCorps member Erin Kelbly for her service to the Oak Ridge Public Works Department
  - d. A proclamation recognizing AmeriCorps member Ellen Comeau for her service to the Oak Ridge Public Works Department
- VI. SPECIAL REPORTS
  - a. Charter Review Committee Report
- VII. CONSENT AGENDA
  - a. Approval of the May 9, 2016 City Council meeting minutes
  - b. Approval of the May 31, 2016 City Council special meeting minutes
  - c. Rejection of Eighth Rowing Lane Bids
  - d. A RESOLUTION 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 2016 CALENDAR YEAR.
  - e. A RESOLUTION AUTHORIZING 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 \$168,000.00.

VIII. PUBLIC HEARING AND FINAL ADOPTION OF BUDGET ORDINANCE

- a. AN ORDINANCE TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.
- b. A JOINT RESOLUTION BY THE CITY COUNCIL OF OAK RIDGE, TENNESSEE AND THE OAK RIDGE SCHOOLS BOARD OF EDUCATION AGREEING TO NONRECURRING (ONE-TIME) EXPENDITURES FOR FISCAL YEAR 2017 TO FUND DEBT SERVICE PAYMENTS AND OTHER RELATED NONRECURRING CAPITAL PROJECT EXPENSES.

(No Public Hearing Required)

IX. RESOLUTIONS

- a. A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO NEGOTIATIONS WITH REALTYLINK, LLC, AND THE UNITED STATES DEPARTMENT OF ENERGY (DOE) THROUGH ITS AGENT THE GENERAL SERVICES ADMINISTRATION (GSA) TO SECURE THE AMERICAN MUSEUM OF SCIENCE AND ENERGY (AMSE) PROPERTY AS SHOWN ON EXHIBIT A ATTACHED HERETO.
- b. A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO SPILLMAN TECHNOLOGIES, INC., SALT LAKE CITY, UTAH, FOR MAINTENANCE SERVICES FOR THE PUBLIC SAFETY COMPUTER SYSTEM FOR FISCAL YEAR 2017 IN THE ESTIMATE ESTIMATED AMOUNT OF \$45,000.00.
- c. A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO ORACLE AMERICA, INC., DALLAS, TEXAS, FOR FURNISHING OF ANNUAL MAINTENANCE SERVICES FOR THE FINANCIAL SOFTWARE SYSTEM UTILIZED BY THE CITY FOR FISCAL YEAR 2017 IN THE ESTIMATED AMOUNT OF \$26,455.00.
- d. A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MANSFIELD OIL COMPANY FOR FURNISHING UNLEADED AND DIESEL FUEL FOR FISCAL YEAR 2017 IN THE AMOUNT OF \$575,000.
- e. A RESOLUTION AWARDED A CONTRACT (FY2016-179) TO MARBLE-PIRKLE SERVICES, LLC, CLEVELAND, TENNESSEE, FOR THE SPACER CABLE REPLACEMENT PROJECT ALONG GUM HOLLOW ROAD IN THE ESTIMATED AMOUNT OF \$526,857.61.
- f. A RESOLUTION MAKING AN AWARD TO IRBY UTILITIES, JOHNSON CITY, TENNESSEE, FOR UNDERGROUND DISTRIBUTION CABLE FOR THE ELECTRIC DEPARTMENT IN THE ESTIMATED AMOUNT OF \$74,941.65.
- g. RESOLUTION AUTHORIZING THE CITY TO ACCEPT A \$500,000.00 GRANT FROM THE TENNESSEE HOUSING DEVELOPMENT AGENCY (THDA) AS PART OF THDA'S HOME GRANT PROGRAM.

X. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

(NONE)

XI. FINAL ADOPTION OF ORDINANCES

- a. AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING THE FOLLOWING: ARTICLE II, TITLED "DEFINITIONS," TO ADD A DEFINITION FOR

"RELIGIOUS INSTITUTION"; SECTION 3.27, TITLED "RELIGIOUS INSTITUTIONS," TO ADD A NEW SUBSECTION (H) PERTAINING TO MOVING COPY SIGNS; AND SECTION 14.10, TITLED "SIGNS FOR OFFICE-INDUSTRIAL DISTRICT," TO DELETE THE REQUIREMENT THAT MOVING COPY SIGNS SHALL NOT EXCEED ONE LINE OF MOVING COPY.

- b. AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING ARTICLE II, TITLED "DEFINITIONS" TO ADD A DEFINITION FOR "FITNESS AND RECREATIONAL CENTERS;" AND AMENDING SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," AND SECTION 8.01, TITLED "IND-1, INDUSTRIAL DISTRICTS," TO ADD "FITNESS AND RECREATIONAL CENTERS" AS A PERMITTED PRINCIPAL USE.

XII. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

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

XIII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIV. SUMMARY OF CURRENT EVENTS

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

XV. ADJOURNMENT

**PROCLAMATIONS  
AND  
PUBLIC RECOGNITIONS**

**CITY CLERK MEMORANDUM**  
**16-17**

DATE: June 8, 2016  
TO: Honorable Mayor and Members of City Council  
FROM: Mary Beth Hickman, City Clerk  
SUBJECT: PROCLAMATIONS FOR THE JUNE 13 CITY COUNCIL AGENDA

The following proclamations are presented for the June 13, 2016 City Council meeting for the City Council's consideration:

Recognition of the 25<sup>th</sup> Anniversary of the Sister City Agreement with Naka, Japan and the Middle School Student Exchange

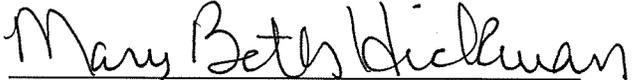
This request was submitted by City Manager Mark Watson to commemorate the 25<sup>th</sup> Anniversary of the Sister City Agreement between the City of Oak Ridge and Naka, Japan as well as the Middle School Student Exchange that occurs annually as part of this program. In July, Councilmember Rick Chinn will travel to Naka along with Jerry Luckmann with the Sister City Support Organization, Miles Hebrard with Oak Ridge Schools, and a delegation of Robertsville and Jefferson Middle School students. Naka Mayor Tooru Umino and the International Association of Naka extended an invitation to the Oak Ridge delegation to attend a reception in honor of the program's 25<sup>th</sup> anniversary. If adopted, Councilman Chinn will present this proclamation to Naka officials along with a gift from the City of Oak Ridge.

Men's Health Week

This request was submitted by Michael L. Leventhal, Executive Director of the Tennessee Men's Health Network in recognition of Men's Health Week, June 13 through June 19, 2016. Mr. Leventhal will be in attendance to accept the proclamation.

Recognition of Erin Kelby and Erin Comeau, AmeriCorps Members that have worked for the Oak Ridge Public Works Department

The accompanying individual proclamations are presented for the Council's consideration at the request of Public Works employee Susan Fallon to recognize AmeriCorps members Erin Kelbly and Ellen Comeau, who worked at the Public Works Department from September, 2015 to June, 2016. Ms. Kelbly and Ms. Comeau will be in attendance to accept the proclamations.

  
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Mary Beth Hickman

Attachments:

Proclamation recognizing the 25<sup>th</sup> Anniversary of the Sister City Agreement with Naka, Japan and the Middle School Student Exchange  
Proclamation recognizing Men's Health Week  
Proclamation recognizing Erin Kelbly  
Proclamation recognizing Ellen Comeau

# PROCLAMATION

WHEREAS, on October 29, 1990, the City of Oak Ridge, Tennessee, USA, and Naka-machi, Ibaraki-ken, Japan, entered into an *Agreement to Establish a Sister-City Alliance of International Friendship*; and

WHEREAS, the purpose of this sister-city alliance was the fostering of mutual understanding and friendship through educational, cultural, and economic exchanges; and

WHEREAS, on January 21, 2005, Naka-machi consolidated with a town called Urizura Machi and thereby became the City of Naka, which has continued to nurture a successful partnership with the City of Oak Ridge; and

WHEREAS, exchanges under this partnership have included mutual visits by elected and appointed officials of the two cities and ongoing middle school student exchanges over the past 25 years; and

WHEREAS, such exchanges have served to strengthen the Oak Ridge/Naka sister city alliance and have encouraged the formation of international friendships that promote peace and harmony between our people; and

WHEREAS, in July of 2016, Councilmember Rick Chinn, Jerry Luckmann with the Sister City Support Organization, Miles Hebrard with the Oak Ridge Schools, and students from Robertsville and Jefferson Middle Schools will travel to Naka to celebrate our 25<sup>th</sup> anniversary as sister cities; and

WHEREAS, Naka Mayor Tooru Umino and the International Association of Naka have extended an invitation to the Oak Ridge delegation to attend a reception on Tuesday, July 5, 2016 to commemorate a partnership that has flourished for a quarter of a century.

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

That the City joins in celebrating,

## THE 25<sup>TH</sup> ANNIVERSARY OF THE SISTER CITY AGREEMENT WITH NAKA, JAPAN AND THE MIDDLE SCHOOL STUDENT EXCHANGE

and welcoming a delegation from Naka, Japan to Oak Ridge in August for a community wide 25<sup>th</sup> anniversary celebration.

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 13<sup>th</sup> day of June in the year 2016.

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WARREN L. GOOCH, MAYOR

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TRINA BAUGHN, COUNCILMEMBER

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KELLY CALLISON, COUNCILMEMBER

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RICK CHINN, JR., COUNCILMEMBER

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L. CHARLES HENSLEY, COUNCILMEMBER

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CHARLES J. HOPE, JR., COUNCILMEMBER

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ELLEN D. SMITH, MAYOR PRO TEM

# PROCLAMATION

WHEREAS, despite advances in medical technology and research, men continue to live an average of five years less than women with African-American men having the lowest life expectancy; and

WHEREAS, educating the public and health care providers about the importance of a healthy lifestyle and early detection of male health problems will result in reducing rates of mortality from disease; and

WHEREAS, the Men's Health Network (MHN) worked with Congress to develop National Men's Health Week as a special campaign to help educate men, boys, and their families about the importance of positive health attitudes and preventative health practices; and

WHEREAS, MHN is a national non-profit organization whose mission is to reach men, boys, and their families where they live, work, play, and pray with health prevention messages and tools, screening programs, educational materials, advocacy opportunities, and patient navigation; and

WHEREAS, the City of Oak Ridge has similarly made an effort to promote a healthy lifestyle for the residents of Oak Ridge and city employees through the creation of a Wellness Fair; and

WHEREAS, Men's Health Week will focus on a broad range of men's health issues and will encourage the citizens of Oak Ridge to increase awareness of the importance of a healthy lifestyle, regular exercise, and medical check-ups.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE that June 13 through June 19, 2016 be proclaimed

## MEN'S HEALTH WEEK

and all citizens be encouraged to pursue preventative health practices and early detection efforts.

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 13<sup>th</sup> day of June in the year 2016.

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WARREN L. GOOCH  
MAYOR

# PROCLAMATION

**WHEREAS**, President Bill Clinton signed the National and Community Service Trust Act of 1993, creating AmeriCorps and the Corporation for National Service to expand opportunities for Americans to serve their communities; and

**WHEREAS**, Erin Kelbly has provided exemplary service to the citizens of Oak Ridge through her work in the Public Works Department since September, 2015; and

**WHEREAS**, Erin has been instrumental in the GPS mapping of over 45 stream miles of the city's stormwater infrastructure and has worked to establish partnerships for educational and community outreach for the stormwater program; and

**WHEREAS**, Erin has worked to increase awareness of the importance of recycling through the creation and implementation of an enhanced recycling program in the Central Services Complex; and

**WHEREAS**, Erin has partnered with students at Oak Ridge High School through support of the EcoClub, and teaching of the 9<sup>th</sup> grade STEM class, utilizing 14 unique lesson plans; and

**WHEREAS**, Erin has demonstrated her commitment to the Oak Ridge community through participation in events such as the Jackson Square Holiday Festival, 50K Tree Day, the Great American Clean-Up, Earth Day Oak Ridge and the Secret City Festival; and

**WHEREAS**, Erin has provided leadership and a methodical approach for her work activities and will be an excellent employee as she enters the workforce.

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

That in recognition of exemplary service the City of Oak Ridge pays tribute to

**ERIN KELBLY**

and encourages all residents to thank her for her service and wish her the best in all future endeavors.

**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 13<sup>th</sup> day of June in the year 2016.

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**WARREN L. GOOCH, MAYOR**

# PROCLAMATION

**WHEREAS**, President Bill Clinton signed the National and Community Service Trust Act of 1993, creating AmeriCorps and the Corporation for National Service to expand opportunities for Americans to serve their communities; and

**WHEREAS**, Ellen Comeau has provided exemplary service to the citizens of Oak Ridge through her work in the Public Works Department since September, 2015; and

**WHEREAS**, Ellen has been instrumental in the GPS mapping of over 45 stream miles of the city's stormwater infrastructure and has worked to establish partnerships for educational and community outreach for the stormwater program; and

**WHEREAS**, Ellen has worked to increase awareness of the importance of recycling through the creation and implementation of an enhanced recycling program in the Central Services Complex; and

**WHEREAS**, Ellen has partnered with students at Oak Ridge High School through support of the EcoClub, and teaching of the 9<sup>th</sup> grade STEM class, utilizing 14 unique lesson plans; and

**WHEREAS**, Ellen has demonstrated her commitment to the Oak Ridge community through participation in events such as the Jackson Square Holiday Festival, 50K Tree Day, the Great American Clean-Up, Earth Day Oak Ridge and the Secret City Festival; and

**WHEREAS**, Ellen has provided leadership and a methodical approach for her work activities and will be an excellent employee as she enters the workforce.

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

That in recognition of exemplary service the City of Oak Ridge pays tribute to

**ELLEN COMEAU**

and encourages all residents to thank her for her service and wish her the best in all future endeavors.

**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 13<sup>th</sup> day of June in the year 2016.

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**WARREN L. GOOCH, MAYOR**

# SPECIAL REPORTS

**CHARTER REVIEW COMMITTEE REPORT  
TO  
HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL**

**BACKGROUND**

By Legal Department Memorandum No. 15-23 dated August 13, 2015, Council was advised that the City Charter, Article III, Section 14, provided that a Charter Review Committee was to be appointed every eight (8) years by Council to review the Charter for consistency with State law. The last Review Committee was appointed in 2007 so 2015 was the appointment year for a new Review Committee.

**PROCEDURE**

At its September 14, 2015 meeting, Council passed Resolution 09-112-2015 which approved the appointment of a Charter Review Committee for 2015.

At its October 13, 2015 meeting, Council appointed the following individuals to the Committee: Lin Phillips, Martha Wallus, Aaron Wells, Donald "Chip" Dooley, Matt Bailey, Phil Yager, and Jessica Hill. The Committee elected Donald "Chip" Dooley as Chair, Phil Yager as Vice-Chair and Martha Wallus as Secretary. All Committee members were provided with a copy of the City Charter for review and comment. The Committee met on the following dates: March 2, 2016; April 6, 2016; April 20, 2016; and May 11, 2016.

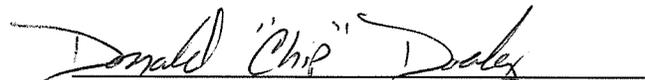
At its introductory meeting on March 2, 2016, the Committee was advised by the City Attorney that in previous years the City of Oak Ridge had the Charter reviewed by two previous Charter Commissions that were elected by the voters in 2003 and 2008 pursuant to the "Home Rule" provisions of Article XI, Section 9, of the Tennessee Constitution. Additionally, the Charter was reviewed by a Council-appointed Charter Committee in 2007. It was the opinion of the Legal Department that the current Charter was in compliance with State law.

At its April 20, 2016 meeting, the Committee also heard from Melissa Ashburn, Legal Consultant for the Municipal Technical Advisory Service (MTAS) who also advised the Committee that the Charter was in compliance with State law. In the past the MTAS Legal Department was a consultant to both the previous Oak Ridge Charter Commissions of 2003 and 2008 and the Charter Review Committee of 2007.

At its May 11, 2016 meeting, the Committee discussed its recommendation and voted 4-1 to recommend to Council that the Charter was in compliance with State law and pursuant to the requirements of Article III, Section 14, the work of the Charter Review Committee was completed.

**RECOMMENDATION**

It is the recommendation of the City of Oak Ridge Charter Review Committee that the current City Charter is in compliance with State law and the Committee has no changes or amendments to submit to Council.



Donald "Chip" Dooley  
Chairman

Date: 7-8-16

cc: Mark S. Watson, City Manager  
Kenneth R. Krushenski, City Attorney  
Janice McGinnis, Finance Director  
Tammy M. Dunn, Senior Staff Attorney

# CONSENT AGENDA

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

May 9, 2016

Minutes

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on May 9, 2016 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

**INVOCATION**

Reverend Steve Sherman, First Christian Church

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag of the United States of America was led by Councilmember Charles J. Hope, Jr.

**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; Janice McGinnis, Finance Director; Mary Beth Hickman, City Clerk; and Kenneth R. Krushenski, City Attorney.

**APPEARANCE OF CITIZENS**

Ed Martin, 76 Outer Drive, Oak Ridge, addressed the Council regarding the issue of traffic enforcement and speeding near his home. He stated that he was aware that the City Manager had spoken to the Police Chief, but he believes that more needs to be done.

Martin McBride, 954 W. Outer Drive, Oak Ridge, addressed the Council regarding the work session that was held in April with the Department of Energy (DOE) site managers. He thanked the Council and the Mayor for their leadership in putting together the work session, and he encouraged the Council to invite the supervisors from DOE headquarters to attend a work session in the next 60 days.

Mike Mahathy, 113 Falberry Street, Oak Ridge, commended the young man who had spoken at the previous City Council meeting regarding the keeping of backyard chickens. He also commended District Attorney Dave Clark and the Oak Ridge Police Department for the recent work they have been doing.

**Agenda Addition**

Prior to Proclamations and Public Recognitions, Mayor Pro Tem Ellen Smith moved to add a resolution to the "Resolutions" portion of the agenda to approve a contract with the Tennessee Department of Transportation (TDOT) for maintenance of state highways within the corporate city limits whereby the City is reimbursed by TDOT for said services in the amount of \$141,175.05. Councilmember Hensley seconded the motion to add the resolution to the agenda.

The motion was unanimously adopted by voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

## **PROCLAMATIONS AND PUBLIC RECOGNITIONS**

### **Public Recognitions**

Jim Dodson, Art Teacher at Jefferson Middle School, and some of his students presented artwork to the City of Oak Ridge that depicted historic scenes in Oak Ridge history as part of the Ed Westcott Project.

### **Proclamations**

*A proclamation designating May 15-21, 2016 as Police Week and May 15, 2016 as Police Memorial Day.* Mayor Pro Tem Smith moved for adoption, and Councilmember Hensley seconded. The proclamation was unanimously adopted by voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

*A proclamation recognizing Oak Ridge High School senior Thomas Colburn for receiving the bronze medallion in the 21<sup>st</sup> Annual Prudential Spirit of Community Awards.* Councilmember Baughn moved for adoption, and Councilmember Hope seconded. The proclamation was unanimously adopted by voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

## **SPECIAL REPORTS**

### *City Judge Salary Review Committee report, by Chair Ellen Smith*

Mayor Gooch moved to adopt the report, and Councilmember Callison seconded. Mayor Pro Tem Smith provided a brief summary of the committee meeting and its findings, including the recommendation that no change be made in the compensation of the City Judge, and answered questions from members of Council.

The report was adopted by board vote with Councilmembers Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye" and Councilmember Baughn voting "No."

### *Budget and Finance Committee Report, by Chair Kelly Callison*

Mayor Gooch moved to adopt, and Councilmember Hensley seconded. Councilmember Callison provided a brief overview of the Committee's recommendations.

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

## **CONSENT AGENDA**

Councilmember Chinn moved for adoption, and Councilmember Mayor Pro Tem Smith seconded. At the request of Councilmember Hensley, items a. and b. were removed from the Consent Agenda for discussion.

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

A RESOLUTION MAKING AN AWARD TO OMICRON ELECTRONICS CORPORATION, USA, HOUSTON, TEXAS, FOR FURNISHING OF ELECTRONIC TEST EQUIPMENT, ATTACHMENTS, AND SOFTWARE FOR THE ELECTRIC DEPARTMENT IN THE ESTIMATED AMOUNT OF \$45,323.00.

### **Items Removed from Consent Agenda**

#### *Approval of the April 11, 2016 City Council meeting minutes*

Councilmember Hensley moved to amend the April 11, 2016 City Council meeting minutes by deleting the comments of Joseph Lee during Appearance of Citizens as written in the minutes and replacing them with the following:

Joe Lee, 99 E. Pasadena Road, Oak Ridge, spoke in favor of the marina bathroom project and encouraged the City Council to move on.

Councilmember Chinn seconded the motion to amend. Mayor Pro Tem Smith proposed an amendment to Councilmember Hensley's amendment which would delete the comments of Anne Garcia-Garland and Joseph Lee as they are written in the minutes and replace them with the following:

Anne Garcia-Garland, 120 Outer Drive, Oak Ridge, expressed concern about the costs associated with the construction of the marina bathrooms.

Joseph Lee, 99 E. Pasadena Road, Oak Ridge, also addressed the marina bathroom cost issue and expressed the opinion that the costs were reasonable.

Councilmember Chinn seconded Mayor Pro Tem Smith's amendment. Anne Garcia-Garland, 120 Outer Drive, Oak Ridge, respectfully requested a correction of the record to reflect that her concerns were not specifically related to the cost of the marina bathrooms but the manner in which the project was undertaken.

The amendment to Councilmember Hensley's original amendment failed by board vote with Councilmembers Chinn and Hensley voting "Aye" and Councilmembers Baughn, Callison, Hope, Mayor Pro Tem Smith and Mayor Gooch voting "No."

Councilmember Hensley renewed his original motion to amend the minutes. The motion to amend failed by board vote with Councilmembers Chinn and Hensley voting "Aye" and Councilmembers Baughn, Callison, Hope, Mayor Pro Tem Smith and Mayor Gooch voting "No."

Councilmember Callison moved to approve the April 11, 2016 City Council meeting minutes as presented, and Councilmember Hope seconded. The minutes were adopted by board vote with Councilmembers Baughn, Callison, Chinn, Hope, Mayor Pro Tem Smith and Mayor Gooch voting "Aye" and Councilmember Hensley voting "No."

A RESOLUTION AWARDED A CONTRACT (FY2016-137) TO USTANX, LLC, MARYVILLE, TENNESSEE, FOR REHABILITATION AND REPAINTING OF THE STEEL RAW WATER STORAGE TANK AT THE WATER TREATMENT PLANT IN THE ESTIMATED AMOUNT OF \$150,200.00.

Mayor Pro Tem Smith moved for approval and Councilmember Callison seconded. The resolution was approved by board vote with Councilmembers Baughn, Callison, Chinn, Hope, Mayor Pro Tem Smith and Mayor Gooch voting "Aye" and Councilmember Hensley voting "No."

## **RESOLUTIONS**

A RESOLUTION AWARDED A CONTRACT TO TENNESSEE MUNICIPAL LEAGUE (TML) RISK MANAGEMENT POOL FOR PROPERTY, LIABILITY, AND WORKERS' COMPENSATION INSURANCE FOR FISCAL YEAR 2017 IN THE ESTIMATED AMOUNT OF \$884,744.00, WITH THE OPTION TO RENEW FOR UP TO FOUR (4) ADDITIONAL FISCAL YEAR PERIODS.

Councilmember Hensley moved for approval and Mayor Pro Tem Smith seconded. City Manager Mark Watson provided background on the resolution, and Personnel Director Penelope Sissom answered questions from Council. The resolution was approved unanimously by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH CANNON & CANNON, INC., KNOXVILLE, TENNESSEE, FOR ENGINEERING SERVICES RELATED TO THE OAK RIDGE TURNPIKE INTERSECTION PEDESTRIAN SAFETY IMPROVEMENTS PROJECT IN THE ESTIMATED AMOUNT OF \$96,000.00.

Councilmember Hensley moved for approval, and Mayor Pro Tem Smith seconded. City Manager Mark

Watson and Community Development Director Kathryn Baldwin provided background and answered questions from Council, including questions about the synchronization of traffic lights and how the projects were prioritized.

The resolution 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 "No."

A RESOLUTION AWARDDING A CONTRACT (FY2016-168) TO DURACAP ASPHALT PAVING, CO., INC., KNOXVILLE, TENNESSEE, FOR STREET MILLING AND RESURFACING OF DESIGNATED CITY STREETS IN THE ESTIMATED AMOUNT OF \$430,000.00.

Mayor Pro Tem Smith moved for approval of the resolution, and Councilmember Hope seconded.

Councilmember Hensley moved to amend the resolution to award the contract to Rogers Group, and Councilmember Chinn seconded.

Mayor Pro Tem Smith questioned where the sales tax would be paid on the project. The City Manager stated that the sales tax collection is based on the situs of the project.

Councilmember Chinn commented that Rogers Group is the oldest company in Oak Ridge and has been a good corporate citizen through its service to the community.

Councilmember Baughn stated that Rogers Group has been awarded several contracts in the past and that the competitive bid process should be respected.

Mayor Gooch stated that the bid did not take into account the amount of sales tax paid by Rogers Group to the City of Oak Ridge and the fact that the management team is local and employs local people.

Councilmember Callison indicated that by federal procurement standards the bids were basically a tie and that Council should be able to award the bid to either company.

Anne Garcia-Garland, 120 Outer Drive, Oak Ridge, commented that the contract had been put out for bid with certain parameters that the low bid would be awarded and that rules should not be changed at this stage.

Matt Bailey, 17 Riverside Drive, Oak Ridge, commented on the importance of encouraging local companies to do business with the City.

Bill Chesney, an employee of Rogers Group, stated that more value should be placed on their bid due to the sales tax revenue.

Mary Dixon, 192 Robertsville Road, Oak Ridge, asked who has oversight responsibility after the work has been completed on a project. City Engineer Roger Flynn responded that after a 1-year legal warranty, the City has responsibility, but he has known of instances where a contractor has fixed problems that have arisen after the warranty has expired.

The amendment was adopted by board vote with Councilmembers Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith and Mayor Gooch voting "Aye" and Councilmember Baughn voting "No."

Councilmember Hope and Councilmember Hensley asked questions of the City Engineer regarding whether certain streets were included in the resurfacing list or if they were part of another contract.

The resolution was adopted as amended by board vote with Councilmembers Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith and Mayor Gooch voting "Aye" and Councilmember Baughn voting "No."

A RESOLUTION AUTHORIZING THE EXPENDITURE OF APPROXIMATELY \$105,138.00 FROM THE EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE AND EQUIPPING OF TWO (2) PATROL VEHICLES FOR THE POLICE DEPARTMENT UTILIZING STATE CONTRACT PRICING.

Councilmember Hensley moved for approval of the resolution, and Mayor Pro Tem Smith seconded. City Manager Mark Watson and Police Chief James Akagi provided background on the resolution and answered questions from City Council.

The resolution failed by board vote with Councilmembers Callison, Hensley, and Mayor Pro Tem Smith voting "Aye" and Councilmembers Baughn, Chinn, Hope, and Mayor Gooch voting "No."

A RESOLUTION APPROVING THE FY2017 ANNUAL ACTION PLAN AND PROPOSED ALLOCATIONS OF COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT FUNDS FOR FY2017 ESTIMATED AT \$217,646.00.

Councilmember Hensley moved for approval of the resolution, and Mayor Pro Tem Smith seconded. Sherith Colverson with the Community Development Department provided an overview of the annual action plan and answered questions from Council.

Joe Lee, 99 E. Pasadena Road, Oak Ridge, expressed his support for demolition as a key for adding value to housing stock and stated that the City has made great strides in addressing the housing problems.

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

A RESOLUTION APPROVING A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR MAINTENANCE OF STATE HIGHWAYS WITHIN THE CORPORATE CITY LIMITS WHEREBY THE CITY IS REIMBURSED BY TDOT FOR SAID SERVICES IN THE AMOUNT OF \$141,175.05.

Mayor Pro Tem Smith moved for approval of the resolution, and Councilmember Hensley seconded. The resolution was passed unanimously 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 TITLE 10, TITLED "ANIMAL CONTROL," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY ADDING A NEW CHAPTER 4, TITLED "KEEPING OF HENS," FOR THE PURPOSE OF SETTING FORTH REGULATIONS FOR THE KEEPING AND POSSESSING OF FEMALE DOMESTICATED CHICKENS (HENS) IN RESIDENTIAL AREAS EXCEPT FOR RG-1.

Mayor Pro Tem Smith moved for approval of the ordinance, and Councilmember Hensley seconded.

City Manager Mark Watson stated that the ordinance before City Council is a version of the Knoxville ordinance passed in 2010 that has been adapted for Oak Ridge.

Several members of Council suggested amendments to the ordinance that could be discussed at an upcoming work session. Councilmember Hensley stated that he favors adding a restriction on re-application after a violation and that all tenants in a multi-family dwelling should have to give their consent for a tenant to possess hens. Mayor Pro Tem Smith stated that the "slaughtering of hens" in Section 10-405 be changed to read "slaughtering of chickens" so to include roosters and also that a reference in Section 10-408 that references a specific City department be changed to read "the City Manager or a designee." Councilmember Chinn expressed concern about lot size and stated that due to the potential for noise and

smell, the lot size should be increased to .5 acres. Bruce Applegate, Assistant to the City Manager, pointed out that most houses in the Manhattan District Overlay were less than .5 acres, so such an amendment would make most homes in the MDO ineligible to have hens.

Kayla Wyatt, 121 Revere Circle, Oak Ridge, addressed the issues of lot size, noise and smell. She also, at the request of Mayor Gooch, conveyed to Council comments made by Shigeko Uppuluri regarding her experiences 40 years ago with a neighbor who had chickens and how her son had helped to gather eggs even back then.

Risa Karisa, 173 Golfcrest Lane, Oak Ridge, expressed support for the ordinance.

Alex Groff, 198 LaSalle Road, Oak Ridge, expressed support for the ordinance.

Regina Guy, 107 Wendover Circle, Oak Ridge, stated that she had 3 hens that her daughter considered pets. She had been reported for having the hens but had written a letter to Council indicating she was unaware she was not zoned RG-1. She also expressed support for the ordinance.

Angela Pinkham, 120 Newport Drive, Oak Ridge, expressed support for the ordinance.

Councilmember Baughn stated that supporters of this ordinance had gone above and beyond in terms of due diligence regarding this issue and that this ordinance would enhance the City's reputation as a green city and a self-sustaining city. She stated that she fully intended to support this ordinance.

Mayor Pro Tem Smith expressed her support for the ordinance and provided some historical background on the issue with respect to the Knoxville ordinance that seems to be working very well.

Mayor Gooch commented that he respected the supporters of this ordinance for being thorough, diligent, and respectful. However, he stated he was opposed to the ordinance because he does not believe the ordinance will do anything to enhance the image of the city and that he feels there will be implementation and enforcement issues.

Councilmember Hensley also commented on the respectful way in which supporters presented the issue and that positive things get done when there is a community spirit.

The ordinance was approved by board vote with Councilmembers Baughn, Callison, Hensley, Hope and Mayor Pro Tem Smith voting "Aye" and Councilmember Chinn and Mayor Gooch voting "No." After the vote, the Mayor asked the City Manager to clarify the process being recommended going forward by staff prior to second reading. The City Manager stated that the ordinance would be presented at the upcoming work session for final discussion, and any proposed amendments would be discussed at that time. The City Manager also stated that the ordinance would go to the Planning Commission for zoning adaptations, and Mr. Applegate would work with the Oak Ridge Police Department on any animal control issues that need to be addressed. The Manager gave the target date of August 1 for having the entire process completed.

Councilmember Hope and Councilmember Baughn asked what would happen to citizens that currently had hens and whether or not they would be considered as in violation. The City Manager indicated he would direct staff to hold off on enforcement during the transition process.

**FINAL ADOPTION OF ORDINANCES**

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

### **Elections/Appointments**

#### *Appointment of Councilmember Charles J. Hope, Jr. to the Youth Advisory Board Screening Panel*

Councilmember Baughn moved to appoint Councilmember Hope to the Youth Advisory Board Screening Panel, and Mayor Pro Tem Smith seconded. The motion was unanimously adopted by voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith and Mayor Gooch voting "Aye."

### **Announcements**

Mayor Pro Tem Smith presented a plaque honoring the City Council with the 2016 Pinwheel Award from the Prevent Child Abuse Tennessee organization for the Council's overwhelming support for children and families in Tennessee.

Councilmember Hensley represented the City Council at the Holocaust Remembrance Service on May 8<sup>th</sup> at the Jewish Congregation of Oak Ridge.

Councilmember Hope announced that he will be traveling to Washington, D.C. May 11-13 to attend the Energy Communities Alliance meeting.

Mayor Gooch announced that the bell from the USS Oak Ridge along with a flag that was flown over the ship in 2000 is on display in the foyer of the Municipal Building. He also informed City Council that he recently traveled to Baltimore to meet with the Commander and of the Coast Guard Yard where the USS Oak Ridge is now docked as well as the Commander of the ship and its Executive Officer. He extended an invitation to them to visit Oak Ridge next year for the 55<sup>th</sup> anniversary of the re-commissioning of the ship. The reunion of the crewmembers will also be held in Oak Ridge next year as well.

### **Scheduling**

City Manager Mark Watson presented the timeline for upcoming budget meetings both for the City of Oak Ridge and the Board of Education.

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

*Discussion and possible actions/staff direction on recent e-communication identifying potential savings at Centennial Golf Course by Mr. Richard Spraker.*

City Manager Mark Watson provided background information on this issue for members of Council.

Councilmember Baughn stated that Mr. Spraker has offered a favorable alternative that on the surface appears to provide a cost savings and commented that it would be fiscally irresponsible not to consider an alternative to the existing contract.

Mayor Pro Tem Smith stated that the Budget and Finance Committee has discussed this issue, and the committee's recommendation that if a new contract were considered, there would need to be a competitive bid process planned at least one year prior to the contract's expiration date.

Councilmember Chinn stated that it is important to consider the property values of the residents living near the golf course and encouraged staff to explore opportunities with different golf course operators if it is possible to save the City money.

Councilmember Hensley stated that he supported either sending the issue to the Budget and Finance Committee for a recommendation or leaving the contract as it is, since the current manager is projecting a declining loss and has plans to make some necessary improvements.

Councilmember Hope stated that the Council owes it to the citizens of Oak Ridge to explore all options that could potentially save the City money.

Richard Spraker, 207 Whippoorwill Drive, Oak Ridge, made brief comments and answered questions from Council.

Don Tiller, 180 Waterview Drive, Oak Ridge, who is the current manager of the golf course, briefly addressed some issues raised by members of Council.

Mayor Gooch requested that City staff put together a realistic timetable to review available options and discuss it at the upcoming work session.

### **SUMMARY OF CURRENT EVENTS**

#### **CITY MANAGER'S REPORT**

#### **CITY ATTORNEY'S REPORT**

**ADJOURNMENT: 10:57 p.m.**

---

Mary Beth Hickman, City Clerk

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

May 31, 2016

Minutes

The special meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on May 31, 2016 in the Courtroom of the Municipal Building 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, Jr.; Councilmember Charles J. Hope, Jr.; and Mayor Pro Tem Ellen D. Smith. Mayor Warren L. Gooch and Councilmember L. Charles Hensley were absent.

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

**ITEM FOR DISCUSSION**

**SPECIAL REPORTS**

a. Presentation and transmittal of the City of Oak Ridge's FY2017 Proposed Budget by Mr. Mark S. Watson, City Manager.

City Manager Mark Watson presented the FY 2017 budget to the City Council and answered questions from Councilmembers.

Councilmember Baughn asked the City Manager what other debt obligations he foresees in the coming year. The City Manager responded that the senior center, funds for replacement water lines and school design are three items that could add to the debt obligation.

Councilmember Hope asked if the City was going to continue to utilize the Diamond Team concept to pursue economic development. There was discussion with the City Manager about the challenges facing industrial recruitment that are different from retail recruitment. Councilman Hope also stated he would like to see a report card on existing businesses that are expanding.

Councilmember Chinn requested that the City research and pursue any available state and federal grant options to assist with funding City programs in the coming year.

Mayor Pro Tem Smith asked whether the Tennessee Department of Education would recognize the expenses that the Oak Ridge schools label as "nonrecurring" rather than including the funding of them as part of the maintenance of effort calculation. The City Manager stated that the school system is in conversation with the State of Tennessee to determine this, and additional information would be provided for the June 6, 2016 City Council meeting.

The presentation was for informational purposes only; no action was taken.

**ADJOURNMENT**

The meeting adjourned at 8:30 p.m.

CITY COUNCIL MEMORANDUM  
16-19

DATE: June 8, 2016  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
Jon Hetrick, Recreation and Parks Director  
SUBJECT: EIGHTH ROWING LANE BIDS

Introduction:

An item for City Council's consideration is a rejection of bids received for the proposed eighth (8<sup>th</sup>) Rowing Lane at Melton Hill Lake marina area.

Review

The City of Oak Ridge has received a state grant of \$250,000 for the construction of an 8<sup>th</sup> rowing lane at the Melton Hill Lake marina area on the City's east side. Supplemental funding by the City of \$150,000 was added to accomplish a \$560,000 project based on engineering estimates. Additionally, the City Manager solicited additional funds from affiliated agencies that gain benefit from the improvements at the lake to help fund the differential on the project with the City to fund the difference. All agencies contacted expressed a willingness to help financially with the project.

Barge Waggoner is the engineering firm associated with the design of the project. An attached letter from the firm is included with the packet. The City received two bids, both of which, were totally out of line with projected estimates. The high bid was \$2,139,923.20 from Wright Brothers Construction. The lowest bid was from Simpson Construction at \$1,743,280.00. As can be seen, the budget does not coincide with the actual bid proposals.

At this time, all further work on the project has been halted until a thorough review of the project's feasibility is reassessed. Mr. Hetrick will work with the City Manager on determining whether the project is to move forward and any details associated with the state funding for the project.

Recommendation:

The City Manager recommends rejecting bids on this project.

  
Mark S. Watson

Attachment

June 7, 2016  
Project No. 35898-01

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

RE: Oak Ridge Rowing Course Site Improvements

Dear Mr. Watson:

Barge Waggoner Sumner & Cannon, Inc. (BWSC) has reviewed the bids for the Oak Ridge Rowing Course Site Improvements project received on June 2, 2016. The low bidder was Simpson Construction with a bid of \$1,743,280.00. Only one other bidder, Wright Brothers Construction, Inc., responded with a bid of \$2,139,923.20. The above bid totals do not include the Additional Alternate 1 cost for pre-drilling.

Based on the limited number of bids, the bid variance, and our understanding of available City funds for the project, BWSC does not recommend acceptance of the bid.

As a result of the bids received, BWSC has reviewed the plans and has developed a new concept for the project which will allow for a significant cost reduction. At the City's request, BWSC will develop this design and assist the City with the rebidding of the project.

Please feel free to contact me with any questions regarding this matter.

Sincerely,



Benjamin C. Nemec, PE

cc: Jon Hetrick, COR  
Tammy Dunn, COR  
Lyn Majeski, COR

Item No.	Description	Unit	Est. # of Units	Simpson Construction		Wright Bros		Redesign		
				Unit Price	Item Total	Unit Price	Item Total	New Units	Unit Price	Item Total
<b>BID SCHEDULE</b>										
<b>Oak Ridge Rowing Course – Site Improvements</b>										
1	<b>Mobilization/Demobilization.</b> Total cost to travel, set-up job trailer(if required), commence construction activities, and close-out constructions activities.	LS	1	\$335,000.00	\$335,000.00	\$243,000.00	\$243,000.00	1	\$289,000.00	\$289,000.00
2	<b>Earthwork.</b> Total cost to furnish all labor, materials, equipment, and services to excavate, backfill, and compact soil for sheet pile wall.	LS	1	\$68,000.00	\$68,000.00	\$15,000.00	\$15,000.00	1	\$41,500.00	\$41,500.00
3	<b>Erosion Control.</b> Total cost to furnish all labor, materials, equipment, and services to install the erosion control measures as shown on the plans and specified herein, for both the project location and the project spoil location.	LS	1	\$68,000.00	\$68,000.00	\$27,500.00	\$27,500.00	1	\$47,750.00	\$47,750.00
4	<b>Topsoil &amp; Seeding.</b> Total cost to furnish all labor, materials, equipment, and services to provide the topsoil and seeding as shown on the plans and specified herein.	LS	1	\$46,000.00	\$46,000.00	\$10,000.00	\$10,000.00	1	\$28,000.00	\$28,000.00
5	<b>Dredging.</b> Total cost to furnish all labor, materials, equipment, and services to dredge the required materials as shown on the plans and specified herein.	LS	1	\$130,000.00	\$130,000.00	\$70,000.00	\$70,000.00	1	\$100,000.00	\$100,000.00
<b>Unit Price Items, As Directed by the Engineer</b>										
6a	<b>Sheet Pile Delivered (Material Only).</b> Payment for providing and delivering acceptable piling for this work. Unit is SF based on multiplying wall length by the length of sheet required.	SF	17,130	\$19.00	\$325,470.00	\$17.29	\$296,177.70	9,200	\$18.15	\$166,934.00
6b	<b>Sheet Pile Driven.</b> Payment for piling driven is full compensation for driving, cutoff, and disposing of cutoffs. Units are SF of wall face from tip to cutoff.	SF	15,800	\$11.00	\$173,800.00	\$28.49	\$450,142.00	6,900	\$19.75	\$136,240.50
7	<b>Sheet Pile Wall - Tie Back Anchoring.</b> Includes all labor, materials, and equipment, etc., to install tie back anchoring system for sheet pile wall, as shown on the plans and specified herein.	LF	2,950	\$128.00	\$377,600.00	\$282.15	\$832,342.50	0	\$205.08	\$0.00
8	<b>Rip-Rap.</b> Includes all labor, materials, and equipment, etc., to install rip-rap for slope stabilization, as shown on the plans and specified herein.	Ton	10	\$65.00	\$650.00	\$80.00	\$800.00	1,500	\$72.50	\$108,750.00
9	<b>Greenway Pavement.</b> Includes all labor, materials, and equipment, etc., to replace the greenway trail that was removed or damaged by construction activities. Typical sections, details, and alignment of greenway pavement is shown on the plans, and specified herein.	LF	600	\$46.00	\$27,600.00	\$47.50	\$28,500.00	600	\$46.75	\$28,050.00
10	<b>Mineral Aggregate Base.</b> Includes all labor, materials, and equipment, etc., to replace any damage to the gravel vehicular pull-off area between Melton Hill Drive and the Greenway Trail due to construction activities.	Ton	165	\$29.00	\$4,785.00	\$40.00	\$6,600.00	165	\$34.50	\$5,692.50
11	<b>Safety Railing.</b> Includes all labor, materials, and equipment, etc., to install safety railing along the top of new sheet pile wall.	LF	575	\$200.00	\$115,000.00	\$138.00	\$79,350.00	575	\$169.00	\$97,175.00
12	<b>Concrete Cap.</b> Includes all labor, materials, and equipment, etc., to install concrete cap along the top of new sheet pile wall.	LF	571	\$125.00	\$71,375.00	\$141.00	\$80,511.00	460	\$133.00	\$61,180.00
<b>Total of Bid</b>					\$1,743,280.00		\$2,139,923.20			\$1,110,272.00

	Simpson Construction	Wright Bros	BWSC Option 5 - Sheet Pile with Anchor	BWSC Option 3 - Gabion with Cofferdam	Comments
Wall Only	\$1,283,245.00	\$1,902,173.20	\$689,878.80	\$628,700.40	
Dredging	\$130,000.00	\$70,000.00	\$87,912.00	\$87,912.00	
Onsite Grading, Erosion & Seeding	\$182,650.00	\$53,300.00	\$65,979.60	\$138,513.60	
Greenway and Shoulder repairs	\$32,385.00	\$35,100.00	\$33,742.50	\$33,742.50	
Safety Railing	\$115,000.00	\$79,350.00	\$97,175.00	\$97,175.00	Not in BWSC Estimateuse Bid avg.
	\$1,743,280.00	\$2,139,923.20	\$974,687.90	\$986,043.50	Not in BWSC Estimateuse Bid avg.

## ELECTRIC DEPARTMENT MEMORANDUM

16-14

**DATE:** May 19, 2016  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Electric Director  
**SUBJECT:** MEMBERSHIP AND DUES FOR ETEDA

### Introduction

An item for City Council's consideration is a resolution approving membership in the East Tennessee Economic Development Agency (ETEDA) and authorizing payment of membership dues in the amount of \$26,116.00.

### Funding

The City joined ETEDA through its functioning as a TVA Regional Industrial Development Agency (RIDA). Thus, the funding for the membership is through the Electric Fund and the Electric Director sits on the ETEDA Board. TVA encourages membership on the Board by reimbursing the City for approximately one half of the membership dues. Therefore, the actual cost of membership will be \$13,058.00.

### Review

ETEDA is a regional marketing and business recruitment organization that promotes our 16 county region through a variety of efforts and provides site location information and assistance to companies interested in locating here.

ETEDA is co-located with the Tennessee Valley Authority Economic Development Specialist for our area. This provides a nearly seamless experience for industrial prospects and is frequently sighted as a positive model of cooperation and efficiency.

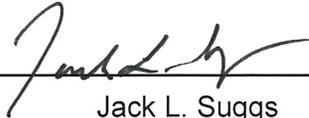
The full range of services offered to industrial clients can be found on the ETEDA website, but these include providing information such as labor and training statistics, utility service availability and cost of transportation information. ETEDA also provides regional real estate location information, including a complex, well-maintained database of available properties and buildings.

Specific ETEDA programs and accomplishments are detailed in the organization's quarterly newsletter. This newsletter is mailed to the City Manager's Office and members of the Council.

Membership in the organization also provides that, as a member of the Board, the Electric Director can designate that the local match be used to support specific projects or initiatives by our development partners.

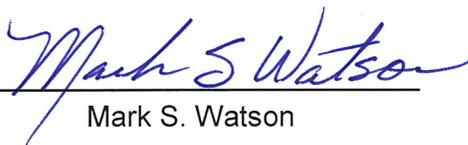
Recommendation

It is the opinion of staff that ETEDA has been a real and valuable asset to the City and to our region as a whole. As such we recommend 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 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 2016 CALENDAR YEAR.

WHEREAS, the City of Oak Ridge recognizes the value of the East Tennessee Economic Development Agency (ETEDA), a regional organization promoting and marketing the business location advantages of the region to national/international corporate decision-makers involved in relocation and expansion for over twenty years; and

WHEREAS, the City of Oak Ridge is a member of ETEDA and wishes to continue that membership in an effort to promote economic development in the region in general and Oak Ridge in particular; and

WHEREAS, the membership dues for ETEDA for calendar year 2016 are \$26,116.00; and

WHEREAS, \$13,058.00 of the membership dues will be reimbursed to the City by the Tennessee Valley Authority (TVA) under a separate contract termed the Industrial Development Contract (Contract 01BKY-268931), approved by City Council through Resolution 3-46-01; and

WHEREAS, the City Manager recommends the City's continued participation in ETEDA and payment of the above stated dues.

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 continue participation in the East Tennessee Economic Development Agency, with annual membership dues in the amount of \$26,116.00 for the 2016 calendar year.

This the 13th day of June 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

## FINANCE DEPARTMENT MEMORANDUM

16-10

**DATE:** June 2, 2016  
**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 approve a TDOT public transit operating assistance grant. The City has received this grant since 1993.

### Funding

The State has awarded \$168,000 in operational funding to the City of Oak Ridge for public transit programs for the grant period July 1, 2016 through June 30, 2017. The State grant reimbursement amount continues to be 80% of allowable expenditures for this grant period. The City's grant match for these programs is \$42,000 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.

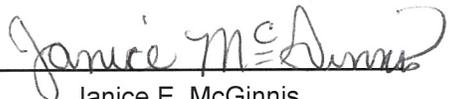
Coupons are sold from 9:00 a.m. to 4:00 p.m., Monday through Friday, at the Oak Ridge Senior Center. Proof of identification, age and residency is required. Any one person per year may purchase a maximum of 144 coupons. Coupons are sold in books of 12 for \$9.00 per book. Each coupon is good from July 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 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 \$168,000.00.

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 \$168,000.00 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 for up to nine (9) additional one-year terms 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 third renewal option term (July 1, 2016 through June 30, 2017); and

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

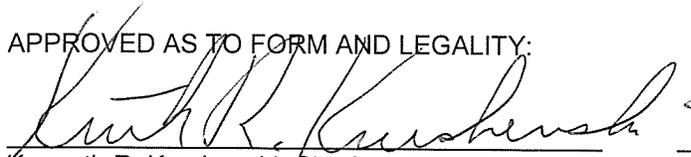
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to accept 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 \$168,000.00.

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

This the 13th day of June 2016.

APPROVED AS TO FORM AND LEGALITY:

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

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

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

**PUBLIC HEARING AND  
FINAL ADOPTION  
(BUDGET ORDINANCE)**

## CITY COUNCIL MEMORANDUM

16-16

**DATE:** June 1, 2016  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Mark S. Watson, City Manager  
**SUBJECT:** ADOPTION OF THE APPROPRIATION ORDINANCE FOR FY2017

### Introduction

An item for City Council's consideration is the fiscal 2017 Budget Appropriation Ordinance reflecting appropriations for the various City Funds as presented in the proposed budget document. The presented property tax rate remains at the fiscal 2016 tax rate of \$2.52 per \$100 of assessed valuation as outlined in Section 2 of the Ordinance. Each cent on the property tax rate generates approximately \$85,000 in revenue.

### Review

The appropriation ordinance reflects the budgeted expenditures of City and School Funds including debt servicing, utility funds and special revenue funds of \$181,907,156. Of this amount, the General Fund budget shall represent \$22,272,667 for municipal expenditures.

Per last year's budget discussions, the City Council indicated an intent to remove the general fund contribution subsidy for refuse services. This year's budget reflects the impact of the increase in the monthly residential refuse collection fee from \$10.50 to \$14.00 effective October 2016. This results in a \$376,902 reduction in funding required from the General Fund to the Solid Waste Fund for fiscal 2017 refuse collection operations. In fiscal 2017, the fees for solid waste collection will be above 51% of expenditures for these services. In accordance with State law and accounting standards, the budgeted activities for solid waste collection have been moved from the General Fund and are once again accounted for in a separate fund, the Solid Waste Fund.

The City's operating transfer to the Oak Ridge Schools is at the requested amount of \$15,493,963, an additional \$538,048 over last year's funding level of \$14,955,915 which is proposed as a non-recurring amount that will be considered for specific needs and not adding to maintenance of effort costs.

### Scheduling

First reading of the appropriation ordinance will occur at the June 6, 2016 City Council meeting, with second reading occurring the following Monday, June 13, 2016. The City has advertised for two (2) public hearings to occur as part of the consideration of the ordinance with the June 13, 2016 public hearing serving as the official Charter requirement.

### Recommendation

Adoption of the attached ordinance is recommended.

Attachment

  
Mark S. Watson

**TITLE**

AN ORDINANCE TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

WHEREAS, the City Manager, in accordance with the requirements of Article V, Section 10, of the Charter of the City of Oak Ridge, has submitted to City Council a proposed budget prior to the beginning of the fiscal year upon which a public hearing was held on June 6, 2016 and June 13, 2016 as required by law; and

WHEREAS, in accordance with the requirements of the same Charter section, the Council held meetings which served to provide guidance to the City Manager on the preparation of the proposed budget.

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

Section 1. The budget for the fiscal year beginning July 1, 2016 submitted to City Council by the City Manager, is hereby adopted.

Section 2. In order to provide revenue for municipal purposes, there is hereby imposed on the value of all property within the City of Oak Ridge as such value has been ascertained by the taxing authority of the City, a levy at the rate of \$2.52 upon each One Hundred Dollars' (\$100.00) worth of assessed value of all taxable property, this levy to be the tax rate for the year 2016. This levy shall also be imposed upon such assessments as may be certified for tax purposes to the City of Oak Ridge by the Public Service Commission of the State of Tennessee.

Section 3. In accordance with Article V, Section 13, of the Charter of the City of Oak Ridge, the following amounts shall be and hereby are adopted as appropriations by funds for the operation of the City of Oak Ridge, Tennessee, for Fiscal Year 2017:

General Fund, Municipal Operations	\$ 22,272,667
Debt Service (Bond and Interest Redemption Fund)	\$ 8,600,000
State Street Aid Fund	\$ 1,821,000
Drug Enforcement Program Fund	\$ 255,200
General Purpose School Fund	\$ 59,756,640
Golf Course Fund	\$ 1,197,494
Capital Projects Fund	\$ 5,927,708
Solid Waste Fund	\$ 2,831,954
West End Fund	\$ 2,822,492

Section 4. The following amounts in the proprietary-type funds are projected expenses for Fiscal Year 2017 and are provided for informational purposes:

Electric Fund	\$ 56,084,906
Waterworks Fund	\$ 19,147,026
Emergency Communications District Fund	\$ 1,190,069

Section 5. In order to provide funds to meet the expenditure requirements, the following transfers are projected for Fiscal Year 2017 and are provided for informational purposes:

<u>To General Fund For Tax Equivalent</u>	
From Electric Fund	\$ 1,705,350
From Waterworks Fund	\$ 1,760,600
 <u>To General Purpose School Fund for Operations</u>	
From General Fund	\$ 15,493,963
 <u>To Debt Service Fund</u>	
From General Fund	\$ 4,300,000
 <u>To Capital Projects Fund</u>	
From General Fund	\$ 910,000
 <u>To State Street Aid Fund</u>	
From General Fund	\$ 700,000
 <u>To Solid Waste Fund</u>	
From General Fund	\$ 1,230,454

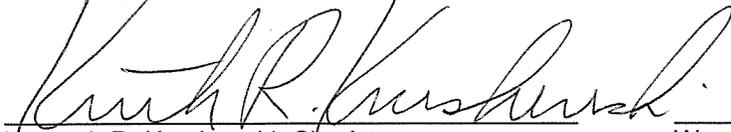
Section 6. All proceeds received through fines, forfeitures and the disposal of seized goods resulting from the City's drug enforcement program shall be used exclusively for that program. A Special Revenue Fund has been established and any funds expended will be limited to the funds collected for that program.

Section 7. The taxes levied under this Ordinance shall become due and payable, shall become delinquent and shall be subject to penalties, the execution of distress warrants and sale of property levied upon as provided by law.

Section 8. The levy provided for herein shall be imposed on all taxable property as the same has been reported to the Council as a final total assessment of each class of property by the legally constituted Boards of Equalization for property situated in either Anderson County or Roane County within the City of Oak Ridge. The written report of the Equalization Boards shall be the assessment roll of the City of Oak Ridge.

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

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

Publication Date: 05/26/2016  
Public Hearing: 06/06/2016  
First Reading: 06/06/2016  
Publication Date: 06/09/2016  
Public Hearing: 06/13/2016  
Second Reading: 06/13/2016  
Publication Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

CITY COUNCIL MEMORANDUM  
16-17

DATE: June 9, 2016  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: OAK RIDGE SCHOOLS BUDGET REQUEST

Introduction:

An item for the City Council's consideration for a joint resolution is the inclusion of \$538,048 within the Board of Education's request for additional funding. The City Manager's budget has recommended that this amount be allocated for nonrecurring revenues, meaning to be used by the Schools for one-time expenses. The Finance Director and the City Manager were directed to bring back additional information and confirmation that a pledged approach to assume debt servicing costs in the amount of \$425,000 and minor capital costs of school equipment costs in the amount of \$113,048.

Review:

Per City Council discussion on June 6, 2016, the City Manager was directed to confirm the acceptance of payment methods of funding to the Oak Ridge Schools without increasing the "maintenance of effort" amounts as required by Tennessee law. On June 7, 2016, Ms. Karen Gagliano of the Oak Ridge Schools; Ken Krushenski, City Attorney; Mark Watson, City Manager; and Janice McGinnis, Finance Director conducted a phone conference with Ms. Mary Ann Durski of the Tennessee Department of Education. The proposed uses outlined above were verbally identified as acceptable one-time expenses by the City of Oak Ridge. In so doing, the City Council and the Board of Education would be required to adopt a joint resolution approved by both bodies, and then ultimately accepted and acknowledged by the Tennessee Department of Education. The approved items would be listed in the attached document and executed by the Mayor and Board of Education Chairman.

A letter from Ms. Durski of the Tennessee Department of Education is to be received prior to our meeting on Monday night, which will be passed on to City Council. Also, a more detailed summary of the proposed cost items is submitted by Superintendent Bruce Borchers as a more clear explanation of what the additional nonrecurring funding will be used for.

Recommendation:

Assuming concurrence on the provision of additional funding to the Oak Ridge Schools, the City Council should adopt the joint resolution. The Oak Ridge Board of Education is scheduled for approving the same at a 6:00 p.m. special called meeting prior to the June 13, 2016 City Council meeting.

  
Mark S. Watson

Attachments



**MEMORANDUM**  
**OAK RIDGE SCHOOLS**

Office of the Superintendent of Schools  
Memorandum No. 06

Date: June 9, 2016

**TO: Mark Watson, City Manager**

**FROM: Bruce Borchers, Ph.D.**

**SUBJECT: Additional Information for Nonrecurring Items Related to Proposed Resolution**

Thank you for considering a joint resolution to support the Board of Education's request for additional funding totaling \$538,048. You have indicated that you are recommending that this amount be allocated for nonrecurring revenues, meaning to be used by the schools for one-time expenses. Given this fact, we have identified and confirmed that debt servicing costs in the amount of \$425,000 and minor capital costs of school equipment costs in the amount of \$113,048 would be appropriate items to include in this joint resolution. Please find additional information on these two items below.

**1) Capital Outlay Projects Under \$50,000**

**Replacement of Underground Hydronic Piping at ORHS**

Excessive failures of the closed loop hydronic piping system on the East end of the High Schools has caused large scale shut downs of the HVAC systems having the potential to damage equipment and lead to school shut downs due to lack of heating and cooling. Exploration of the issue revealed piping with an accelerated level of deterioration due to damaged protective coating (warranties for the piping have expired). The piping is in critical need of replacement before additional damage can be incurred by the HVAC systems.

**JMS locker Replacement**

A portion of the original 1968 lockers are recommended for replacement due to age, condition, and the administration's need for better student control in the locker areas. New lockers would be installed on the third floor allowing all the grade levels to be divided out and reduce overall congestion in the hallways. Current lockers are 9" wide and are very restrictive for the student's books, computer, and personal items.

**Repave Road at RMS**

Repaving the road parallel to Illinois Avenue behind the school cafeteria and auditorium is essential due to the heavy traffic of private, school, and delivery vehicles. The road has been patched each year but had deteriorated to the extent that it has the potential to damage vehicles. The project includes the paving of gravel parking spaces for maintenance and cafeteria staff.

**Repair JMS Elevator**

The JMS elevator piston has shifted in the piston enclosure causing the jack to catch on the side of the piston enclosure which causes the elevator car to bounce and the piston seals to wear out prematurely (we have replaced the seals three times in the last two years). The elevator service contractor recommends a full replacement of the jack including spring buffers and mountings. Without repair, the elevator will require additional service to replace seals and readjust the piston. JMS is a three story building and the elevator is an essential piece of equipment to remain ADA compliant.

**2) Technology Lease**

This represents the FY17 principal and interest payments (\$425,000) for the four-year technology lease that began in FY16. The four-year lease total value finalized at \$1,588,000 and includes principal and interest over the term of four years. The interest rate is 3.217%. Annual payments are due each year in August. The lease funded the purchase of 1625 student devices for grade levels 5-9, 116 teacher devices for grades 5-8, and insurance for middle school students' computers, supporting the AccessOakRidge initiative.

BB/ll

Oak Ridge Schools  
June 13, 2016 6:00 PM  
Special Called Board of Education Meeting

Secure

Return

## **I. Call to Order**

## **II. Approval of Agenda**

## **III. Items for Action**

### **III.A. Approval of Joint Resolution between Oak Ridge Board of Education and City of Oak Ridge for Nonrecurring Expenditures**

#### **Rationale**

I recommend approval of the Joint Resolution between Oak Ridge Board of Education and City of Oak Ridge for nonrecurring expenditures.

#### **Attachments**

**City of Oak Ridge and Board of Education JOINT RESOLUTION**

**PC305**

## **IV. Adjournment**

**JOINT RESOLUTION**

**A JOINT RESOLUTION BY THE CITY COUNCIL OF OAK RIDGE, TENNESSEE AND THE OAK RIDGE SCHOOLS BOARD OF EDUCATION AGREEING TO NONRECURRING (ONE-TIME) EXPENDITURES FOR FISCAL YEAR 2017 TO FUND DEBT SERVICE PAYMENTS AND OTHER RELATED NONRECURRING CAPITAL PROJECT EXPENSES.**

WHEREAS, Tennessee Code Annotated §49-3-314(c)(4) allows an exemption from Maintenance of Effort requirements for local governments to appropriate funds for education for nonrecurring expenditures to the local education agency (LEA); and

WHEREAS, said Tennessee Code Annotated §49-3-314(c)(4) section requires a written agreement between the local government and the LEA, which is subject to review by the State Department of Education; and

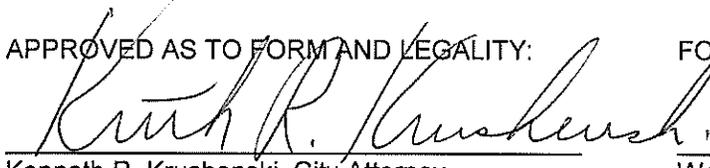
WHEREAS, the City of Oak Ridge fiscal year 2017 budget, presented to the City Council on June 6, 2016, allocated \$538,048.00 to the Oak Ridge Board of Education for nonrecurring, one-time expenditures to fund debt service payments and other related nonrecurring Capital Project expenses. For a description of these payments see Exhibit A, attached to this Joint Resolution.

NOW, THEREFORE BE IT RESOLVED that the City Council of Oak Ridge and the Oak Ridge Board of Education hereby agree and acknowledge that the additional \$538,048.00 in one-time funding allocated to the Oak Ridge Board of Education as a part of City's fiscal year 2017 budget will be used to fund School related debt service and other related nonrecurring Capital Project expenses, and shall not be included in the School's Maintenance of Effort calculations pursuant to Tennessee Code Annotated §49-3-314(c)(4).

BE IT FURTHER RESOLVED that the \$538,048.00 one-time payment will be applied by the Oak Ridge Board of Education to fund debt service payments and other related nonrecurring Capital Project expenses which are more fully described in Exhibit A, attached to this Joint Resolution.

This the 13<sup>th</sup> day of June 2016.

APPROVED AS TO FORM AND LEGALITY:

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

FOR THE CITY OF OAK RIDGE, TENNESSEE

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

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

FOR THE OAK RIDGE SCHOOLS

\_\_\_\_\_  
Dr. Bruce Borchers, Superintendent

OAK RIDGE BOARD OF EDUCATION

\_\_\_\_\_  
W. Keys Fillauer, Chairman

# Exhibit A

## City of Oak Ridge and Oak Ridge Board of Education FY17 Budget Proposal for Nonrecurring Expenses

### CITY OF OAK RIDGE

Items to be Paid by the City - (Shifting Funding from planned use of Fund Balance to City Funded)

<b>82130/82230</b>	<b>610/611 Capital Leases</b>	<b>\$ 425,000.00</b>
This represents FY17 principal and interest payments for the four year technology lease that began in FY16. The lease funded the purchase of student devices for grade levels 5-8, supporting the 1:1 Initiative.		

<b>76100</b>	<b>707 Building Improvements</b>	<b>\$ 113,048.00</b>
These building improvement projects (under \$50,000) were planned for completion during FY17:		
	* Replace Underground Hydronic Piping at ORHS	\$ 50,000.00
	* Replace JMS Lockers - Single Grade Level	\$ 25,000.00
	* Repave RMS Road	\$ 35,000.00
	* Repair JMS Elevator - (Total Project - \$25,000)	\$ 3,048.00

**Total**

**\$ 538,048.00**

From: Maryanne Durski [<mailto:Maryanne.Durski@tn.gov>]  
Sent: Thursday, June 09, 2016 12:25 PM  
To: McGinnis, Janice <[JMcGinnis@oakridgetn.gov](mailto:JMcGinnis@oakridgetn.gov)>  
Cc: Watson, Mark <[MWatson@oakridgetn.gov](mailto:MWatson@oakridgetn.gov)>; Krushenski, Ken <[KKrushenski@oakridgetn.gov](mailto:KKrushenski@oakridgetn.gov)>; [kgagliano@ortn.edu](mailto:kgagliano@ortn.edu);  
BRUCE BORCHERS <[btborchers@ortn.edu](mailto:btborchers@ortn.edu)>  
Subject: RE: City and School Joint Resolution

Janice,

I have reviewed the resolution and attachment and both will be able to be approved by the state department of education as drafted once both parties have approved the resolution.

Please let me know if you have any other questions.

Thank you,

Maryanne



## Education

Maryanne Durski | Executive Director  
Office of Local Finance  
Andrew Johnson Tower, 9<sup>th</sup> Floor  
710 James Robertson Parkway, Nashville, TN 37243  
p: (615) 532-9510, c: (615) 419-1605  
[Maryanne.Durski@tn.gov](mailto:Maryanne.Durski@tn.gov)  
[tn.gov/education](http://tn.gov/education)  
[TNClassroomChronicles.org](http://TNClassroomChronicles.org)

From: McGinnis, Janice [<mailto:JMcGinnis@oakridgetn.gov>]  
Sent: Tuesday, June 7, 2016 2:59 PM  
To: Maryanne Durski  
Cc: Watson, Mark; Krushenski, Ken; [kgagliano@ortn.edu](mailto:kgagliano@ortn.edu); BRUCE BORCHERS  
Subject: City and School Joint Resolution

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

Ms. Durski,

Thank you for speaking with us this morning.

Based on our conversation, attached is a draft of the Joint Resolution between the City Council of Oak Ridge and the Oak Ridge Schools Board of Education along with the referenced exhibit: Attachment A.

Please let us know if you recommend any changes. If no changes are recommended, as discussed, please provide an opinion letter on departmental letterhead indicating that you think the joint resolution and items referenced in Attachment A are sufficient for the Department of Education to exclude these expenditures from the Schools Maintenance of Effort calculations in accordance with TCA 49-3-314 (c)(4).

Please let me know if you have any questions or concerns. We appreciate your assistance in guiding us through this process.

Our timeline is for the adoption of the resolution to occur prior to final reading of the budget on June 13.

Thank you,

Janice McGinnis  
Finance Director  
City of Oak Ridge, Tennessee  
Phone: 865-425-3617  
Fax: 865-425-3425  
Email: [jmcginnis@oakridgetn.gov](mailto:jmcginnis@oakridgetn.gov)

Electronic communications with officials and employees of the City are subject to Tennessee's Public Records Act.

# RESOLUTIONS

CITY COUNCIL MEMORANDUM

16-18

DATE: June 8, 2016  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: OAK RIDGE MAIN STREET PROJECT

Introduction:

An item for City Council's consideration is a resolution authorizing the City Manager to enter into negotiations with RealtyLink, LLC, and the United States Department of Energy (DOE) through its agent the General Services Administration (GSA) to secure the American Museum of Science and Energy (AMSE) property as shown on Exhibit A attached to the resolution.

Review and Background:

For the past four years, the City Manager's office on behalf of the City of Oak Ridge has been engaged in the re-activation of the Oak Ridge Mall property. Negotiations and planning have occurred with current owners, Oak Ridge City Center LLC, as well as work with Crosland Southeast, Charlotte, North Carolina, and most recently, RealtyLink, LLC of Greenville, South Carolina. Throughout this process, the City has had to be engaged in many facets of previous agreements and restrictions requiring approvals by major stores, financial planning for the creation of a Tax Increment Finance District, working with hotel franchisees, and identification of retail businesses to be associated with the project. This has now come to fruition with one last item to be considered by City Council.

Adjacent to the Oak Ridge Main Street site is 17.12 acres in and around the AMSE facility. This land has been a subject of discussion for many years, which has included discussions for transfer to the City of Oak Ridge for economic development purposes, sale to the open market, or even further developments for the ORAU education facilities. At this time, it becomes an element of importance to the Oak Ridge Main Street project and can represent additional development and taxes to become part of the TIF repayment sources.

With the approval of the new Manhattan Project National Historical Park, the DOE has been examining ways to collaborate and create a path forward on interpreting the present and past history of the DOE complex in Oak Ridge. With the startup of the project, the DOE has asked for assistance from the GSA to utilize DOE assets including the 17.12-acre site to help secure a path forward for their mission of public education and public outreach. The value of the property can offset costs to DOE for advancing the planning efforts of the National Park Service in partnership with DOE.

The attached resolution clarifies the directions that should be taken if GSA pursues (1) an agreement with RealtyLink, LLC or (2) transfer of property to the City of Oak Ridge and then working with RealtyLink for development of the property.

The resolution and exhibit become an essential element of protecting the TIF investment of the City of Oak Ridge by ensuring that development will not be detrimental to the security of the TIF loan with new developments and it provides greater possibilities of active development by the developer, RealtyLink, LLC, for purposes of additional sales taxes to the City. The resolution also supports the integration of the retail center on both sides of Tulane with the preservation of additional space through City rights of way acreage for insuring a more bike and pedestrian friendly design element.

The resolution is the last "hurdle" required to move this City project to closing. Mr. Neil Wilson will be present at our meeting to outline intended closing dates. Language in the resolution is concurred with by RealtyLink, LLC and has been communicated with federal officials.

Recommendation:

The City Manager recommends approval of the attached resolution.



Mark S. Watson

Attachment



2 June 2016

RealtyLink, LLC  
550 S Main St  
Suite 300  
Greenville SC 29601

Mr. Mark Watson, City Manager  
City of Oak Ridge  
Po Box 1  
Oak Ridge TN 37830

**RE: Concerns regarding AMSE property**

Dear Mark:

As you are aware we have, since the beginning of our involvement in Main Street, expressed our significant concerns regarding the potential of the AMSE property beginning made available at some point for redevelopment. Based on recent conversations it appears that could happen sooner than later. Any redevelopment of that property that competes with Main Street either directly or indirectly will be devastating to our efforts to provide the community a much needed quality retail centered mixed use town center.

We are finally in a position to close on the property by the end of June and begin construction immediately thereafter. This issue regarding the AMSE property is the only remaining hurdle standing in the way of that closing however, my partners, investors and I simply cannot take that financial risk to move forward until the issue is resolved.

We must be able to control the redevelopment of that property. Toward that end we ask that the City of Oak Ridge enter into negotiations with the Department of Energy for the transfer of that property, or assist RealtyLink in doing the same in accordance with the outline of an agreement which is attached. Further, we ask that the City bring a binding resolution based on that outline to City Council for concurrence no later than its June 13 meeting.

We trust that you will understand that time is truly of the essence in resolving this final issue. We look forward to your response.

Sincerely

A handwritten signature in blue ink that reads "Neil Wilson". The signature is written in a cursive, flowing style.

Neil Wilson

## Outline of agreement between COR and RealtyLink regarding 18.99 acre tract

2 June 2016

The City of Oak Ridge (City) recognizes the need to begin immediate negotiations with the Department of Energy (DOE) for the transfer of 17.12 acres of AMSE property to either the City of Oak Ridge or the developer of the adjacent 60 acre Main Street Oak Ridge project (RealtyLink). As a part of that transfer the City believes it would be prudent and in the City's best interest to include 1.87 acres of adjacent city owned land for a total 18.99 developable acres. Should DOE elect to negotiate directly with the developer; the city will support that effort. Should DOE choose to negotiate with the City instead; the city will do so in accordance with its agreement with the developer as outlined below.

1. If DOE chooses to negotiate with RealtyLink in return for "considerations" that enhance the DOE mission of public outreach as well as that of the National Park Services, the City will use commercially reasonable efforts to assist in the transfer or sale and the local approval processes.
2. In case DOE chooses to negotiate only with the City and the City is successful in that negotiation, the City will give RealtyLink a right of first option to purchase the 17.12 acres at a price of \$200,000 or the value of the "consideration" divided by 17.12, whichever is greater. RealtyLink will have 180 days after a fully executed Purchase Agreement for due diligence and 45 days thereafter to close on the property. RealtyLink will agree to develop the property in a manner mutually agreeable to both parties; however development that maximizes sales tax revenues will be a primary focus of both City and RealtyLink.
3. In consideration of the TIF loan repayment and in order to set a development timeline, Realty link will agree to develop the property in a manner that will generate \$140,000 per year in new property taxes by tax year 2021 and an additional \$150,000 by tax year 2024.
4. The DOE tract and adjacent city owned property represent an important segment of central Oak Ridge adjacent to Oak Ridge Associated Universities, the city municipal and civic complex and Bissell Park. The city will agree to donate its 1.87 acres to RealtyLink assuming RealtyLink (or the City on behalf of RealtyLink) is successful in its negotiations with DOE. For that donation RealtyLink will agree to include in the overall development at least 2 acres of community oriented amenities such as but not limited to bicycle and pedestrian ways without any other consideration other than the City's donation of the land. RealtyLink's expenses regarding those amenities shall not exceed \$374,000.

**RESOLUTION**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO NEGOTIATIONS WITH REALTYLINK, LLC, AND THE UNITED STATES DEPARTMENT OF ENERGY (DOE) THROUGH ITS AGENT THE GENERAL SERVICES ADMINISTRATION (GSA) TO SECURE THE AMERICAN MUSEUM OF SCIENCE AND ENERGY (AMSE) PROPERTY AS SHOWN ON EXHIBIT A ATTACHED HERETO.

WHEREAS, Congress and the President have authorized the establishment of the Manhattan Project National Historical Park (MPNHP) in which Oak Ridge plays a major role; and

WHEREAS, the MPNHP was established on November 10, 2015 by the joint actions of the Department of Energy (DOE) and the National Park Service (NPS); and

WHEREAS, DOE, NPS and the City are working in a collaborative effort to determine the best manner in which the preserving and interpreting of the history of the Manhattan Project and the DOE mission of public outreach and education can best be achieved; and

WHEREAS, the 17.12 acres of property owned by DOE along with a portion of the adjacent City owned land was included in the Economic Impact Area as associated with the Economic Impact Plan for the redevelopment of the Oak Ridge Mall; and

WHEREAS, that plan was adopted by the City of Oak Ridge Industrial Development Board, the Oak Ridge City Council and the Anderson County Commission; and

WHEREAS, property tax revenues from the future development of that property is anticipated by the lenders as a part of the repayment for a tax increment financing (TIF) loan; and

WHEREAS, toward those objectives, the City has a desire to begin discussions and negotiations with DOE through its agent GSA for the transfer of approximately 17.12 acres of property owned by DOE on which the American Museum of Science and Energy (AMSE) is located to either the City or the developer of the adjacent 60-acre Main Street Oak Ridge project, RealtyLink, LLC; and

WHEREAS, as part of the above-described transfer, the City believes it is in the City's best interests to include an approximate 1.87 acre tract of adjacent city-owned land for an approximate total of 18.99 acres of developable land as shown on Exhibit A attached hereto; and

WHEREAS, should GSA elect to negotiate directly with RealtyLink, LLC, the City will support that effort; and

WHEREAS, should GSA elect to negotiate directly with the City, the City will do so in accordance with the stipulations set forth below; and

WHEREAS, the City Manager requests authorization to enter negotiations with RealtyLink, LLC, and GSA for the acquisition of the AMSE property.

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

That the City Manager is hereby authorized to enter into negotiations with RealtyLink, LLC, or a related entity for closing purposes (hereinafter collectively referred to as "RealtyLink, LLC") and the General Services Administration (GSA) for the acquisition of the American Museum of Science and Energy (AMSE) property as shown on Exhibit A attached hereto.

BE IT FURTHER RESOLVED that the following stipulations shall apply to the negotiations:

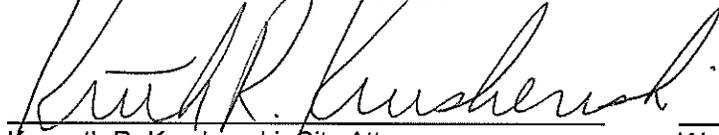
- If GSA chooses to negotiate with RealtyLink, LLC, in return for considerations that enhance the DOE mission of public outreach and education, as well as that of the NPS,

the City will use commercially reasonable efforts to assist in the transfer or sale and the local approval processes.

- If GSA chooses to negotiate only with the City and the City is successful in that negotiation, the City will give RealtyLink, LLC, a right of first option to purchase the 17.12 acres at a price of \$200,000.00 per acre (or the value of the "consideration" divided by 17.12, whichever is greater). RealtyLink, LLC, will have one hundred eighty (180) days after a fully executed Purchase Agreement for due diligence and forty-five (45) days thereafter to close on the property. RealtyLink, LLC, will agree to develop the property in a manner mutually agreeable to both parties; however, development that maximizes sales tax revenues will be a primary focus of both City and RealtyLink, LLC.
- In consideration of the TIF loan repayment and in order to set a development timeline, RealtyLink, LLC, will agree to develop the property in a manner that will generate at least \$140,000.00 per year in new property taxes by Tax Year 2021 and at least an additional \$150,000.00 by Tax Year 2024.
- The AMSE property and adjacent city-owned property represent an important segment of central Oak Ridge adjacent to Oak Ridge Associated Universities, as well as the City's Municipal Building, Civic Center Complex, and A.K. Bissell Park. The City will agree to donate its approximate 1.87 acres as shown on Exhibit A attached hereto to RealtyLink, LLC, assuming RealtyLink, LLC (or the City on behalf of RealtyLink, LLC) is successful in its negotiations with GSA. For that donation RealtyLink, LLC, will agree to include in the overall development at least two (2) acres of community oriented amenities such as, but not limited to, bicycle and pedestrian ways without any other consideration other than the City's donation of the land. RealtyLink, LLC's, expenses regarding those amenities shall not be required by the City to exceed \$374,000.00.

This the 13th day of June 2016.

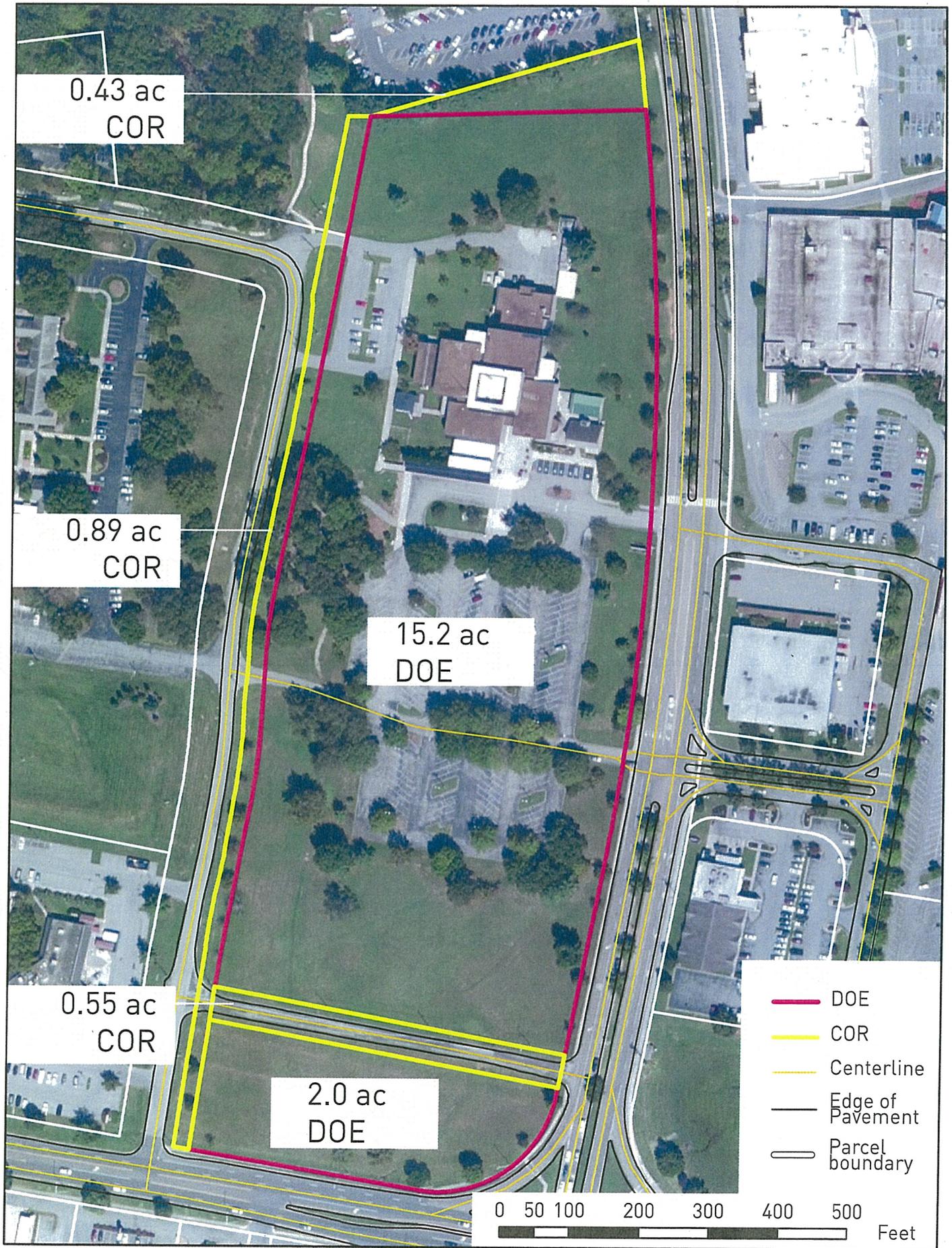
APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk



**OAK RIDGE POLICE DEPARTMENT MEMORANDUM**  
**16-04**

**DATE:** May 19, 2016  
**TO:** Mark S. Watson, City Manager  
**FROM:** James T. Akagi, Chief of Police  
**SUBJECT:** ANNUAL MAINTENANCE SPILLMAN TECHNOLOGIES SOFTWARE SYSTEMS

Introduction

An item for City Council's consideration is a resolution for an annual maintenance agreement with Spillman Technologies in the amount of \$45,000.00. Spillman Technologies is a software systems corporation and the sole source provider of their product and services.

Funding

As approved in previous City Council Resolution 2-13-2014, the City of Oak Ridge contracted with Spillman Technologies for implementation and annual maintenance of an enterprise-wide records management system (RMS); which includes, but is not limited to recurring training, software upgrades and enhancements for workstations and mobile servers, and 24/7 critical technical support for remote support connectivity and mobile records management.

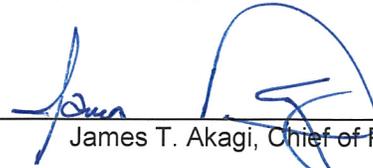
Consideration

The City has held an agreement with Spillman Technologies since February 2014 to implement and maintain a RMS which includes records management, computer-aided dispatch, mobile reporting and other features. Annual maintenance provides support to ensure system operation and training to ensure users understand the latest features and applications. Based on the essential functions of the RMS, it is necessary that the maintenance contract does not lapse as costs would be significant if a failure were to occur with no contract in place.

Based on the consideration provided, staff recommends that the competitive bid process be waived and an award made to Spillman Technologies based on the services provided and the critical nature of the RMS.

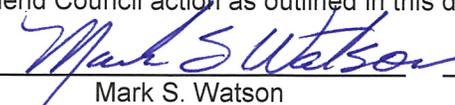
Recommendation

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

  
\_\_\_\_\_  
James T. Akagi, Chief of Police

**City Manager's Comments:**

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

  
\_\_\_\_\_  
Mark S. Watson                      Date      6/7/16

# Invoice



4625 Lake Park Blvd.  
Salt Lake City, Utah 84120  
801.902.1200

Page 1/1  
Invoice 32313T  
Date 4/11/2016

**Bill To:** Oak Ridge Police Department  
Jeremy Huddleston  
City of Oak Ridge  
200 S Tulane Ave  
Oak Ridge TN 37830

**Ship To:** Oak Ridge Police Department  
Jeremy Huddleston  
City of Oak Ridge  
200 S Tulane Ave  
Oak Ridge TN 37830

Project #	Customer ID	Salesperson ID	PO Number	Payment Terms	Req Ship Date	Master No.	
Maintenance	TNOAKPD			Net 30	4/11/2016	28,018	
Ordered	Shipped	B/O	Item Number	Description	Discount	Unit Price	Ext. Price
1	1	0	MAINTENANCE	Annual Maintenance 05/01/16 - 04/30/17	\$0.00	\$45,000.00	45,000.00

Subtotal \$45,000.00  
Misc \$0.00  
Tax \$0.00

A service charge of 1 ½% per month will be charged on all past due amounts. Any issues disputing the timing or amount of any items on this invoice must be brought to the attention of Spillman Technologies within 20 days of the date of this invoice to avoid related service charge.

**Total** \$45,000.00

## Oak Ridge Police Department

### Maintenance Breakdown By Module

Hub	\$	4,542.00
CAD		3,032.00
Law Records		3,032.00
Mobile Field Incident & Interview Forms		3,032.00
Mobile Records		3,032.00
Mobile State & National Queries		3,032.00
Mobile Voiceless CAD		3,032.00
IBR - State Specific		-
StateLink		-
CAD Mapping		1,522.00
Imaging		1,522.00
Mobile AVL Mapping		1,522.00
Spillman Touch		1,522.00
Brazos XML Interface		1,158.00
Evidence Management		910.00
Personnel Management		910.00
Pin Mapping		910.00
Sex Offender Tracking		910.00
Traffic Information		910.00
E9-1-1 Interface		461.00
Evidence Barcode & Audit Interface		461.00
Pictometry Interface		461.00
Sentryx GIS (Geobase)		Included
Insight		Prepaid
Spillman Analytics		1,750.00
Professional Services		7,337.00

**Total Maintenance \$ 45,000.00**

(05/01/16 - 04/30/17)

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO SPILLMAN TECHNOLOGIES, INC., SALT LAKE CITY, UTAH, FOR MAINTENANCE SERVICES FOR THE PUBLIC SAFETY COMPUTER SYSTEM FOR FISCAL YEAR 2017 IN THE ESTIMATED AMOUNT OF \$45,000.00.

WHEREAS, by Resolution 2-13-2014, City Council awarded a contract with Spillman Technologies, Inc., for implementation and annual maintenance of an enterprise-wide records management system (RMS) for the Police Department, which includes but is not limited to recurring training, software upgrades and enhancements for workstations and mobile servers, and 24/7 critical technical support for remote support connectivity and mobile records management; and

WHEREAS, Spillman Technologies, Inc., is the sole source provider of their product and services, and annual maintenance will provide support to ensure system operation and training to ensure users understand the latest features and applications; and

WHEREAS, it is necessary for the maintenance contract to not lapse as costs would be significant if a failure of the records management system were to occur with no contract in place; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to Spillman Technologies, Inc.

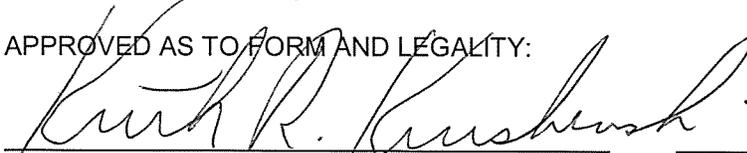
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager to waive competitive bids is approved and award is hereby made to Spillman Technologies, Inc., 4625 Lake Park Blvd, Salt Lake City, Utah 84120, for maintenance to the public safety computer system for Fiscal Year 2017, in the estimated amount of \$45,000.00.

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

This the 13th day of June 2016.

APPROVED AS TO FORM AND LEGALITY:



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

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

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

**FINANCE MEMORANDUM**

**16-11**

**DATE:** June 3, 2016  
**TO:** Mark S. Watson, City Manager  
**FROM:** Janice E. McGinnis, Finance Director  
**SUBJECT:** JD EDWARDS SOFTWARE ANNUAL MAINTENANCE

Introduction

An item for City Council's consideration is a renewal of the annual maintenance agreement with ORACLE in the amount of \$26,455 for the JD Edwards financial software system utilized by the City. ORACLE purchased the JD Edwards software systems in 2005.

Funding

Funding is provided through the Equipment Replacement Rental Fund from user charges from the City Funds that utilize the software.

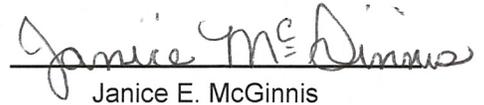
Background

The City purchased the JD Edwards software package in 1986. The software's last major update was in 1999. Systems maintained on JD Edwards include general ledger, accounts payable, purchasing, work order and warehousing/inventory.

Recommendation

The maintenance agreement provides ongoing technical support of the system. The City is currently looking to replace the JD Edwards software package and also to replace in-house developed programs, such as utility billing, with an external software package(s). Technical support is needed to maintain and support existing functions, modifications and external interfaces with JD Edwards as well provide technical support as the City migrates through the software conversion process. The Information Services Department concurs with the recommended continuation of the annual maintenance agreement.

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 WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO ORACLE AMERICA, INC., DALLAS, TEXAS, FOR FURNISHING OF ANNUAL MAINTENANCE SERVICES FOR THE FINANCIAL SOFTWARE SYSTEM UTILIZED BY THE CITY FOR FISCAL YEAR 2017 IN THE ESTIMATED AMOUNT OF \$26,455.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2017 (July 1, 2016 through June 30, 2017) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, the City purchased its financial software system, formerly known as JD Edwards, in 1986; and

WHEREAS, Oracle America, Inc., purchased JD Edwards Software Systems in 2005; and

WHEREAS, the financial software system includes general ledger, accounts payable, purchasing, work order, and warehousing inventory; and

WHEREAS, technical support is needed to maintain and support existing functions, modifications, and external interfaces with the financial software system, as well as provide technical support as the City migrates through the software conversion process; and

WHEREAS, due to the age of the financial software system, city staff recommends utilizing the original company familiar with the complexities of the financial system; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to Oracle America, Inc.

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

That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to Oracle America, Inc., P.O. Box 203448, Dallas, Texas 75320-3448, for the furnishing of annual maintenance services to the City's financial software system for FY2017 (July 1, 2016 through June 30, 2017), in the estimated amount of \$26,455.00.

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

This the 13th day of June 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

**FINANCE DEPARTMENT MEMORANDUM**  
**16-08**

**DATE:** May 25, 2016  
**TO:** Mark S. Watson, City Manager  
**THROUGH:** Janice E. McGinnis, Finance Director *JEM*  
**FROM:** Lyn Majeski, Accounting Division Manager  
**SUBJECT:** BEST PROVIDER COMMODITY REQUIREMENTS FOR FISCAL YEAR 2017

Introduction

An item for City Council's consideration is a recommendation for authorizing the approval of the City's fuel requirements in the total estimated amount of **\$575,000**.

Funding

Funds are budgeted in FY 2017.

Background/Analysis/Review/Consideration

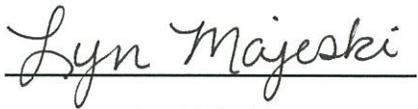
The following item is warehouse stock. The provider is determined to be the best source of the products based on the provider's expertise, service record or contractual agreement. It is recommended that competitive bids be waived and award made to this Best Provider based upon written quotations and agreements with the perspective supplier. The following information is provided to further explain the evaluation and recommendation process.

UNLEADED AND DIESEL FUEL

Fuel located at the Central Service Complex and at East Tennessee Technology Park is considered warehouse stock. The City of Oak Ridge has had an excellent long-term relationship with the vendor, Mansfield Oil Company. The City continues to receive the lowest rack price available from Mansfield. The pricing structure the City receives from Mansfield is no longer available with new contracts. Mansfield continues to honor our pricing due to our long-term relationship with them. As in the past, this pricing is less than the current State Contract pricing. Maintaining this relationship has been very beneficial to the City through the years and has insured fuel to be available for our fleet even during fuel shortages, as was the not the case for other area entities during the 2008 fuel shortage. A contract customer receives priority treatment versus a spot customer. Mansfield has many options to provide fuel, not just one provider, their network includes access to most major refiners, terminals and transportation companies. Mansfield has a large network of haulers which enables them more availability to get us a haul when we need it. During extreme working conditions, i.e. running trucks continuously after a bad storm, fuel has always been available for our fleet. This vendor saves several staff hours each month by monitoring and shipping fuel as needed. Costs for fuel for the City have historically fluctuated on an annual basis, as is the case nationwide. Fuel costs increased 6% from FY11 (\$648,481) to FY12 (\$688,033), less than 1% decrease for FY13 (\$683,520) and FY14 (\$666,414), and FY15 decreased 31% (\$457,606). Estimated fuel cost for FY16 (\$306,000) is a decrease of 33%. Due to this steep decline, staff has averaged the last six years for FY17 projected cost for this commodity. The total estimated amount is **\$575,000**.

Recommendation

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



Lyn Majeski

**City Manager's Comments:**

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



Mark S. Watson



Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MANSFIELD OIL COMPANY FOR FURNISHING UNLEADED AND DIESEL FUEL FOR FISCAL YEAR 2017 IN THE ESTIMATED AMOUNT OF \$575,000.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2017 (July 1, 2016 through June 30, 2017) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, the City has a long-term relationship with Mansfield Oil Company for furnishing unleaded and diesel fuel and continues to receive a rack price competitive or below the State contract; and

WHEREAS, maintaining this relationship has been beneficial to the City, especially during the recent fuel shortages when the City's fuel supply was never low; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to Mansfield Oil Company for furnishing unleaded and diesel fuel.

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

That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to Mansfield Oil Company for the furnishing of unleaded and diesel fuel for FY2017 (July 1, 2016 through June 30, 2017), in the estimated amount of \$575,000.00.

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

This the 13th day of June 2016.

APPROVED AS TO FORM AND LEGALITY:



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

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

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

## ELECTRIC DEPARTMENT MEMORANDUM

16-15

**DATE:** May 25, 2016  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Electric Director  
**SUBJECT:** AWARD OF CONSTRUCTION CONTRACT FOR SPACER CABLE REPLACEMENT ALONG GUM HOLLOW ROAD

### Introduction

An item for City Council's consideration is a resolution approving a contract in the estimated amount of \$526,857.61 to Marble-Pirkle Services, LLC of Cleveland, Tennessee, for the construction of a three-phase spacer cable distribution circuit.

### Funding

Funding is through the Electric Fund.

### Review

As was discussed in Electric Department Memorandum 16-08, dated March 28, 2016, electric power to the Country Club Estates portion of Oak Ridge is supplied through lines that run along Gum Hollow Road from the Oak Ridge Turnpike. Because of the number of trees and right of way restrictions, a special type of construction, commonly referred to as "spacer cable" was used when this line was constructed.

Although the spacer cable has served the area well, it is now over 40 years old, and has experienced several failures as the cable insulation and spacers deteriorate. This has resulted in multiple outages and the situation will only get worse.

As noted in Electric Department Memorandum 16-08, staff originally bid the construction portion of the project along with the projects materials. At that time, however, we only received one bid and were not satisfied with the price quoted. As a result, the project was re-bid and opened on May 19, 2016, with 4 bids received. The re-bid produced a significant savings and represents a good value to the City.

Marble-Pirkle Services, LLC was the low bidder on the project by \$17,060.39.

All bids were reviewed by Gresham, Smith and Partners, the design engineer, who has recommended award to this contractor in the attached letter.

### Recommendation

Staff recommends approval of the attached resolution.

Attachment(s)

Award Recommendation Letter from Gresham, Smith and Partners  
Electric Department Memorandum 16-08



---

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

## ELECTRIC DEPARTMENT MEMORANDUM

16-08

**DATE:** March 28, 2016  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Electric Director  
**SUBJECT:** PURCHASE OF MATERIALS FOR GUM HOLLOW LINE CONSTRUCTION

### Introduction

An item for City Council's consideration is a resolution making awards to Border States Electric Supply of Nashville, Tennessee in the estimated amount of \$75,696.00, to Power Supply Company, LLC of Chattanooga, Tennessee in the estimated amount of \$7,636.00 and Anixter Inc. of Knoxville, Tennessee in the estimated amount of \$14,112.00 for materials related to the construction of 13kV electric spacer cable.

### Funding

Funding is from the Electric Fund.

### Review

Electric power to the Country Club Estates portion of Oak Ridge is supplied through lines that run along Gum Hollow Road from the Oak Ridge Turnpike. Because of the number of trees and right of way restrictions, a special type of construction, commonly referred to as "spacer cable" was used when this line was constructed.

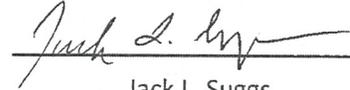
Spacer cable is able to withstand casual contact with tree limbs and is frequently used in areas with a large number of "danger trees" which are not feasible to remove. In this particular case, Gum Hollow Road is lined with pine trees that can and do bend into the line, especially during wind or snow events. This is especially important in areas such as the Country Club Estates that have no alternate route through which power can be delivered.

The spacer cable has served the area well since its installation. The cable is now over 40 years old, however, and has experienced several failures over the last few years as the cable insulation and spacers deteriorate over time. This has resulted in multiple outages and the situation will only get worse. For that reason, staff plans to replace the cable.

The installation was to be performed by a separately bid labor contract. Unfortunately, only one bid was received for the labor and staff rejected it based on price. Because of the delivery times, staff is recommending we purchase the parts needed even without the labor contract. We hope to rebid the project once the materials have arrived, perhaps during the late summer. Failing a successful bid, staff will consider using force account labor for the installation.

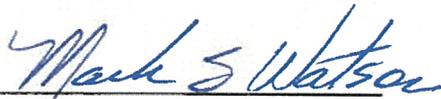
Recommendation

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



G R E S H A M  
S M I T H   A N D  
P A R T N E R S

May 20, 2016

Ms. Margaret Elgin, P.E.  
City of Oak Ridge Electric Department  
100 Woodbury Lane  
Oak Ridge, TN 37830

**Subject:           Award Recommendation**  
**Gum Hollow Road / N. Illinois Avenue Hendrix Installation**  
**Oak Ridge, Tennessee**  
                      GS&P Project No. 41089.01

Dear Ms. Elgin:

Proposals for the above mentioned project were received and opened on May 19, 2016, at 2:00 p.m., at the City of Oak Ridge Finance Department office. Gresham, Smith and Partners has reviewed all of the submitted bid documents for arithmetic and technical errors, relevant project experience and required supporting documentation.

After reviewing all of the submitted bids for this project, we feel that accepting the Marable-Pirkle Services, LLC (MPS) bid is the most advantageous for the City of Oak Ridge Electric Department. The bid submitted by MPS was the lowest proposed, and upon review of the information submitted by MPS, we have determined that they are highly qualified and have the available capacity and equipment necessary to perform the work required by this project.

Based on this information, we recommend award to Marable-Pirkle Services, LLC (MPS) for the proposed amount of \$526,857.61. If the City of Oak Ridge Electric Department is in agreement with this recommendation, please notify us and we will issue the Notice of Award.

If you have any questions, please feel free to contact us.

Sincerely,  
**Gresham, Smith and Partners**

  
Rick Yeager  
Senior Associate

Copy     File

Design Services For The Built Environment

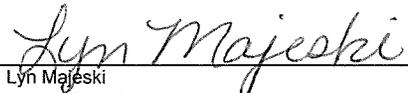
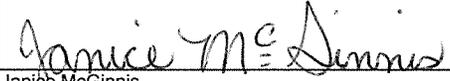
2095 Lakeside Centre Way, Suite 120 / Knoxville, Tennessee 37922 / Phone 865.521.6777 / [www.greshamsmith.com](http://www.greshamsmith.com)

**CITY OF OAK RIDGE, TENNESSEE**

**Abstract of Bids**

FY2016-179

OPENING DATE: May 19, 2016 2:00 P.M.

FOR --- Overhead 13kV Hendrix Installation Gum Hollow Road and North Illinois Avenue		BIDDER: Marble-Pirkle Services, LLC (MPS) P.O. Box 3178 Cleveland, TN 37320-3178		BIDDER: Broadway Electric Service Corporation 1800 N. Central Street Knoxville, TN 37917		BIDDER: Service Electric Company, Inc. P.O. Box 339 New Market, TN 37820		BIDDER: William E. Groves Construction, Inc. 3135 Grapevine Road Madisonville, KY 42431							
DESCRIPTION	ITEM		TOTAL		TOTAL		TOTAL		TOTAL						
FURNISH ALL LABOR, MATERIALS, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES REQUIRED FOR OVERHEAD 13kV HENDRIX INSTALLATION PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE ELECTRIC DEPARTMENT	1		\$ 526,857.61		\$ 543,918.00		\$ 640,400.00		\$ 994,853.00						
TOTAL PRICE			\$ 526,857.61	TOTAL PRICE			\$ 543,918.00	TOTAL PRICE			\$ 640,400.00	TOTAL PRICE			\$ 994,853.00
TERMS			NET 30 DAYS	TERMS			NET 30 DAYS	TERMS			NET 30 DAYS	TERMS			NET 30 DAYS
DELIVERY			PER CONTRACT	DELIVERY			PER CONTRACT	DELIVERY			PER CONTRACT	DELIVERY			PER CONTRACT
F.O.B.			JOBSITE	F.O.B.			JOBSITE	F.O.B.			JOBSITE	F.O.B.			JOBSITE
VIA			CONTRACTOR	VIA			CONTRACTOR	VIA			CONTRACTOR	VIA			CONTRACTOR
OTHER BIDDERS CONTACTED: Pike Electric, LLC - Mount Airy, NC Massey Electric - Alcoa, TN New River Electric Corporation - Westerville, OH							BIDS OPENED AND RECORDED BY---  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:  Marble-Pirkle Services, LLC (MPS) P.O. Box 3178 Cleveland, TN 37320-3178				BIDS REVIEWED BY---  Janice McGinnis Finance Director							

# BID PROCESS FORM



**BID NAME** FY2016-179 **DESCRIPTION** Overhead 13kV Hendrix Installation Gum Hollow Road and North Illinois Avenue

**CITY COUNCIL MEETING** June 13, 2016

## 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>
Marble-Pirkle Services, LLC (MPS)	Dan Dudley	P.O. Box 3178	Cleveland, TN 37320-3178	423-472-1463	drdudley@mps-llc.com	[e-mail]
Service Electric Company, Inc.	Chris Froehlich	P.O. Box 339	New Market, TN 37820	865-475-4721	cfroehlich@serviceelectricco.com	[e-mail]
William E. Groves Construction, Inc.	John Morris	3135 Grapevine Road	Madisonville, KY 42431	270-825-1485	dinstead@grovesconstruction.com	[e-mail]
Pike Electric, LLC	Ronnie Gilbert	100 Pike Way	Mount Airy, NC 27030	336-789-7750	rgilbert@pike.com	[e-mail]
New River Electric Corporation	Ike Poe	6005 Westerville Road	Westerville, OH 43081	614-370-0043	ipoe@nrec.net	[e-mail]
Massey Electric	Andy Allen	3204 Regal Drive	Alcoa, TN 37701	865-583-8168	'jrobinson@masseyelectric.com'	[e-mail]

## BIDDERS WHO CONTACTED THE CITY AFTER ADVERTISED ( CONTACT INFORMATION)

Broadway Electric Service Corporation Justin Wojciechowski 1800 N. Central Street Knoxville, TN 37917 865-740-1125 jwojciechowski@besco.com

## BIDS RECEIVED FROM BIDDERS CONTACTED DIRECTLY BY THE CITY

Marble-Pirkle Services, LLC (MPS), Service Electric Company, Inc., William E. Groves Construction, Inc.

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

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

## ADVERTISEMENT

The City of Oak Ridge advertised this bid on the Finance Department's Departmental Webpage for a duration of 21 days.

**RESOLUTION**

A RESOLUTION AWARDING A CONTRACT (FY2016-179) TO MARBLE-PIRKLE SERVICES, LLC, CLEVELAND, TENNESSEE, FOR THE SPACER CABLE REPLACEMENT PROJECT ALONG GUM HOLLOW ROAD IN THE ESTIMATED AMOUNT OF \$526,857.61.

WHEREAS, the City has issued an invitation to bid for the furnishing of all labor, tools, materials, equipment, and supplies necessary for the spacer cable replacement project along Gum Hollow Road; and

WHEREAS, bids were received and publicly opened on May 19, 2016, with Marble-Pickle Services, LLC, Cleveland, 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 Marble-Pirkle Services, LLC, P.O. Box 3178, Cleveland, Tennessee 37320-3178, for the furnishing of all labor, tools, materials, equipment and supplies necessary for the spacer cable replacement project along Gum Hollow Road; said award in strict accordance with FY2016-179, the required specifications, and the bid as publicly opened on May 19, 2016, and in the estimated amount of \$526,857.61.

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

This the 13th day of June 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

**ELECTRIC DEPARTMENT MEMORANDUM**

**16-16**

**DATE:** May 25, 2016  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Electric Director  
**SUBJECT:** PURCHASE OF UNDERGROUND DISTRIBUTION CABLE

Introduction

An item for City Council's consideration is a resolution approving purchase of Underground Distribution Cable 350 MCM Cu in the estimated amount of \$74,941.65 from Irby Utilities, Johnson City, Tennessee.

Funding

Funding is through the Electric Fund.

Consideration

The Electric Department uses a variety of sizes and types of underground cables in its distribution system. Cable of the size indicated is used where larger electric loads are expected or where the cable may serve as a primary or backup feed to a larger area of load. In the past, this type of cable has been used in conjunction with work at the Wastewater Treatment Plant, to upgrade power feeds to the west end of town and for other work.

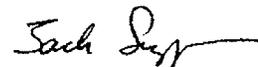
The cable being purchased will replenish our stock so that it can be on hand when needed. Specific examples could include redevelopment and system improvements in the center portion of town; having adequate cable in the event of existing system failures or dig-ins, and having cable available for timely support of the Main Street and Wilson Street portion of the mall project, including relocations if required.

Bids for the cable were opened on May 19, 2016 with Irby Utilities being the low bidder.

We are pleased to report that based on historical bids, we received an outstanding price from both bidders. Additionally, the low bidder was able to offer a significantly better lead time than the second bidder.

Recommendation

Staff recommends approval of the attached resolution.



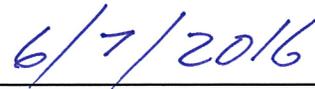
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Jack L. Suggs

**City Manager's Comments:**

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

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

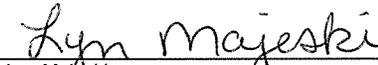
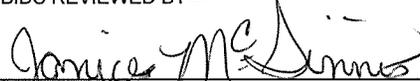
  
\_\_\_\_\_  
Date

**CITY OF OAK RIDGE, TENNESSEE**

**Abstract of Bids**

RFQ 148043

OPENING DATE: May 19, 2016 2:30 P.M.

FOR --- Underground Distribution Cable 350 MCM Cu			BIDDER: Irby Utilities 501 W. Mountain View Road Johnson City, TN 37604		BIDDER: Wesco Distribution 427 Park Village Road Knoxville, TN 37923		BIDDER:		BIDDER:		
MANUFACTURER:			Okonite		Prysmian						
DESCRIPTION	ITEM	FEET	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
THE FURNISHING OF UNDERGROUND DISTRIBUTION CABLE 350 MCM CU PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE ELECTRIC DEPARATMENT	1	11,100	\$ 6.43	\$ 71,373.00	\$ 6.92	\$ 76,812.00					
* CONTRACT AMENDMENT BUDGET FOR OVERAGE, SHALL NOT EXCEED 5%.	1*			\$ 3,568.65		\$ 3,840.60					
TOTAL PRICE				\$ 74,941.65		\$ 80,652.60					
TERMS			Net 30		Net 30						
DELIVERY			6-8 Weeks ARO		20-22 Weeks ARO						
F.O.B.			Oak Ridge		Oak Ridge						
VIA			Best Way		Best Way						
OTHER BIDDERS CONTACTED: Border States Industries, Inc. - Nashville, TN Edwards Supply Company - Oak Ridge, TN Power Service Agency - Nashville, TN Ruffin and Associates - Memphis, TN The Okonite Company - Woodstock, GA							BIDS OPENED AND RECORDED BY---  Lyn Majeski Accounting Division Manager				
REASON FOR AWARD			RECOMMEND AWARD BE MADE TO:				BIDS REVIEWED BY---				
ONLY BID RECEIVED <input type="checkbox"/>			Irby Utilities								
LOW PRICE <input type="checkbox"/>			501 W. Mountain View Road				Janice McGinnis				
BETTER OR REQUIRED DESIGN <input type="checkbox"/>			Johnson City, TN 37604				Finance Director				
EARLY DELIVERY <input type="checkbox"/>											
LOWEST TOTAL COST <input checked="" type="checkbox"/>											

# BID PROCESS FORM



**BID NAME** RFQ 148043 **DESCRIPTION** Underground Distribution Cable 350 MCM Cu

**CITY COUNCIL MEETING** June 13, 2016

## 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>
Irby Utilities	Lynda Miller	501 West Mountain View Road	Johnson City, TN 37604	615-280-3375	lmiller@irby.com	[e-mail]
Wesco Distribution	Nick Coffey	1709 N. Orchard Knob Avenue	Chattanooga, TN 37406	423-622-1668	ncoffey@wescodist.com	[e-mail]
Border States Industries, Inc.	Dennis Ford	656 Wedgewood Avenue	Nashville, TN 37203	615-255-4161	dford@borderstates.com	[e-mail]
Edwards Supply Company	Jeanette Reynolds	315 Oak Ridge Turnpike	Oak Ridge, TN 37830	865-483-1766	Jeanette@EdwardsSupply.com	[e-mail]
Power Service Agency	Daniel Baron	112 McGavok Pike	Nashville, TN 37214	615-885-6362	daniel@powerserviceagency.com	[e-mail]
Ruffin and Associates	Jim Ratliff	3364 Poplar Avenue	Memphis, TN 38111	901- 452-4313	jratliff@usit.net	[e-mail]
The Okonite Company	Harry E. Waters	645 Molly Lane, Suite 120	Woodstock, GA 30189	770-928-9778	waters@okonite.com	[e-mail]

## BIDDERS WHO CONTACTED THE CITY AFTER ADVERTISED ( CONTACT INFORMATION)

### BIDS RECEIVED FROM BIDDERS CONTACTED DIRECTLY BY THE CITY

Irby Utilities, Wesco Distribution

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

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

## ADVERTISEMENT

The City of Oak Ridge advertised this bid on the Finance Department's Departmental Webpage for a duration of 21 days.

**RESOLUTION**

A RESOLUTION MAKING AN AWARD TO IRBY UTILITIES, JOHNSON CITY, TENNESSEE, FOR UNDERGROUND DISTRIBUTION CABLE FOR THE ELECTRIC DEPARTMENT IN THE ESTIMATED AMOUNT OF \$74,941.65.

WHEREAS, the Electric Department has a need to replenish stock of underground distribution cable (350 MCM Cu); and

WHEREAS, bids were received and publicly opened on May 19, 2016, with Irby Utilities, Johnson City, 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 Irby Utilities, 501 West Mountain View Road, Johnson City, Tennessee 37604, for underground distribution cable; said award in strict accordance with Requisition No. 148043, the required specifications, and the bid as publicly opened on May 19, 2016, and in the estimated amount of \$74,941.65.

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

This the 13th day of June 2016.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

**COMMUNITY DEVELOPMENT MEMORANDUM  
PLANNING DIVISION  
16-21**

**DATE:** June 1, 2016  
**TO:** Mark Watson, City Manager  
**FROM:** Sherith Colverson, Senior Planner *sc*  
**THROUGH:** Kathryn Baldwin, Community Development Director *KCB*  
**SUBJECT:** THDA HOME PROGRAM AWARD

Introduction

An item for City Council's approval is the acceptance of an award from the Tennessee Housing Development Agency (THDA) to administer a City HOME Program in the amount of \$500,000.00. Overall, the purpose of the HOME Program is to promote the production, preservation, and rehabilitation of single family housing that meets criteria established for the HOME program. The approved program is for 63 owner-occupied, single family homes located within the Manhattan District Overlay (MDO) zone to assist with necessary renovation(s). The availability of THDA HOME Program funds will benefit from leveraged funding for improving energy efficiency through our Make Oak Ridge Energy Efficient (MORE<sup>2</sup>) project. The MORE<sup>2</sup> project will be performing energy retrofits for several hundred homes in our historic neighborhoods. Energy audits will be performed on each MORE<sup>2</sup> home to determine what retrofits are of most benefit to the homeowner. In the event that the MORE<sup>2</sup> audit reflects that the following items need to be replaced in an owner-occupied home, the City's proposed HOME Program funds would step in to provide any one or potentially all three of these renovations:

- Replacing the home's electrical wiring system;
- Wall insulation (including a furring of all connected walls not currently insulated), and;
- Installation of double-paned windows.

Funding

THDA has awarded the City \$500,000 from their HOME Program designated funds. No match is required from the City in order to receive this funding.

Consideration

With the acceptance of the THDA HOME funding award, the City has a unique opportunity to not only reinvest in its historic properties for energy efficiency, but to go deeper in its investment to ensure quality, affordable housing for its owner-occupied residents. This project serves as another tool in establishing a robust aggressive program to improve the overall housing stock within the City of Oak Ridge.

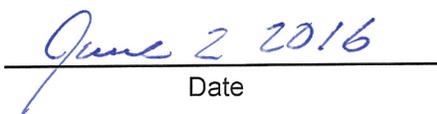
Recommendation

City staff recommends that City Council approve the receipt of \$500,000.00 from THDA to administer the Oak Ridge HOME Program.

**City Manager's Comments:**

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

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

  
\_\_\_\_\_  
Date

Ralph M. Perrey, Executive Director



May 27, 2016

The Honorable Mark S. Watson, City Manager  
City of Oak Ridge  
200 South Tulane Avenue  
PO Box 1  
Oak Ridge, TN 37831

Dear City Manager Watson:

Congratulations. The Board of Directors of the Tennessee Housing Development Agency (THDA) has approved your application for the 2015-2016 HOME Program in the amount of \$500,000, including administration.

THDA has scheduled a HOME workshop for Grantees receiving 2015-2016 HOME funds that will be administering a Homeowner Rehabilitation Program on Tuesday, June 21, 2016, beginning at 9:30 AM (CDT). Please note that this date is different from the date provided in our application receipt acknowledgement letter. The workshop will be held in Room 2 of the Tennessee Tower, 312 Rosa L. Parks Avenue, Nashville, TN. Attendees must go through security in order to enter the building. Please have your driver's license available and allow additional time. In addition to consultants/administrators, we strongly encourage cities and counties to require at least one employee who will be working with the project to attend the workshop. Parking is available at a variety of public lots in and around the Tennessee Tower, including those locations noted in the attachment.

In order to promote the success of THDA's HOME program to the community, please allow THDA to organize a media outreach event with you. A staff member of THDA's CONNECT Team will be reaching out to you over the next few weeks to schedule this promotional opportunity. However, if you are interested in publicizing this award immediately, please contact Patricia Smith, THDA's Communications Director, at (615) 815-2185 so that we may assist in planning this event with you.

If you have any questions, please call us at (615) 815-2030. We look forward to working with you to implement your 2015-2016 HOME funded program.

Sincerely,

A handwritten signature in black ink that reads "Don Watt".

Don Watt  
Director, Community Programs Division

cc: Sherith Colverson, City of Oak Ridge



Andrew Jackson Building Third Floor - 502 Deaderick St. - Nashville, TN 37243  
[www.THDA.org](http://www.THDA.org) - (615) 815-2200 - Toll Free: 800-228-THDA

THDA is an equal opportunity, equal access, affirmative action employer.



**RESOLUTION**

A RESOLUTION AUTHORIZING THE CITY TO ACCEPT A \$500,000.00 GRANT FROM THE TENNESSEE HOUSING DEVELOPMENT AGENCY (THDA) AS PART OF THDA'S HOME GRANT PROGRAM.

WHEREAS, the Tennessee Housing Development Agency (THDA) administers the federally funded HOME grant program to promote the production, preservation and rehabilitation of housing for low-income households; and

WHEREAS, THDA annually awards HOME funds through a competitive application process to cities, counties and non-profit agencies; and

WHEREAS, the City is eligible to receive \$500,000.00 in HOME grant funds from THDA, which grants requires no matching funds; and

WHEREAS, the City Manager recommends acceptance of said grant.

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

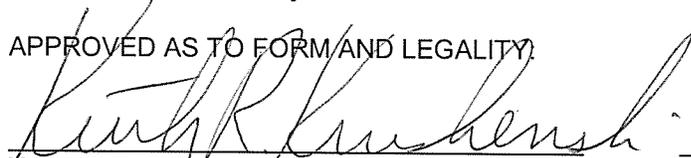
That the recommendation of the City Manager is approved and the Mayor is hereby authorized to accept a \$500,000.00 grant from the Tennessee Housing Development Agency (THDA) as part of THDA's HOME grant program to promote the rehabilitation of housing for low-income households in Oak Ridge.

BE IT FURTHER RESOLVED that it is the City's intent to utilize said grant funds as part of the Make Oak Ridge Energy Efficient (MORE<sup>2</sup>) program.

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

This the 6th day of June 2016.

APPROVED AS TO FORM AND LEGALITY:

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

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

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

**FINAL ADOPTION  
OF ORDINANCES**

**COMMUNITY DEVELOPMENT MEMORANDUM  
PLANNING DIVISION  
16-19**

**DATE:** May 19, 2016  
**TO:** Mark Watson, City Manager  
**FROM:** Andrea Kupfer, Community Development Specialist *AK*  
**THROUGH:** Kathryn Baldwin, Community Development Director *KOB*  
**SUBJECT:** PROPOSED AMENDMENTS TO ZONING ORDINANCE – SIGN REGULATIONS FOR RELIGIOUS INSTITUTIONS

Introduction

An item for City Council's consideration is a request to amend Article II – Definitions, Article III – General Provisions and Article XIV – Sign Regulations of the Zoning Ordinance to allow religious institutions the use of Electronic Message Centers. For many years, religious institutions have expressed a desire to utilize new technology in the signage industry, including electronic message centers (EMCs). As a growing number of religious institutions are locating in commercial areas with broad based sign provisions, requests for EMCs have increased. However, the need to protect adjacent property from negative off-site impacts is still a major factor. The use of EMCs by religious institutions is recommended as a conditional use requiring approval from the Board of Zoning Appeals based on specific conditions.

Funding

No funding is necessary for this item.

Consideration

The following is a summary of the proposed changes to the zoning ordinance to allow religious institutions to install electronic message centers:

**Article II DEFINITIONS:**

Insert the following definition:

Religious Institution: A building, together with its accessory buildings and use, where persons regularly assemble for religious purposes and related social events, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.

**Section 14.10.** Signs for Office Institutional Districts. 1. a. Ground Signs (3):

Strike the second sentence "The moving copy sign shall not exceed one (1) line of moving copy".

**Section 3.27.** Religious Institutions: Insert new sub-section;

(h) Moving Copy Signs:

1. In no instance shall the combination of the moving copy sign display area and the ground sign surface display area exceed thirty-two (32) square feet, excluding the name of the Religious Institution. Religious Institution name letters shall not exceed eighteen inches

(18") in height. The combination of the moving copy sign display and the Religious Institution name may not exceed the height limitation of eight (8) feet.

2. Shall be located on streets with no less than 18,000 Average Daily Traffic (ADT) counts.
3. Sign is limited to legal lot on which Religious Institution is located and Religious Institution shall own property.
4. Shall be located no less than 200 feet from a legal lot of record which is zoned to accommodate a single-family attached or detached structure.
5. Shall be located no less than 100 feet from a legal lot of record which is zoned to accommodate a multi-family structure.
6. Religious Institution shall present a plan that identifies location of proposed sign in addition to "line of sight" from adjacent property.
7. This provision is limited to one moving copy sign per Religious Institution.

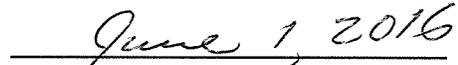
Recommendation

The proposed amendments were reviewed and discussed by the Oak Ridge Planning Commission and recommended for approval to City Council by a vote of 8 – 0 during the regularly scheduled meeting on April 21, 2016.

**City Manager's Comments:**

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

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

  
\_\_\_\_\_  
Date

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING THE FOLLOWING: ARTICLE II, TITLED "DEFINITIONS," TO ADD A DEFINITION FOR "RELIGIOUS INSTITUTION"; SECTION 3.27, TITLED "RELIGIOUS INSTITUTIONS," TO ADD A NEW SUBSECTION (H) PERTAINING TO MOVING COPY SIGNS; AND SECTION 14.10, TITLED "SIGNS FOR OFFICE-INDUSTRIAL DISTRICTS," TO DELETE THE REQUIREMENT THAT MOVING COPY SIGNS SHALL NOT EXCEED ONE LINE OF MOVING COPY.

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

WHEREAS, the amendments will update the Zoning Ordinance to allow religious institutions to use moving copy signs (electronic message centers) based upon specific conditions that are designed to protect adjacent properties from any negative off-site impacts of such signs; and

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

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

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

Section 1. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article II, titled "Definitions," is hereby amended by adding the following new definition in alphabetical order, which new definition shall read as follows:

ARTICLE II  
DEFINITIONS

RELIGIOUS INSTITUTION: A building, together with its accessory buildings and uses, where persons regularly assemble for religious purposes and related social events, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.

Section 2. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," Section 3.27, titled "Religious Institutions," is hereby amended by adding a new subsection (h), titled "Moving Copy Signs," which subsection shall read as follows:

Section 3.27 Religious Institutions

(h) Moving Copy Signs:

1. In no instance shall the combination of the moving copy sign display area and the ground sign surface display area exceed thirty-two (32) square feet, excluding the name of the Religious Institution. Religious Institution name letters shall not exceed eighteen inches (18") in height. The combination of the moving copy sign display and the Religious Institution name may not exceed the height limitation of eight (8) feet.
2. Sign shall be located on streets with no less than 18,000 Average Daily Traffic (ADT) counts.

3. Sign is limited to legal lot on which Religious Institution is located and Religious Institution shall own property.
4. Shall be located no less than 200 feet from a legal lot of record which is zoned to accommodate a single-family attached or detached structure.
5. Shall be located no less than 100 feet from a legal lot of record which is zoned to accommodate a multi-family structure.
6. Religious Institution shall present a plan that identifies location of proposed sign in addition to "line of sight" from adjacent property.
7. This provision is limited to one moving copy sign per Religious Institution.

Section 3. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article XIV, titled "Sign Regulations," Section 14.10, titled "Signs for Office-Institutional Districts," is hereby amended by deleting the second sentence in subsection 1.a.(3), which reads "The moving copy sign shall not exceed one (1) line of moving copy," without replacement.

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

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

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Warren L. Gooch, Mayor

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Mary Beth Hickman, City Clerk

Publication Date: 05/20/2016

Public Hearing: 06/06/2016

First Reading: 06/06/2016

Publication Date: 06/09/2016

Second Reading: 06/13/2016

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

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

**COMMUNITY DEVELOPMENT MEMORANDUM  
PLANNING DIVISION  
16-20**

**DATE:** May 19, 2016

**TO:** Mark Watson, City Manager

**FROM:** Sherith E. Colverson, Senior Planner *SEC*

**THROUGH:** Kathryn Baldwin, Community Development Director *KGB*

**SUBJECT:** PROPOSED AMENDMENTS TO ZONING ORDINANCE – FITNESS AND RECREATIONAL CENTERS

Introduction

An item for City Council Consideration is first reading of an ordinance amending Articles II, VII and VIII of the Zoning Ordinance to adequately provide new use categories for the burgeoning business of physical fitness services and expand opportunities for geographic locations.

Funding

No funding is necessary for this item.

Background

In recent years fitness related businesses have expanded and are now commonplace. The fitness industry generates more than \$25 billion of revenue annually, 60% of which comes from membership fees according to a leading business industry research group. From 2011 to 2016 the growth of the fitness industry revenue was 0.1% per year, however, the growth in revenue is predicted to increase to 3.0% per year from 2016 to 2021 because of aging baby boomers becoming more health conscious and enrolling in gym memberships.

Many fitness and recreational retail centers such as gymnastic training and indoor commercial playgrounds are choosing to locate in buildings that were once occupied by other uses. The physical needs are for a large indoor open space with clear upper stories. The Work Out Anytime gym that is located in the Manhattan Place Shopping Center adjacent the Oak Ridge Turnpike is just one of many examples. Fortunately the building they chose to occupy is located in a UB-2 zone and the activity marginally fits into the following Principal Use category:

Enclosed theater, radio and television studio, assembly hall, concert hall, dance hall, bowling alley, skating rink, or similar recreation use or place of assembly.

Other fitness centers in Oak Ridge occupy buildings located in a B-2 zone (Gold's Gym, Maxed Out and National Fitness) which reference the same use category.

Analysis

Due to the number of these facilities and anticipated growth of this type of business it appears time to draft a new definition and use category that provides greater detail and specifics pertaining to the nature of Fitness and Recreational Centers. As such, city staff proposed an amendment to the Zoning Ordinance to establish a definition for "Fitness and Recreational Centers" and allow an additional "Permitted Principal Use: Fitness and Recreational Centers", in the B-2, UB-2, and IND-1 zones. Staff included the addition of the IND-1 zone for Fitness and Recreational Centers due to the nature of the facilities available in these areas and the zone's ability to accommodate this center's primary purpose.

**Article II: Definitions**

**Fitness and Recreational Centers:** establishments primarily engaged in operating fitness and recreational sports facilities featuring exercise and other active physical fitness conditioning or recreational sports activities, such as group fitness, swimming, skating, or racquet sports. These businesses might also provide nonmedical services to assist clients in attaining or maintaining a desired weight, diet and weight reducing centers; or establishments primarily engaged in operating health resorts and spas where there are also recreational activities. For example: Aerobic dance, exercise centers, ice or roller skating rinks, gymnasiums, physical fitness centers handball, racquetball, or tennis club facilities.

**Article VII: Parking and Business Districts**

Section 7.03 B-2, General Business Districts

(a) Permitted Principal Uses:

23. **Fitness and Recreational Centers**

Section 7.04 UB-2, Unified General Business Districts

(a) Permitted Principal Uses:

19. **Fitness and Recreational Centers**

**Article VII: Industrial Districts**

Section 8.01 IND-1, Industrial Districts

(b) Permitted Principal Uses:

12. **Fitness and Recreational Centers**

Recommendation

The Oak Ridge Planning Commission reviewed this proposal in their Work Session on May 12<sup>th</sup> and unanimously recommended the amendment to City Council on May 18, 2016.

**City Manager's Comments:**

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

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

  
\_\_\_\_\_  
Date

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING ARTICLE II, TITLED "DEFINITIONS" TO ADD A DEFINITION FOR "FITNESS AND RECREATIONAL CENTERS;" AND AMENDING SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," AND SECTION 8.01, TITLED "IND-1, INDUSTRIAL DISTRICTS," TO ADD "FITNESS AND RECREATIONAL CENTERS" AS A PERMITTED PRINCIPAL USE.

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

WHEREAS, the amendments will update the Zoning Ordinance to list "Fitness and Recreational Centers" as a permitted principal use in B-2, UB-2, and IND-1 Districts; and

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

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

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

Section 1. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article II, titled "Definitions," is hereby amended by adding the following new definition in alphabetical order, which new definition shall read as follows:

ARTICLE II  
DEFINITIONS

FITNESS AND RECREATIONAL CENTERS: Establishments primarily engaged in operating fitness and recreational sports facilities featuring exercise and other active physical fitness conditioning or recreational sports activities, such as group fitness, swimming, skating, or racquet sports. These businesses might also provide nonmedical services to assist clients in attaining or maintaining a desired weight, diet and weight reducing centers; or establishments primarily engaged in operating health resorts and spas where there are also recreational activities. For example: Aerobic dance, exercise centers, ice or roller skating rinks, gymnasiums, physical fitness centers, handball, racquetball, or tennis club facilities.

Section 2. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.03, titled "B-2, General Business Districts," Subsection (a), titled "Permitted Principal Uses," is hereby amended by adding a new subpart 23, which subpart shall read as follows:

Section 7.03    B-2, General Business Districts

(a)            Permitted Principal Uses:

23.            Fitness and Recreational Centers.

Section 3. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.04, titled "UB-2, Unified General Business Districts," Subsection (a), titled "Permitted Principal Uses," is hereby amended by adding a new subpart 19, which subpart shall read as follows:

Section 7.04 UB-2, Unified General Business Districts

(a) Permitted Principal Uses:

19. Fitness and Recreational Centers.

Section 4. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VIII, titled "Industrial Districts," Section 8.01, titled "IND-1, Industrial Districts," Subsection (b), titled "Permitted Principal Uses," is hereby amended by adding a new subpart 12, which subpart shall read as follows:

Section 8.01 IND-1, Industrial Districts

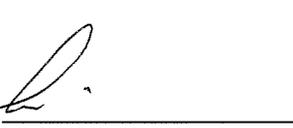
(b) Permitted Principal Uses:

12. Fitness and Recreational Centers.

Section 5. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:

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

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

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

Publication Date: 05/20/2016  
Public Hearing: 06/06/2016  
First Reading: 06/06/2016  
Publication Date: 06/09/2016  
Second Reading: 06/13/2016  
Publication Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_