

# **AGENDA**

## **OAK RIDGE CITY COUNCIL MEETING**

Municipal Building Courtroom

January 10, 2011

7:00 p.m.

**INVOCATION** – Rev. Brad Scott, Youth Pastor of Glenwood Baptist Church

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

### **I. APPEARANCE OF CITIZENS**

### **II. PROCLAMATIONS AND PUBLIC RECOGNITIONS**

#### **1. DR. PEGGY BERTRAND, OAK RIDGE HIGH SCHOOL TEACHER**

Dr. Peggy Bertrand, an Oak Ridge High School Teacher, will be present to comment on the Lemelson-MIT based high school invention education initiative – InvenTeams.

#### **2. OAK RIDGE FIREFIGHTERS ASSOCIATION – SMOKE DETECTORS**

The Oak Ridge Firefighters Association has donated 120 smoke detectors to the Fire Department to be installed in homes in Oak Ridge. Representatives from the Oak Ridge Fire Department will be present to receive recognition for their participation in the Smoke Detector Program.

### **III. SPECIAL REPORTS**

#### **1. CITY OF OAK RIDGE FY 2010 AUDIT REPORT**

Mr. Ted Hotz with Pugh & Company, P.C., the City's financial auditors, will present the results of the FY 2010 independent audit.

### **IV. CONSENT AGENDA**

#### **1. APPROVAL OF DECEMBER 13, 2010 COUNCIL MINUTES**

#### **2. RESOLUTION - RULES & PROCEDURES OF THE OAK RIDGE CITY COUNCIL**

This is a resolution adopting a revised set of *Rules and Procedures of the Oak Ridge City Council*. These changes are the result of discussion during the December 13, 2010 Work Session.

#### **3. RESOLUTION - TRANSFER OF TAX EQUIVALENTS PAYMENTS TO THE GENERAL FUND**

Adoption of this resolution authorizes the transfer of tax equivalents from the Electric Fund and the Waterworks Fund to the General Fund for the fiscal year ending June 30, 2011 and also authorizes its distribution between the City of Oak Ridge and Anderson and Roane Counties.

## **V. RESOLUTIONS**

### **1. 2011 STATE AND FEDERAL AGENDA**

This resolution was deferred from the December 13<sup>th</sup> Council meeting. Approval of the resolution adopts the 2011 State and Federal Agenda with the changes that were discussed at that meeting.

### **2. ARTS COUNCIL CONTRACT FOR THE SECRET CITY FESTIVAL**

This resolution awards a contract to the Arts Council of Oak Ridge to provide professional services and activity support for the Secret City Festival and authorizes the reimbursement of actual costs incurred in an amount not to exceed \$150,000.

### **3. ROANE STATE COMMUNITY COLLEGE**

In 2009, the City Council adopted Resolution 5-42-09 to support the expansion of the Roane State Oak Ridge Branch Campus in the amount of \$500,000. Roane State Community College has requested that the City change the requirements of that resolution and make payment of the local match sooner. Approval of this resolution will amend Resolution 5-42-09 to allow that request.

## **VI. PUBLIC HEARINGS AND 1<sup>ST</sup> READING OF ORDINANCES**

### **1. PUBLIC HEARING AND 1<sup>ST</sup> READING / REZONING REQUEST PARCEL 1.01, MAP 100B, GROUP B – FROM UB-2 TO B-2 AND A 30 FT STRIP SURROUNDING PARCELS 3.00 & 4.00, MAP 100B, GROUP B– FROM RG-1 TO B-2**

An ordinance to amend Ordinance No. 2, titled “The Zoning Ordinance of the City of Oak Ridge, Tennessee,” by amending the Zoning Map which is made a part of the ordinance by changing the Zoning District of Parcel 1.01, Map 100B, Group B, from UB-2, Unified General Business to B-2, General Business, and a thirty-foot wide strip surrounding Parcels 3.00 and 4.00, Map 100B, Group B, from RG-1, Residential, Open Space and Reserved to B-2, General Business.

## **VII. FINAL ADOPTION OF ORDINANCES – [none]**

## **VIII. ELECTIONS & APPOINTMENTS / ANNOUNCEMENTS / SCHEDULING**

### **1. ELECTIONS & APPOINTMENTS**

#### Election of two members to serve on the Oak Ridge Municipal Planning Commission

Linda L. Brown and Kelly S. Callison have applied to serve on Planning Commission. If appointed, they will serve four year terms of office commencing on February 11, 2011.

#### Notice of elections

Four elections are scheduled for the February 14, 2011 City Council Meeting to appoint:

- One member to the Highland View Redevelopment Advisory Board
- Two members to the Board of Plumbing Examiners
- Two members to the Traffic Safety Advisory Board, one of whom shall be an Oak Ridge High School student
- One member to the Environmental Quality Advisory Board

The deadline for filing is 5:00 p.m. on Tuesday, February 1, 2011.

2. ANNOUNCEMENTS

3. SCHEDULING

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

**X. SUMMARY OF CURRENTS EVENTS**

1. CITY MANAGER'S REPORT

Realignment of the Reporting Authority of the City's Utility Business Office

City Manager Watson will update the City Council on the realignment of the City's Utility Business Office. No City Council action is necessary on this item.

2. CITY ATTORNEY'S REPORT

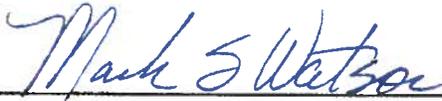
**XI. ADJOURNMENT**

CITY COUNCIL MEMORANDUM

10-42

DATE: December 2, 2010  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: RECOGNITION OF VISITORS

Dr. Peggy Bertrand, Oak Ridge High School Teacher, will be present at Monday night's Council meeting to comment on the Lemelson-MIT based high school invention education initiative—InvenTeams. Dr. Bertrand and students, Matt Lloyd, Sam Snodgrass and Sonja Soloman, recently visited the White House to participate in a science fair and present their work to President Obama.

  
Mark S. Watson

CITY COUNCIL MEMORANDUM  
11-02

DATE: January 3, 2011

TO: Honorable Mayor and Members of City Council

FROM: Mark S. Watson, City Manager

SUBJECT: RECOGNITION OF VISITORS

The Oak Ridge Firefighters Association has donated 120 smoke detectors to the Fire Department to be installed in homes in Oak Ridge. Representatives from the Oak Ridge Fire Department will be present to receive recognition for their participation in the Smoke Detector Program.

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Mark S. Watson

CITY COUNCIL MEMORANDUM  
11-01

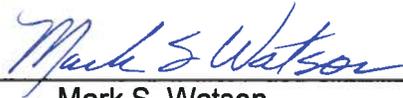
DATE: January 3, 2011

TO: Honorable Mayor and Members of City Council

FROM: Mark S. Watson, City Manager

SUBJECT: SPECIAL REPORT

Mr. Ted Hotz with Pugh & Company, P.C., the City's financial auditors, will be present at Monday night's Council meeting to present the results of the FY 2010 independent audit. A copy of the City's Comprehensive Annual Financial Report will be distributed at a later date and available on the City's website.



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Mark S. Watson

CITY COUNCIL MEMORANDUM  
11-03

DATE: January 3, 2011  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: CONSENT AGENDA

The following items are presented for the Council's consideration as the Consent Agenda for the January 10, 2011, Council meeting.

Approval of Minutes

Approval of the Minutes of the December 13, 2010 City Council regular meeting.

Resolutions

Adoption of a resolution amending the Rules and Procedures of the Oak Ridge City Council.

Adoption of a resolution authorizing the transfer of tax equivalents from the Electric Fund and the Waterworks Fund to the General Fund for the fiscal year ending June 30, 2011 and authorizing its distribution between the City and Anderson and Roane Counties.

The documentation for these items follows this memorandum.

  
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Mark S. Watson

**MINUTES OF THE  
OAK RIDGE CITY COUNCIL MEETING  
DECEMBER 13, 2010**

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

**INVOCATION**

The Invocation was given by Myra Mansfield, Oak Ridge Police Department Chaplain.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given by Dr. Ken Luckman, Secretary of the Oak Ridge Sister Support Organization.

**ROLL CALL**

The following members of Council were present: Anne Garcia Garland, L. Charles Hensley, D. Jane Miller, David N. Mosby, Ellen D. Smith and Mayor Thomas L. Beehan.

Councilmember Thomas W. Hayes was absent due to sickness.

Also present were Mark S. Watson, City Manager; Kenneth R. Krushenski, City Attorney; Steven W. Jenkins, Deputy City Manager; and Donna Patterson, City Clerk.

**APPEARANCE OF CITIZENS**

A citizen came forward and asked if the traffic beacons were going to be on tonight's agenda. Mayor Beehan stated that it was not on the agenda.

**APPROVAL OF AGENDA**

Councilmember Smith moved that the agenda be approved as published, seconded by Councilmember Miller.

Mayor Beehan reported that two resolutions had been presented as additions to the agenda.

1. A resolution establishing the calendar for Council Meetings in 2011.

Councilmember Hensley moved that the resolution be added to the agenda. The motion was seconded by Councilmember Smith and carried by unanimous vote with Councilmembers Garcia Garland, Hensley, Miller, Mosby, Smith and Mayor Beehan voting "Aye."

2. A resolution approving the City of Oak Ridge 2011 State and Federal Agenda.

Councilmember Smith moved that the resolution be added to the agenda. The motion was seconded by Councilmember Hensley and carried by unanimous vote with Councilmembers Garcia Garland, Hensley, Miller, Mosby, Smith and Mayor Beehan voting "Aye."

The agenda was approved, as amended, by unanimous vote with Councilmembers Garcia Garland, Hensley, Miller, Mosby, Smith and Mayor Beehan voting “Aye.”

**RECOGNITION OF VISTORS**

**Russian Delegates / Sister City Support Organization**

Mayor Beehan welcomed Dr. Ken Luckman, Secretary of the Oak Ridge Sister Support Organization.

Dr. Luckman came forward and explained that the purpose of the Sister City Support Organization (SCSO) is to foster and promote international friendship. He then introduced Russian delegates visiting Oak Ridge in connection with SCSO’s Open World Grant Program: Elvira Vyalkove, Svetlana Frolova, Irina Monkhorova, Anatasiya Mamayeva, Irina Polyanskaya and the facilitator Tatyana Smolina.

Mayor Beehan expressed appreciation to Dr. Luckman and the delegates for visiting the City of Oak Ridge to further develop the relationship between the Sister Cities.

**Oak Ridge High School Teacher Peggy Bertrand**

Mayor Beehan noted that Dr. Peggy Bertrand, an Oak Ridge High School Teacher, was listed on the agenda to be recognized but she was called out of town. This recognition will be scheduled for a later date.

**PROCLAMATIONS AND COURTESY RESOLUTIONS**

**Resolution No. 12-109-10**

A RESOLUTION RECOGNIZING JIM HACKWORTH’S DISTINGUISHED SERVICE TO THIS COMMUNITY AS THIRTY-THIRD DISTRICT REPRESENTATIVE IN THE TENNESSEE GENERAL ASSEMBLY FOR THE PAST EIGHT (8) YEARS.

Mayor Beehan explained that this resolution is in tribute to former State Representative Jim Hackworth, who has completed his term in the Tennessee General Assembly. Mr. Hackworth could not be at the Council Meeting tonight. Mayor Beehan plans to personally present the resolution, along with a gift from the City, in appreciation for his service at a later date.

A motion was made by Councilmember Hensley that the resolution be adopted as presented. The motion was seconded by Councilmember Mosby and carried with Hensley, Miller, Mosby, Smith and Mayor Beehan voting “Aye” and Councilmember Garcia Garland abstaining.

**PUBLIC HEARING** – None

**CONSENT AGENDA**

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

- Approving the Minutes of the November 15, 2010 City Council Meeting;
- Adopting **Resolution No. 12-110-10** establishing the schedule of meetings of the Oak Ridge City Council during calendar year 2011 and providing that regular meetings shall be held on the second Monday of each month at 7:00 p.m. in the Municipal Building Courtroom, except during the month of March when the meeting shall be held on the first Monday;
- Adopting **Resolution No. 12-111-10** supporting the submittal of a grant application by the Industrial Development Board of the City of Oak Ridge (IDB) to the State of Tennessee Department of Economic and Community Development for assistance in sewer improvements at Horizon Center Business Park under the provisions of the FastTrack Infrastructure Development Program; said grant requiring a twenty-six percent (26%) local match by the IDB;
- Adopting **Resolution No. 12-112-10** authorizing the Mayor to execute on behalf of the City of Oak Ridge a Certificate of Good Moral Character for Pamla Ann Morton, the City Council having made investigation into the general character of Ms. Morton and from such investigation her character is found to be good;
- Adopting **Resolution No. 12-113-10** authorizing the City to enter an agreement with the Tennessee Valley Authority to amend the energy right @ agreement to include the In-Home Energy Evaluation Pilot Program;
- Adopting **Resolution No. 12-114-10** accepting the proposal of The Mercer Group, Inc., Atlanta, Georgia, to conduct a Police Chief search for the City of Oak Ridge, and authorizing the City Manager to enter into a contract with The Mercer Group, Inc. for services and expenses associated with this search.

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

### **SPECIAL REPORTS**

#### **National League of Cities**

Mayor Beehan stated that he and several Councilmembers recently attended the National League of Cities Conference in Denver, Colorado. The National League of Cities is an organization that represents local elected officials all across America. Usually there are 4 to 6 thousand attendees that meet for workshops, general sessions and to see exhibits. More importantly, they also have the opportunity to discuss issues that municipalities face today.

The Mayor and Council acquired many ideas and initiatives to consider that would greatly benefit the City of Oak Ridge. They appreciate the opportunity afforded them to attend the conference and will work to implement what they learned.

### **APPROVAL OF MINUTES**

See Consent Agenda

**ORDINANCES**

**First Reading of New Ordinances – None**

**Adoption of Ordinances (Second Reading)**

**Ordinance No. 18-10**

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED “THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, ARTICLE IX, TITLED “SPECIAL DISTRICTS,” TO CREATE A NEW SECTION 9.10, TITLED “IND-2 INDUSTRIAL MANHATTAN DISTRICT OVERLAY (IMDO),” TO CREATE AN OVERLAY DISTRICT TO FACILITATE THE REUTILIZATION OF FEDERAL INDUSTRIAL BUILDINGS.

Councilmember Miller moved that the ordinance be adopted as presented. The motion was seconded by Councilmember Smith.

City Manager Watson explained that this is the final action taken by the City Council to adopt the Industrial Manhattan District Overlay (IMDO). This will create an overlay district which facilitates the transfer of property from the ownership and mission of the Department of Energy (DOE) to the private sector, in keeping with the re-industrialization of the K-25 facility.

The ordinance was adopted by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Miller, Mosby, Smith and Mayor Beehan voting “Aye.”

**Ordinance No. 19-10**

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED “THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, ARTICLE XI, TITLED “OFF STREET PARKING AND LOADING REQUIREMENTS,” SECTION 11.02, TITLED “REQUIRED OFF-STREET PARKING,” SUBSECTION (G), TITLED “HANDICAPPED PARKING SPACES,” AND SECTION 11.03, TITLED “OFF-STREET PARKING LOT LAYOUT, CONSTRUCTION AND MAINTENANCE,” SUBSECTION (F), TITLED “DESIGN CRITERIA,” PARAGRAPH (5), TITLED “MINIMUM PARKING LOT DIMENSIONS,” TO UPDATE REQUIREMENTS PERTAINING TO ACCESSIBLE PARKING SPACES FOR DISABLED DRIVERS WITH PARTICULAR FOCUS ON SIGNAGE AND VAN ACCESS.

Councilmember Miller moved that the ordinance be adopted as presented. The motion was seconded by Councilmember Smith.

City Manager Watson explained that this is the final action taken by the City Council to update the City’s codes with reference to ADA standards.

The adoption of the ordinance presented tonight includes all the changes that were directed by the Mayor and Council at the prior meeting.

The ordinance was adopted by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Miller, Mosby, Smith and Mayor Beehan voting “Aye.”

**Ordinance No 20-10**

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED “THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, ARTICLE XIII, TITLED “LANDSCAPING AND DESIGN STANDARDS,” SECTION 13.01, TITLED “INTRODUCTION,” SUBSECTION (B), TITLED “ACTIONS SUBJECT TO DESIGN REVIEW,” PARAGRAPH (1); SECTION 13.02, TITLED ‘DESIGN REVIEW STANDARDS,’ SUBSECTION (E), TITLED “PARKING CONFIGURATIONS,” PARAGRAPH (5), TITLED “COMPLIANCE OF EXISTING SITES”; AND SECTION 13.02, TITLED “DESIGN REVIEW STANDARDS,” SUBSECTION (F), TITLED “LANDSCAPE,” PARAGRAPH (1), TITLED “LANDSCAPE AREAS,” TO UPDATE OUTDATED PROVISIONS AND IMPROVE EXISTING PROVISIONS PERTAINING TO LANDSCAPING AND DESIGN.

Councilmember Smith moved that the ordinance be adopted as presented. The motion was seconded by Councilmember Miller.

City Manager Watson explained that this is the final action taken by the City Council to update the City’s landscaping standards with regard to the zoning ordinance.

The ordinance was adopted by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Miller, Mosby, Smith and Mayor Beehan voting “Aye.”

**Ordinance No. 21-10**

AN ORDINANCE TO AMEND TITLE 15, TITLED “MOTOR VEHICLES, TRAFFIC AND PARKING,” OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE,” BY AMENDING SECTION 15-505, TITLED “MAXIMUM SPEED LIMITS ON SPECIFIC STREETS – THIRTY-FIVE MILES PER HOUR,” SUBSECTION (4); SECTION 15-506, TITLED “MAXIMUM SPEED LIMITS ON SPECIFIC STREETS – FORTY MILES PER HOUR,” SECTION 15-507, TITLED “MAXIMUM SPEED LIMITS ON SPECIFIC STREETS – FORTY-FIVE MILES PER HOUR,” SUBSECTION (4); AND SECTION 15-508, TITLED “MAXIMUM SPEED LIMITS ON SPECIFIC STREETS – FIFTY MILES PER HOUR,” TO SET FORTH NEW SPEED LIMITS ALONG THE OAK RIDGE TURNPIKE (STATE ROUTE 95) AS INDICATED BY THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION.

Councilmember Miller moved that the ordinance be adopted as presented. The motion was seconded by Councilmember Hensley.

City Manager Watson explained that this is the final action taken by the City Council which will conform the City of Oak Ridge’s speed limits along the Oak Ridge Turnpike (SR 95) with the Tennessee Department of Transportation.

The ordinance was adopted by electronic vote with Councilmembers Hensley, Miller, Mosby, Smith and Mayor Beehan voting “Aye” and Councilmember Garcia Garland voting “Nay.”

**RESOLUTIONS**

**General Resolutions**

**Resolution No. 12-115-10**

A RESOLUTION ADOPTING A PROPERTY TAX FREEZE PROGRAM FOR THE CITY IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED §67-5-705 AND THE APPLICABLE RULES DEVELOPED BY THE STATE BOARD OF EQUALIZATION.

Councilmember Hensley moved that the resolution be adopted. The motion was seconded by Councilmember Smith.

City Manager Watson explained that approving this resolution authorizes a local option property tax freeze program for taxpayers 65 years of age or older based on income and ownership of eligible property and other guidelines as set forth in the resolution.

Deputy City Manager Jenkins explained that the City Council could terminate the program in the future if needed.

Former Councilmember Leonard Abbatiello, 110 Dover Lane, came forward and stated that he had brought this to the Council for consideration. He expressed appreciation to the City staff and Council for rapidly bringing it forward and addressing it tonight. He supports the resolution and believes it will be a benefit for the senior citizens in Oak Ridge.

After discussion, the resolution was adopted by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Miller, Mosby, Smith and Mayor Beehan voting “Aye.”

The Mayor and Council thanked Mr. Abbatiello for bringing this issue before the board.

**Resolution No. 12-116-10**

A RESOLUTION ADOPTING EQAB’S CLIMATE ACTION PLAN AS A GUIDELINE FOR PRESENT AND FUTURE CAPITAL PROJECTS.

Councilmember Smith moved to approve the resolution. The motion was seconded by Councilmember Mosby.

The resolution being presented is the result of a directive, issued in 2008, to the Environmental Quality Advisory Board (EQAB) to develop a Climate Control Plan (CAP) for the City of Oak Ridge.

City Manager Watson stated that after two years of hard work by the EQAB and much discussion with the Council, the EQAB has brought forward a policy and a guide book for consideration tonight. The plan provides guidelines and milestones for improving the impact of emissions and promoting public awareness about the causes and impacts of climate change. These milestones will be effective in reducing greenhouse gas emissions in the future.

After discussion concerning funding, costs, and incentives, the resolution was adopted by electronic vote with Councilmembers Garcia Garland, Hensley, Mosby, Smith and Mayor Beehan voting “Aye” and Councilmember Miller voting “Nay.”

Mayor Beehan expressed appreciation to the Environmental Quality Advisory Board for the years of hard work and effort put forth on this project. The EQAB members that were present tonight were introduced and recognized.

**Resolution No. 12-117-10**

A RESOLUTION GRANTING AN ACCESS TO EAST TULSA ROAD FROM ANDERSON COUNTY TAX MAP 99M GROUP A PARCEL 20.00, SAID ACCESS BEING LOCATED APPROXIMATELY 165 FEET WEST OF THE EAST TULSA ROAD/WILBERFORCE AVENUE INTERSECTION.

City Manager Watson stated that Deltacom is requesting driveway access for the proposed property they will be leasing at 120 East Tulsa Road.

Councilmember Miller moved that the resolution be adopted. The motion was seconded by Councilmember Mosby and it carried by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Miller, Mosby, Smith and Mayor Beehan voting “Aye.”

**Resolution [Deferred]**

A RESOLUTION APPROVING THE CITY OF OAK RIDGE 2011 STATE AND FEDERAL AGENDA TO BE TRANSMITTED TO MEMBERS OF THE TENNESSEE GENERAL ASSEMBLY AND THE TENNESSEE CONGRESSIONAL DELEGATION AS THE OFFICIAL 2011 STATE AND FEDERAL AGENDA FOR THE CITY.

Councilmember Miller moved that the resolution be adopted. The motion was seconded by Councilmember Smith.

Amy Fitzgerald, Government and Public Affairs Coordinator, was present to review each item on the agenda and to answer questions.

Each year the City develops a list of projects, policies and priorities that are submitted to our representatives in the Tennessee General Assembly and our Tennessee Congressional delegation to assist them in advocating on behalf of the City of Oak Ridge.

The draft was developed with an emphasis on current City initiatives, Council and staff input, and a review of agendas of other key organizations. In addition, staff worked with the City’s state and federal legislative consultants, seeking to match city projects with potential funding opportunities.

After discussing concerns with the priority of the items, Councilmember Hensley moved that the resolution be deferred until the January 10th Council Meeting. The vote was unanimous with Councilmembers Garcia Garland, Hensley, Miller, Mosby, Smith and Mayor Beehan voting “Aye.”

Bids and Contracts – None

**ELECTIONS**

Oak Ridge Beer Permit Board

City Clerk Patterson announced that this is for the election of two members to serve on the Oak Ridge Beer Permit Board for three years commencing on January 3, 2011. William Barton Bailey and Joseph M. Valentino have filed to serve on this board.

Councilmember Miller moved that William Barton Bailey and Joseph M. Valentino be elected by acclamation to serve on the Oak Ridge Beer Permit Board for three year terms of office commencing on January 3, 2011. The motion was seconded by Councilmember Mosby and carried by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Miller, Mosby, Smith and Mayor Beehan voting “Aye.” There were no other candidates.

#### Environmental Quality Advisory Board

City Clerk Patterson announced that this is for the election of one member to serve on the Environmental Quality Advisory Board for the remainder of a vacant term expiring on September 29, 2012.

Leslie E. Agron and Thomas J. Tague have filed for this position; therefore, Mayor Beehan called for the Council to mark their ballots.

Councilmembers Garcia Garland, Hensley, Mosby and Smith voted for Leslie E. Agron. Councilmember Miller and Mayor Beehan voted for Thomas J. Tague.

Leslie E. Agron was elected to serve on the Environmental Quality Advisory Board for the remainder of the vacant term to expire on September 29, 2012.

#### Notice of Elections

Mayor Beehan announced that six (6) elections are scheduled for the January 10, 2011 City Council Meeting to appoint:

- One (1) member to the Highland View Redevelopment Advisory Board
- One (1) member to the Board of Plumbing Examiners
- Two (2) members to the Traffic Safety Advisory Board, one of whom shall be an Oak Ridge High School student
- Two (2) members to the Oak Ridge Municipal Planning Commission

The deadline for filing is 5:00 p.m. on Tuesday, December 28, 2010.

#### COMMUNICATIONS – None

#### CITY MANAGER’S REPORT

##### Smoke Detector Program

This item was deferred until the next Council Meeting.

At this time, City Manager Watson welcomed the new City Clerk, Donna Patterson, and also wished everyone a Merry Christmas and a good New Year.

#### CITY ATTORNEY’S REPORT – None

**UNFINISHED BUSINESS** – None

**NEW BUSINESS** – None

**MISCELLANEOUS**

Mayor Pro tem Miller reported that \$139,500 was raised for the Secret City Festival and \$5,000 was raised for cheerleader uniforms.

Mayor Beehan reported that the Christmas Parade was very successful and well organized this year.

Mayor Beehan stated that the City of Oak Ridge had a good year in 2010 and wished everyone a Merry Christmas.

**UPCOMING MEETINGS / MAJOR ISSUES** – None

**ADJOURNMENT**

The meeting was adjourned at 9:13 p.m.

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City Clerk

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Mayor

CITY COUNCIL MEMORANDUM  
11-06

DATE: January 4, 2011  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: RULES AND PROCEDURES OF THE OAK RIDGE CITY COUNCIL

An item for the Council agenda is a resolution adopting a revised set of *Rules and Procedures of the Oak Ridge City Council*.

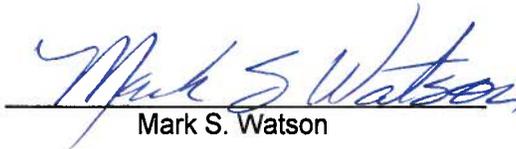
**Background:**

At the December 13, 2010 Work Session of the City Council, the Council reviewed the governance procedures of its City Council meetings. Among basic information—such as, meeting times and general information availability to the public—City Council also discussed the agenda format. Previously, the Council has formally endorsed any changes in its Rules and Procedures of the Oak Ridge City Council document, last amended in February 2008.

Given the changes discussed at the Work Session in December, City Council is asked to adopt a resolution incorporating the changes identified in the document. Two documents have been provided: (1) the current Rules document with proposed “blue lined” changes, and (2) a clean copy of the new Rules document to conform with Council discussions in December. Other minor changes in the travel section and clarification of language governing electronic notification and information availability are also included in the document.

With respect to the City Council agenda, the changes reduce the number of agenda business categories, thus streamlining the appearance of items on the agenda. Further adaptations can be made in the future depending upon future recommendations from the City Manager and the City Clerk.

The proposed changes will adjust the City Council procedures with proposed practice in 2011. We look forward to these becoming effective immediately. Approval of the attached resolution is recommended.

  
Mark S. Watson

Attachments

**RULES AND PROCEDURES  
OF THE  
OAK RIDGE CITY COUNCIL**

**~~FEBRUARY 2008~~ JANUARY 2011**

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## RULES AND PROCEDURES

### OAK RIDGE CITY COUNCIL

#### I. Meetings

##### A. Meetings Open to the Public

All Council meetings shall be open to the public and citizens shall have a reasonable opportunity to be heard. The Council shall exercise its powers only at public meetings. [Charter, Article II, Section 3]

##### 1. Voting Record of Council

A vote upon all proposed ordinances and resolutions shall be taken by "yea" and "nay" vote, indicated either orally or by use of the electronic voting system. The vote of each Council member shall be entered upon the journal (minutes). The journal shall also report the names of the council members present and absent, each motion considered, and the title of each ordinance or resolution considered. [Charter, Article II, Section 8]

##### a. Use of the Electronic Voting System

It is acceptable for all questions (ordinances, resolutions, and motions) to be put to a voice vote; however, in the event the voice vote is not unanimous, the Chair may choose to use the electronic (roll call) voting system. The Chair activates the system by depressing the "ready ballot" button and the members of Council then present may vote "yea" or "nay" during the time the lamp is on. A Council member may have the opportunity to change his/her vote if the request is made prior to recording of the results. If a Council member fails to cast an electronic vote, the Chair shall ascertain if it is his/her desire to abstain.

##### b. Clearing the Electronic Voting Board

After votes have been recorded, the ~~City Clerk shall clear the~~ electronic voting board **shall be cleared**.

##### 2. Minutes of Meetings

There shall be a journal of proceedings (minutes) of all Council meetings signed by the Mayor and City Clerk and to which the public shall have access at all reasonable times. The journal (minutes) shall report the names of the Council members present and absent, each motion considered, and the title of each ordinance or resolution considered. [Charter, Article II, Section 8]

An indexed audio ~~tape~~-recording of each meeting shall be maintained for a five-year period of time and video ~~tapes-recordings~~ shall be maintained for one year. A copy of the approved minutes shall be distributed to each member of City Council.

##### 3. Publication of Minutes

A summary of Council proceedings shall be published in the official city newspaper within 15 days after a meeting, showing the substance of each Council action. [Charter, Article II, Section 8]

B. Types of Meetings

1. Regular Meetings

The Council shall hold regular meetings in Oak Ridge at least once monthly. Increased frequency, time of day, and place of its meetings shall be established by resolution.

[Charter, Article II, Section 1]

2. Special Meetings

Special meetings shall be called by the City Clerk on the written request of the Mayor, the City Manager, or any two (2) Council members by providing each Council member with twenty-four (24) hours written notice served personally or left at his or her usual place of residence. Business transacted at any special meeting shall be limited to subjects recited in the notice of such meetings.

[Charter, Article II, Section 2]

3. Work Sessions

The Council shall hold regular work sessions as scheduled by the City Manager. A schedule of meeting times and dates shall be established annually, although nothing precludes the holding of a special work session as the need may dictate. No official action shall be taken at work sessions. A brief summary of the agenda shall be made available to all Council members, along with supporting information/documentation whenever possible. The work session agenda with associated materials will be available in an electronic medium as soon as possible placed in each Council member's mailbox in the Municipal Building four (4) days prior to the work session.

C. Quorum of Council

At least a majority of the members of the Council then in office shall be a quorum for the transaction of business at all Council meetings, but in the absence of a quorum, two (2) members may adjourn the meeting to a later date.

[Charter, Article II, Section 4]

D. Official Council Business

The affirmative vote of at least a majority of the members of the Council then in office shall be required to approve any proposed action other than those listed in Sections B.2 and C of these Rules and Procedures.

[Charter, Article II, Section 8]

When voting for any contested appointment, the vote shall be taken by written ballot, each of which shall be invalid unless signed by the voting member who marked it.

E. Appointments to Boards and Commissions

1. Election Notice

~~Six (6) weeks prior to the normal expiration of a term of office or upon receipt of a resignation, the City Clerk shall notify Council members and the public through the news media that an election will be held to fill the Board or Commission vacancy at a Council meeting about six weeks hence. The agenda for the Council meeting immediately preceding the election date shall contain under "Elections" a notice that the election will occur at the next meeting.~~

City Council and the news media shall be notified of an expiration of a term of office for a Board or Commission, or a vacancy due to resignation, by placement of an election notice on the agenda for the Council meeting immediately preceding the election date. Terms shall be determined, reviewed and established by the City Council.

## 2. Filing Deadline

A resident of the City desiring to be a candidate for Council appointment to a board or commission shall submit a ~~resume-résumé~~ to City Council at the office of the City Clerk ~~by 5:00 p.m. on the day next preceding the day before~~ **prior to** distribution of the agenda for the Council meeting at which the election is to occur.

## 3. Conduct of Elections

The ~~City Clerk shall include the résumés resumes~~ of all candidates **shall be placed** in the agenda packet for the meeting at which the election is to occur, along with a ballot that lists the names of all candidates and offers the opportunity to abstain. The ~~résumés resumes~~ of incumbent candidates shall be accompanied by a report indicating the incumbent's total time in office and his/her attendance record for at least the most recent term of office.

## 4. Notification of Election Results

Following the election, appropriate letters shall be sent to all candidates and outgoing board members over the Mayor's signature, and an updated roster shall be sent to City Council members, the relevant board members, and concerned City staff members.

## F. Ordinances

Each ordinance, before being adopted, shall be read at least by title at two meetings not less than one (1) week apart, and shall take effect ten (10) days after its adoption, except that, where an emergency exists and the public safety and welfare requires it, an ordinance containing a full statement of the facts and reasons for the emergency may be made effective upon its adoption if approved by a majority of the members of the Council on two (2) readings on successive days. At least the title of each ordinance, except an emergency ordinance, shall be published in the official city newspaper at least one (1) week before its adoption and within ten (10) days after its adoption, either separately or as part of the published proceedings of the Council. The newspaper publication shall include locations where the ordinance is available for public review. The entire ordinance shall be published on the City's web site at least one (1) week before its adoption and shall remain on the website for a minimum of 30 days after its adoption. [Charter, Article II, Section 12]

If an ordinance is amended on first reading, it shall be presented in its amended form at the time of second reading.

## G. Proclamations

The Mayor shall be empowered to issue proclamations when circumstances such as timing contraindicate their consideration at a regular Council meeting. Those proclamations shall then be distributed to City Council as items of information only.

## II. Conduct of Meetings

### A. Maintaining Order

Council members shall preserve order and shall do nothing to interrupt or delay the proceedings of Council.

**B. Sergeant-At-Arms**

Upon the Chair's request, the City Manager shall designate a police officer to serve as the Sergeant-At-Arms of the Council.

**C. Permission to Speak Before Council**

**1. Right to Speak**

**a. City Council Members**

The Chair shall recognize the right of City Council members to speak before the body. A Council member shall initiate his/her right to speak by depressing the "call for floor" button. The Chair shall maintain a sequential list of the callers.

**b. Members of the Public**

The Chair shall recognize a citizen's right to comment on items that are under consideration by the Council as part of the formal agenda. A citizen may exercise that right by raising his/her hand and/or proceeding to the public lectern and, after recognition by the Chair, stating his/her name and address.

The Chair shall recognize members of the public only after all Council members have been given an opportunity to be heard on the subject. Upon recognition by the Chair, members of the public may speak for a maximum of three (3) minutes. Written statements may also be filed with the City Clerk who shall distribute them to the Council at the earliest possible time.

**2. Discussion of Motion**

The Council member proposing a motion that has been duly seconded has the right to open the debate. Other members may then address the issue upon recognition by the Chair. Council members should strive to maintain reasonable time limits and to keep their discussion germane to the motion under consideration.

**3. Call for the Question**

Council members may indicate that they are ready for the vote by depressing the "call for question" button. When a majority of those members present have called for the question by pushing the button, the Chair may close the discussion and put the question to a vote.

**4. City Manager and City Attorney**

The City Manager and City Attorney may speak on any subject. They may answer questions raised by members of City Council or ask another officer to answer for them. All questions about the internal operation of the municipal corporation shall be directed to the City Manager.

**5. Right of Appeal**

Council members shall have the right to appeal from a decision of the Chair. The Chair will give its reasons for the decision and the injured party will defend his/her position. A majority of the Council will determine the matter.

D. Right to Speak Uninterrupted

A Council member duly recognized shall be allowed to speak on the topic under discussion and may be interrupted only if a point of order is raised. If the Council member is judged to be in order he/she may continue on the subject. If determined to be out of order, the Council member must change his/her remarks or surrender the right to continue speaking.

E. Recess

The Chair will, at intervals of approximately 1½ hours and following completion of a subject item, call for a recess.

F. Signs Not Allowed in Chambers

Signs, posters, and placards may be carried outside the Council's meeting room, but shall not be allowed within.

G. Use of Tobacco Prohibited at Council Meetings

The use of tobacco in any form shall not be allowed during the course of a City Council meeting regardless of location. This rule shall apply to all meetings of the Council.

III. Order of Business

A. Agenda Format

Each item of the agenda will have an abstract after the title when such an abstract is clearly indicated. The order of business shall be as follows:

1. Invocation
2. Pledge of Allegiance
3. Roll Call
4. Appearance of Citizens (See Note 1)
5. Proclamations and Public Recognitions
6. Special Reports
7. Consent Agenda (See Note 2)
8. Resolutions
9. Public Hearings and First Reading of Ordinances
10. Final Adoption of Ordinances
11. Elections/Appointments, Announcements and Scheduling
12. Council Requests for New Business Items or Future Briefings
13. Summary of Current Events
  - a. City Manager's Report
  - b. City Attorney's Report
14. Adjournment

- ~~1. Invocation~~
- ~~2. Pledge of Allegiance~~
- ~~3. Roll Call~~
- ~~4. Appearance of Citizens (See Note 1)~~
- ~~5. Approval of Agenda (See Note 2)~~
- ~~6. Recognition of Visitors~~
- ~~7. Proclamations and Courtesy Resolutions~~
- ~~8. Public Hearing~~
- ~~9. Consent Agenda (See Note 3)~~
- ~~10. Special Reports~~

- ~~\_\_\_\_\_~~ a. Mayor and City Council
- ~~\_\_\_\_\_~~ b. Special Committees
- ~~\_\_\_\_\_~~ c. Boards and Commissions
- ~~\_\_\_\_\_~~ d. Other
- ~~\_\_\_\_\_~~ 11. Approval of Minutes
- ~~\_\_\_\_\_~~ 12. Ordinances
  - ~~\_\_\_\_\_~~ a. First Reading of New Ordinances
  - ~~\_\_\_\_\_~~ b. Adoption of Ordinances (Second Reading)
- ~~\_\_\_\_\_~~ 13. Resolutions
  - ~~\_\_\_\_\_~~ a. General Resolutions
  - ~~\_\_\_\_\_~~ b. Bids and Contracts
- ~~\_\_\_\_\_~~ 14. Elections
- ~~\_\_\_\_\_~~ 15. Communications (See Note 4)
- ~~\_\_\_\_\_~~ 16. City Manager's Report
- ~~\_\_\_\_\_~~ 17. City Attorney's Report
- ~~\_\_\_\_\_~~ 18. Unfinished Business
- ~~\_\_\_\_\_~~ 19. New Business
- ~~\_\_\_\_\_~~ 20. Miscellaneous
- ~~\_\_\_\_\_~~ 21. Upcoming Meetings/Major Issues
- ~~\_\_\_\_\_~~ 22. Adjournment

**Note 1:** Appearance of Citizens: Citizens shall be permitted to address City Council about matters that are not on the formal agenda. For the city record, the City Clerk may require a sign up card for citizen appearances. Any citizen wishing to do so shall raise his/her hand and/or proceed to the public lectern and, after recognition by the Chair, state his/her name and address, and the purpose for his/her appearance before the Council. Comments shall generally be limited to three (3) minutes and shall relate to matters of City business. They shall not generally result in a formal response or action at the time of presentation because in most cases neither the Council nor the staff will be prepared to respond effectively; however, the Chair may answer questions or direct the City Manager to do so, or the City Manager may be requested to work with the citizen to effect resolution of the matter.

Statements that are purely political in nature will not be allowed, such as campaign speeches or announcements of candidacy for office, nor will announcements of a civic or social event that is unrelated to City business.

~~Note 2: Approval of Agenda: The Chair shall call for a motion to approve the agenda as presented. After the motion has been made and seconded, Council members wishing to add an item to the agenda may move that the agenda be amended by the insertion of that item at its proper location. The approval of such an amendment shall require a 2/3 vote of Council members present. At this time Council members may also request the removal of items from the Consent Agenda for consideration at the proper location on the regular agenda, and may call for reordering of the agenda. The removal of an item from the Consent Agenda shall require no vote and the reordering of the agenda may be accomplished by General Consent.~~

**Note 32:** Consent Agenda: Those items on the Council agenda which are considered routine by the City Manager – e.g., approval of minutes; certain standard form resolutions such as those extending the time for the oath of office; and confirmation of certain appointments such as Council committees, the Oak Ridge Utility District, and the Youth Advisory Board; shall be listed on the Consent Agenda and, unless a member of Council has specifically requested that an item be removed therefrom and Council action taken separately, these items shall be approved, adopted, accepted, etc., by a single motion of the Council followed by a roll call vote.

~~Note 4: Communications: Communications to appear in the agenda shall be listed, giving the name of the sender, an abstract of the subject matter and any requested action.~~

B. Preparation of the Agenda

The agenda will be prepared by the City Manager ~~with the assistance of the City Clerk.~~

1. Material for Agenda

~~For material to be included in the agenda of an upcoming meeting, it must be submitted to the City Clerk at least two (2) working days prior to the customary day for agenda distribution.~~

All items for action shall be checked with the City Attorney for legality and with the administrative staff for adequacy where necessary.

2. **The Mayor and City Council are urged to advise the City Manager of New Business Items prior to the posting of the agenda.**

23. Emergency Items

Materials concerning emergency items shall be furnished Council members at the earliest time possible.

34. The Finished Agenda

The finished agenda with associated material for regular Council meetings, ~~when completed by the City Clerk,~~ will be available in an electronic medium placed in each Council member's mailbox in the Municipal Building ~~ten (10) days by close of business on the Wednesday~~ prior to the meeting. An electronic copy of the agenda shall be made available to the news media at the same time, and shall be placed on the City's web site at the earliest possible time.

IV. Motions

The City Council generally adheres to Robert's Rules of Order.

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A. Motion to Adjourn

A motion to adjourn is out of order prior to three (3) hours following commencement of the meeting if all items on the agenda have not been completed. An unqualified motion to adjourn shall not be debatable.

B. To Lay Question on the Table

A motion to lay on the table is not debatable and precludes amendments or debate of the subject under consideration. If the motion prevails, consideration of the matter tabled resumes only if a member of the majority voting in favor of the motion to table makes a motion to bring the matter off the table and it is seconded, and a majority of the members vote in favor of it.

C. Motion Asking for Previous Question

This motion is not debatable. When the previous question is called for there shall be no further amendments or debate and pending amendments shall be taken in their order before the main question.

D. To Postpone to Another Time

This motion is debatable and may be amended as to time.

E. To Refer to Committee or Individual

This is debatable.

F. Amendments

An amendment may be amended but further amendments are out of order. Any amendments must be germane to the original motion.

G. Motions to be Stated by the Chair

When debate is completed, the motion shall be restated by the Chair before voting.

H. Withdrawal of Motion

1. A motion may be withdrawn by the person making the motion with the consent of the person seconding the motion if debate has not begun.
2. A motion may be withdrawn after debate with consent of the majority of Council.

V. Officers and Committees of Council

A. Mayor

The Council, at its first regular meeting following a regular city election and after all newly-elected members have been duly qualified, shall elect one of its members Mayor for a term of two (2) years. Whenever a vacancy occurs in the office of the Mayor, the Council shall elect one of its members to serve until the time fixed herein for the regular election of Mayor. The Mayor shall preside at meetings of the Council, shall have a vote on all matters but no veto power, shall have the same right as any other Council member to speak on an issue, shall be the ceremonial head of the City, shall sign ordinances and resolutions on their final passage, shall sign deeds, bonds and contracts when authorized by the Council to do so, shall be the officer to accept process against the City, shall not have any regular administrative duties, and shall perform only such duties as shall be specifically conferred or required by law.

[Charter, Article II, Section 6]

B. Mayor Pro Tem

The Council shall choose one of its members Mayor pro tem who shall act in the temporary absence or disability of the Mayor .

[Charter, Article II, Section 7]

The Mayor pro tem shall be chosen immediately following the election of the Mayor.

C. Committees

1. The Mayor or any member of Council, with the advice and consent of Council, may appoint committees whose membership may include persons not on Council. Officers of appointed committees shall be determined by appointed members of that committee unless City Council specifies otherwise.
2. Committees will be appointed to study specific matters. They shall be provided with a written-defined charge and a time limit shall be placed on the length of the study. The

committee will make a report to the Council at a predetermined time. All committee reports upon which action is expected shall be in written form and copies shall be made available to each member of the Council. A committee shall cease to exist following acceptance of its report unless the Council takes action to extend its term **for a defined period**. ~~Such action shall specify a time limit for the extension.~~

3. The affirmative vote of a majority of the members of Council then in office shall be required to make any authorized appointment or to remove such appointees.  
[Charter, Article II, Section 8]
4. Committee appointees shall be residents of the City unless otherwise specified by City Council.
5. There shall be no standing committee of the Council. [Charter, Article II, Section 8]
6. The City Clerk shall annually prepare for the Council a list of outstanding Council-appointed committees showing membership and status. It shall be the responsibility of the Mayor to recommend dissolution of committees or other appropriate action as indicated.

D. Appointment of Members to Non-City Committees

The Mayor, with the advice and consent of Council, may appoint members to other established bodies, as desired or deemed necessary.

VI. Expenses Incurred in the Conduct of Official Business

It shall be the policy of the Council to maintain the cost of all phases of Council operations at the most economical level consistent with satisfactory conduct of City affairs. To this end, City money shall be used to reimburse Council members and board, commission or committee members elected or appointed by the Mayor or City Council for expenses incurred in the conduct of City business. **The City budget shall determine availability of funding for City reimbursed travel.** While it shall be the policy of the Council to assume all reasonable costs associated with the conduct of such business, the following considerations shall be the basis for determining the reasonableness of such costs:

A. Prior Approval or Notification

1. City Council

Overnight travel shall be subject to prior approval or notification in the following manner:

- a. Submission of a request for approval at a Council meeting before the planned trip,  
or
- b. Distribution of advance notification in writing to all Council members.

The request for travel approval or advance notification shall contain an explanation of the purpose of the trip and the benefit to accrue to the City.

2. Members of Boards, Commissions, or Committees

Overnight travel shall be subject to ~~the budget and~~ prior approval of the City Manager. The request for travel approval shall contain an explanation of the purpose of the trip and the benefit to accrue to the City.

B. Transportation

City vehicles may be used for transportation while on official City business unless consideration of time or distance would indicate that such use would be unreasonable. When other modes of travel are to be used, the City shall provide or pay for tickets for rail, air or bus transportation. When transportation tickets are secured by an individual, advantage must be taken of all tax exemptions allowed the City.

Cost of bus, taxi or limousine service from Oak Ridge to railway station or airport and return and at destination from airport, railway or bus terminal to hotel and return shall be an allowable expense. After reaching the hotel at destination, local transportation facilities shall be used, and costs of such use shall be borne by the City. Taxi fares will be allowed if justified on the basis of (1) unavailability of other means of transportation, (2) urgencies due to time schedules, (3) economical advantages to the City. The cost of rental car use may be assumed by the City when justified by the same considerations.

Use of personal automobiles for travel on City business shall be allowed **with prior approval**. Only the driver of a personal car shall be reimbursed for such travel, and reimbursement shall be at the rate established by the City Manager for all other officers and employees of the City **or an amount not to exceed economy airfare whichever is less expensive**. Passengers in such automobile shall not be paid any transportation allowance for such travel. Storage or parking charges resulting from the authorized use of either City or private automobile shall be at the expense of the city. The total transportation expense to be borne by the City when a personal car is used for official travel shall not exceed the amount of expense incurred had commercial air transportation been used when such transportation is available.

C. Lodging

Actual cost of ~~single~~ occupancy of hotel or motel room **for the Council or Board member** shall be at the expense of the City. When a room is occupied by more than one person and the additional occupants are not on official City business, then reimbursement for lodging will be made in the amount that would have been charged for single occupancy of the hotel or motel room.

D. Food

Actual cost of meals while conducting or traveling on City business is reimbursable; however, such costs shall be maintained at the most economical level possible. In lieu of submission of actual expenses for food, the maximum allowed for reimbursement shall be at the daily **per diem** rate established by the City Manager for all other officers and employees of the City. ~~When traveling, the permissible food reimbursement shall be limited to the food reimbursement amount that would be given using the fastest method of transportation available. not exceed the reimbursement that would have been allowed had commercial air transportation been used when air transportation is available, even though a slower method of transportation is used. For example, when a slower method of transportation is used, such as vehicle travel instead of air travel, the permissible food reimbursement amount will be limited to the number of travel days had air travel been used.~~

E. Registration and Special Event Fees at Meetings and Conventions

Registration and special event fees shall be paid for in advance by the City whenever possible or if paid by the attendee, shall be reimbursable by the City.

F. Receipts

Routinely, all claims for expenses shall be accompanied by paid receipts. However, when traveling on City business, receipts are not required when the item is less than \$5 or the actual

food charges are less than the daily rate established by the City Manager for all other officers or employees of the City.

**G. Spousal Expense**

All expenses for an accompanying spouse or guest shall be at the expense of the Council or Board member.

**GH. Advances**

Advance payments for travel expenses can only be made to the provider (airline, hotel, conference provider, etc.), but the traveler may be reimbursed after the trip if direct payment to a provider was not made. [Tennessee Code Annotated §6-54-901-907]

**HI. Accounting**

**1. City Council**

An accounting of travel expenses (Travel Expense Report) shall be filed with the City Clerk within ten (10) business days after completion of such travel at which time any money properly due the traveler shall be authorized for payment by the City. All such accounting shall be made over the signature of the person making the accounting and an accompanying statement that such accounting is true and accurate. This accounting of expenses shall be signed by the City Manager, and shall be processed in accordance with administrative regulations and made a part of the financial record of the City.

The City Clerk shall prepare an annual report enumerating the travel expenses of each Council member. Copies of the report shall be distributed to the Council.

**2. Members of Boards, Commissions, or Committees**

An accounting of travel expenses (Travel Expense Report) shall be filed with the City Manager within ten (10) business days after completion of such travel at which time any money properly due the traveler shall be authorized for payment by the City. All such accounting shall be made over the signature of the person making the accounting and an accompanying statement that such accounting is true and accurate. This accounting of expenses shall be signed by the City Manager, and shall be processed in accordance with administrative regulations and made a part of the financial record of the City.

**VII. Amendments to Rules of Council**

The rules of Council may be amended by a resolution adopted by a two-thirds vote of the entire membership of City Council. The resolution shall specify the effective date of the amended rules.

If an unusual occasion arises that a question is not specifically covered by the foregoing fundamental rules, the latest edition of Robert's Rules of Order will apply.

Adopted 2/18/08 1/10/2011  
2/19/08 1/10/2011

Resolution No. 2-10-08

Effective

**RESOLUTION**

WHEREAS, Article II, Section 8, of the Charter of the City of Oak Ridge, Tennessee, provides that the Council shall determine its own rules and order of business; and

WHEREAS, the Council has heretofore adopted such rules, the most recent version having been adopted on February 18, 2008 with the adoption of Resolution Number 2-10-08; and

WHEREAS, at the December 6, 2010 work session, the City Manager presented proposed changes to such rules regarding the agenda format and preparation of the agenda; and

WHEREAS, after further review the City Manager recommends additional changes for clarification purposes; and

WHEREAS, the City Manager recommends adoption of a revised set of Rules and Procedures.

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

That the recommendation of the City Manager is approved and the attached *Rules and Procedures of the Oak Ridge City Council*, dated January 2011, is hereby adopted and shall become effective on January 10, 2011.

This the 10th day of January 2011.

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**RULES AND PROCEDURES  
OF THE  
OAK RIDGE CITY COUNCIL**

**JANUARY 2011**

# RULES AND PROCEDURES - OAK RIDGE CITY COUNCIL

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**RULES AND PROCEDURES**  
**OAK RIDGE CITY COUNCIL**

**I. Meetings**

**A. Meetings Open to the Public**

All Council meetings shall be open to the public and citizens shall have a reasonable opportunity to be heard. The Council shall exercise its powers only at public meetings. [Charter, Article II, Section 3]

**1. Voting Record of Council**

A vote upon all proposed ordinances and resolutions shall be taken by "yea" and "nay" vote, indicated either orally or by use of the electronic voting system. The vote of each Council member shall be entered upon the journal (minutes). The journal shall also report the names of the council members present and absent, each motion considered, and the title of each ordinance or resolution considered. [Charter, Article II, Section 8]

**a. Use of the Electronic Voting System**

It is acceptable for all questions (ordinances, resolutions, and motions) to be put to a voice vote; however, in the event the voice vote is not unanimous, the Chair may choose to use the electronic (roll call) voting system. The Chair activates the system by depressing the "ready ballot" button and the members of Council then present may vote "yea" or "nay" during the time the lamp is on. A Council member may have the opportunity to change his/her vote if the request is made prior to recording of the results. If a Council member fails to cast an electronic vote, the Chair shall ascertain if it is his/her desire to abstain.

**b. Clearing the Electronic Voting Board**

After votes have been recorded, the electronic voting board shall be cleared.

**2. Minutes of Meetings**

There shall be a journal of proceedings (minutes) of all Council meetings signed by the Mayor and City Clerk and to which the public shall have access at all reasonable times. The journal (minutes) shall report the names of the Council members present and absent, each motion considered, and the title of each ordinance or resolution considered. [Charter, Article II, Section 8]

An indexed audio recording of each meeting shall be maintained for a five-year period of time and video recording shall be maintained for one year. A copy of the approved minutes shall be distributed to each member of City Council.

**3. Publication of Minutes**

A summary of Council proceedings shall be published in the official city newspaper within 15 days after a meeting, showing the substance of each Council action. [Charter, Article II, Section 8]

**B. Types of Meetings**

**1. Regular Meetings**

The Council shall hold regular meetings in Oak Ridge at least once monthly. Increased frequency, time of day, and place of its meetings shall be established by resolution.

[Charter, Article II, Section 1]

**2. Special Meetings**

Special meetings shall be called by the City Clerk on the written request of the Mayor, the City Manager, or any two (2) Council members by providing each Council member with twenty-four (24) hours written notice served personally or left at his or her usual place of residence. Business transacted at any special meeting shall be limited to subjects recited in the notice of such meetings.

[Charter, Article II, Section 2]

**3. Work Sessions**

The Council shall hold regular work sessions as scheduled by the City Manager. A schedule of meeting times and dates shall be established annually, although nothing precludes the holding of a special work session as the need may dictate. No official action shall be taken at work sessions. A brief summary of the agenda shall be made available to all Council members, along with supporting information/documentation whenever possible. The work session agenda with associated materials will be available in an electronic medium as soon as possible prior to the work session.

**C. Quorum of Council**

At least a majority of the members of the Council then in office shall be a quorum for the transaction of business at all Council meetings, but in the absence of a quorum, two (2) members may adjourn the meeting to a later date.

[Charter, Article II, Section 4]

**D. Official Council Business**

The affirmative vote of at least a majority of the members of the Council then in office shall be required to approve any proposed action other than those listed in Sections B.2 and C of these Rules and Procedures.

[Charter, Article II, Section 8]

When voting for any contested appointment, the vote shall be taken by written ballot, each of which shall be invalid unless signed by the voting member who marked it.

**E. Appointments to Boards and Commissions**

**1. Election Notice**

City Council and the news media shall be notified of an expiration of a term of office for a Board or Commission, or a vacancy due to resignation, by placement of an election notice on the agenda for the Council meeting immediately preceding the election date. Terms shall be determined, reviewed and established by City Council.

**2. Filing Deadline**

A resident of the City desiring to be a candidate for Council appointment to a board or commission shall submit a résumé to City Council at the office of the City Clerk prior to distribution of the agenda for the Council meeting at which the election is to occur.

3. Conduct of Elections

The résumés of all candidates shall be placed in the agenda packet for the meeting at which the election is to occur, along with a ballot that lists the names of all candidates and offers the opportunity to abstain. The résumés of incumbent candidates shall be accompanied by a report indicating the incumbent's total time in office and his/her attendance record for at least the most recent term of office.

4. Notification of Election Results

Following the election, appropriate letters shall be sent to all candidates and outgoing board members over the Mayor's signature, and an updated roster shall be sent to City Council members, the relevant board members, and concerned City staff members.

F. Ordinances

Each ordinance, before being adopted, shall be read at least by title at two meetings not less than one (1) week apart, and shall take effect ten (10) days after its adoption, except that, where an emergency exists and the public safety and welfare requires it, an ordinance containing a full statement of the facts and reasons for the emergency may be made effective upon its adoption if approved by a majority of the members of the Council on two (2) readings on successive days. At least the title of each ordinance, except an emergency ordinance, shall be published in the official city newspaper at least one (1) week before its adoption and within ten (10) days after its adoption, either separately or as part of the published proceedings of the Council. The newspaper publication shall include locations where the ordinance is available for public review. The entire ordinance shall be published on the City's web site at least one (1) week before its adoption and shall remain on the website for a minimum of 30 days after its adoption. [Charter, Article II, Section 12]

If an ordinance is amended on first reading, it shall be presented in its amended form at the time of second reading.

G. Proclamations

The Mayor shall be empowered to issue proclamations when circumstances such as timing contraindicate their consideration at a regular Council meeting. Those proclamations shall then be distributed to City Council as items of information only.

II. Conduct of Meetings

A. Maintaining Order

Council members shall preserve order and shall do nothing to interrupt or delay the proceedings of Council.

B. Sergeant-At-Arms

Upon the Chair's request, the City Manager shall designate a police officer to serve as the Sergeant-At-Arms of the Council.

C. Permission to Speak Before Council

1. Right to Speak

a. City Council Members

The Chair shall recognize the right of City Council members to speak before the body. A Council member shall initiate his/her right to speak by depressing the "call for floor" button. The Chair shall maintain a sequential list of the callers.

b. Members of the Public

The Chair shall recognize a citizen's right to comment on items that are under consideration by the Council as part of the formal agenda. A citizen may exercise that right by raising his/her hand and/or proceeding to the public lectern and, after recognition by the Chair, stating his/her name and address.

The Chair shall recognize members of the public only after all Council members have been given an opportunity to be heard on the subject. Upon recognition by the Chair, members of the public may speak for a maximum of three (3) minutes. Written statements may also be filed with the City Clerk who shall distribute them to the Council at the earliest possible time.

2. Discussion of Motion

The Council member proposing a motion that has been duly seconded has the right to open the debate. Other members may then address the issue upon recognition by the Chair. Council members should strive to maintain reasonable time limits and to keep their discussion germane to the motion under consideration.

3. Call for the Question

Council members may indicate that they are ready for the vote by depressing the "call for question" button. When a majority of those members present have called for the question by pushing the button, the Chair may close the discussion and put the question to a vote.

4. City Manager and City Attorney

The City Manager and City Attorney may speak on any subject. They may answer questions raised by members of City Council or ask another officer to answer for them. All questions about the internal operation of the municipal corporation shall be directed to the City Manager.

5. Right of Appeal

Council members shall have the right to appeal from a decision of the Chair. The Chair will give its reasons for the decision and the injured party will defend his/her position. A majority of the Council will determine the matter.

D. Right to Speak Uninterrupted

A Council member duly recognized shall be allowed to speak on the topic under discussion and may be interrupted only if a point of order is raised. If the Council member is judged to be in order he/she may continue on the subject. If determined to be out of order, the Council member must change his/her remarks or surrender the right to continue speaking.

E. Recess

The Chair will, at intervals of approximately 1½ hours and following completion of a subject item, call for a recess.

F. Signs Not Allowed in Chambers

Signs, posters, and placards may be carried outside the Council's meeting room, but shall not be allowed within.

G. Use of Tobacco Prohibited at Council Meetings

The use of tobacco in any form shall not be allowed during the course of a City Council meeting regardless of location. This rule shall apply to all meetings of the Council.

III. Order of Business

A. Agenda Format

Each item of the agenda will have an abstract after the title when such an abstract is clearly indicated. The order of business shall be as follows:

1. Invocation
2. Pledge of Allegiance
3. Roll Call
4. Appearance of Citizens (See Note 1)
5. Proclamations and Public Recognitions
6. Special Reports
7. Consent Agenda (See Note 2)
8. Resolutions
9. Public Hearings and First Reading of Ordinances
10. Final Adoption of Ordinances
11. Elections/Appointments, Announcements and Scheduling
12. Council Requests for New Business Items or Future Briefings
13. Summary of Current Events
  - a. City Manager's Report
  - b. City Attorney's Report
14. Adjournment

Note 1: Appearance of Citizens: Citizens shall be permitted to address City Council about matters that are not on the formal agenda. For the city record, the City Clerk may require a sign up card for citizen appearances. Any citizen wishing to do so shall raise his/her hand and/or proceed to the public lectern and, after recognition by the Chair, state his/her name and address, and the purpose for his/her appearance before the Council. Comments shall generally be limited to three (3) minutes and shall relate to matters of City business. They shall not generally result in a formal response or action at the time of presentation because in most cases neither the Council nor the staff will be prepared to respond effectively; however, the Chair may answer questions or direct the City Manager to do so, or the City Manager may be requested to work with the citizen to effect resolution of the matter.

Statements that are purely political in nature will not be allowed, such as campaign speeches or announcements of candidacy for office, nor will announcements of a civic or social event that is unrelated to City business.

Note 2: Consent Agenda: Those items on the Council agenda which are considered routine by the City Manager – e.g., approval of minutes; certain standard form resolutions such as those extending the time for the oath of office; confirmation of certain appointments such as Council committees, the Oak Ridge Utility District, and the Youth Advisory Board; shall be listed on the Consent Agenda and, unless a member of Council has specifically requested that an item be removed therefrom and Council action taken separately, these items shall be approved, adopted, accepted, etc., by a single motion of the Council followed by a roll call vote.

B. Preparation of the Agenda

The agenda will be prepared by the City Manager.

1. Material for Agenda

All items for action shall be checked with the City Attorney for legality and with the administrative staff for adequacy where necessary.

2. Council Requests for New Business Items

The Mayor and City Council are urged to advise the City Manager of New Business Items prior to the posting of the agenda.

3. Emergency Items

Materials concerning emergency items shall be furnished Council members at the earliest time possible.

4. The Finished Agenda

The finished agenda with associated material for regular Council meetings will be available in an electronic medium by close of business the Wednesday prior to the meeting. An electronic copy of the agenda shall be made available to the news media at the same time, and shall be placed on the City's web site at the earliest possible time

IV. Motions

City Council generally adheres to Robert's Rules of Order.

A. Motion to Adjourn

A motion to adjourn is out of order prior to three (3) hours following commencement of the meeting if all items on the agenda have not been completed. An unqualified motion to adjourn shall not be debatable.

B. To Lay Question on the Table

A motion to lay on the table is not debatable and precludes amendments or debate of the subject under consideration. If the motion prevails, consideration of the matter tabled resumes only if a member of the majority voting in favor of the motion to table makes a motion to bring the matter off the table and it is seconded, and a majority of the members vote in favor of it.

C. Motion Asking for Previous Question

This motion is not debatable. When the previous question is called for there shall be no further amendments or debate and pending amendments shall be taken in their order before the main question.

D. To Postpone to Another Time

This motion is debatable and may be amended as to time.

E. To Refer to Committee or Individual

This is debatable.

F. Amendments

An amendment may be amended but further amendments are out of order. Any amendments must be germane to the original motion.

G. Motions to be Stated by the Chair

When debate is completed, the motion shall be restated by the Chair before voting.

H. Withdrawal of Motion

1. A motion may be withdrawn by the person making the motion with the consent of the person seconding the motion if debate has not begun.
2. A motion may be withdrawn after debate with consent of the majority of Council.

V. Officers and Committees of Council

A. Mayor

The Council, at its first regular meeting following a regular city election and after all newly-elected members have been duly qualified, shall elect one of its members Mayor for a term of two (2) years. Whenever a vacancy occurs in the office of the Mayor, the Council shall elect one of its members to serve until the time fixed herein for the regular election of Mayor. The Mayor shall preside at meetings of the Council, shall have a vote on all matters but no veto power, shall have the same right as any other Council member to speak on an issue, shall be the ceremonial head of the City, shall sign ordinances and resolutions on their final passage, shall sign deeds, bonds and contracts when authorized by the Council to do so, shall be the officer to accept process against the City, shall not have any regular administrative duties, and shall perform only such duties as shall be specifically conferred or required by law.

[Charter, Article II, Section 6]

B. Mayor Pro Tem

The Council shall choose one of its members Mayor pro tem who shall act in the temporary absence or disability of the Mayor.

[Charter, Article II, Section 7]

The Mayor pro tem shall be chosen immediately following the election of the Mayor.

### C. Committees

1. The Mayor or any member of Council, with the advice and consent of Council, may appoint committees whose membership may include persons not on Council. Officers of appointed committees shall be determined by appointed members of that committee unless City Council specifies otherwise.
2. Committees will be appointed to study specific matters. They shall be provided with a defined charge and a time limit shall be placed on the length of the study. The committee will make a report to the Council at a predetermined time. All committee reports upon which action is expected shall be in written form and copies shall be made available to each member of the Council. A committee shall cease to exist following acceptance of its report unless the Council takes action to extend its term for a defined period.
3. The affirmative vote of a majority of the members of Council then in office shall be required to make any authorized appointment or to remove such appointees.  
[Charter, Article II, Section 8]
4. Committee appointees shall be residents of the City unless otherwise specified by City Council.
5. There shall be no standing committee of the Council. [Charter, Article II, Section 8]
6. The City Clerk shall annually prepare for the Council a list of outstanding Council-appointed committees showing membership and status. It shall be the responsibility of the Mayor to recommend dissolution of committees or other appropriate action as indicated.

### D. Appointment of Members to Non-City Committees

The Mayor, with the advice and consent of Council, may appoint members to other established bodies, as desired or deemed necessary.

## VI. Expenses Incurred in the Conduct of Official Business

It shall be the policy of the Council to maintain the cost of all phases of Council operations at the most economical level consistent with satisfactory conduct of City affairs. To this end, City money shall be used to reimburse Council members and board, commission or committee members elected or appointed by the Mayor or City Council for expenses incurred in the conduct of City business. The City budget shall determine availability of funding for City reimbursed travel. While it shall be the policy of the Council to assume all reasonable costs associated with the conduct of such business, the following considerations shall be the basis for determining the reasonableness of such costs:

### A. Prior Approval or Notification

#### 1. City Council

Overnight travel shall be subject to prior approval or notification in the following manner:

- a. Submission of a request for approval at a Council meeting before the planned trip,  
or
- b. Distribution of advance notification in writing to all Council members.

The request for travel approval or advance notification shall contain an explanation of the purpose of the trip and the benefit to accrue to the City.

2. Members of Boards, Commissions, or Committees

Overnight travel shall be subject to budget and prior approval of the City Manager. The request for travel approval shall contain an explanation of the purpose of the trip and the benefit to accrue to the City.

B. Transportation

City vehicles may be used for transportation while on official City business unless consideration of time or distance would indicate that such use would be unreasonable. When other modes of travel are to be used, the City shall provide or pay for tickets for rail, air or bus transportation. When transportation tickets are secured by an individual, advantage must be taken of all tax exemptions allowed the City.

Cost of bus, taxi or limousine service from Oak Ridge to railway station or airport and return and at destination from airport, railway or bus terminal to hotel and return shall be an allowable expense. After reaching the hotel at destination, local transportation facilities shall be used, and costs of such use shall be borne by the City. Taxi fares will be allowed if justified on the basis of (1) unavailability of other means of transportation, (2) urgencies due to time schedules, (3) economical advantages to the City. The cost of rental car use may be assumed by the City when justified by the same considerations.

Use of personal automobiles for travel on City business shall be allowed with prior approval. Only the driver of a personal car shall be reimbursed for such travel, and reimbursement shall be at the rate established by the City Manager for all other officers and employees of the City or an amount not to exceed economy airfare, whichever is less expensive. Passengers in such automobile shall not be paid any transportation allowance for such travel. Storage or parking charges resulting from the authorized use of either City or private automobile shall be at the expense of the city. The total transportation expense to be borne by the City when a personal car is used for official travel shall not exceed the amount of expense incurred had commercial air transportation been used when such transportation is available.

C. Lodging

Actual cost of occupancy of hotel or motel room for the Council or Board member shall be at the expense of the City. When a room is occupied by more than one person and the additional occupants are not on official City business, then reimbursement for lodging will be made in the amount that would have been charged for single occupancy of the hotel or motel room.

D. Food

Actual cost of meals while conducting or traveling on City business is reimbursable; however, such costs shall be maintained at the most economical level possible. In lieu of submission of actual expenses for food, the maximum allowed for reimbursement shall be at the daily per diem rate established by the City Manager for all other officers and employees of the City. When traveling, the permissible food reimbursement shall be limited to the food reimbursement amount that would be given using the fastest method of transportation available. For example, when a slower method of transportation is used, such as vehicle travel instead of air travel, the permissible food reimbursement amount will be limited to the number of travel days had air travel been used.

E. Registration and Special Event Fees at Meetings and Conventions

Registration and special event fees shall be paid for in advance by the City whenever possible or if paid by the attendee, shall be reimbursable by the City.

F. Receipts

Routinely, all claims for expenses shall be accompanied by paid receipts. However, when traveling on City business, receipts are not required when the item is less than \$5 or the actual food charges are less than the daily rate established by the City Manager for all other officers or employees of the City.

G. Spousal Expense

All expenses for an accompanying spouse or guest shall be at the expense of the Council or Board member.

H. Advances

Advance payments for travel expenses can only be made to the provider (airline, hotel, conference provider, etc.), but the traveler may be reimbursed after the trip if direct payment to a provider was not made. [Tennessee Code Annotated §6-54-901-907]

I. Accounting

1. City Council

An accounting of travel expenses (Travel Expense Report) shall be filed with the City Clerk within ten (10) business days after completion of such travel at which time any money properly due the traveler shall be authorized for payment by the City. All such accounting shall be made over the signature of the person making the accounting and an accompanying statement that such accounting is true and accurate. This accounting of expenses shall be signed by the City Manager, and shall be processed in accordance with administrative regulations and made a part of the financial record of the City.

The City Clerk shall prepare an annual report enumerating the travel expenses of each Council member. Copies of the report shall be distributed to the Council.

2. Members of Boards, Commissions, or Committees

An accounting of travel expenses (Travel Expense Report) shall be filed with the City Manager within ten (10) business days after completion of such travel at which time any money properly due the traveler shall be authorized for payment by the City. All such accounting shall be made over the signature of the person making the accounting and an accompanying statement that such accounting is true and accurate. This accounting of expenses shall be signed by the City Manager, and shall be processed in accordance with administrative regulations and made a part of the financial record of the City.

VII. Amendments to Rules of Council

The rules of Council may be amended by a resolution adopted by a two-thirds vote of the entire membership of City Council. The resolution shall specify the effective date of the amended rules.

If an unusual occasion arises that a question is not specifically covered by the foregoing fundamental rules, the latest edition of Robert's Rules of Order will apply.

Adopted 1/10/2011

Resolution No. \_\_\_\_\_

Effective 1/10/2011

**FINANCE DEPARTMENT MEMORANDUM  
11-01**

DATE: December 30, 2010  
TO: Mark S. Watson, City Manager  
THROUGH: Steven W. Jenkins, Deputy City Manager  
FROM: Janice E. McGinnis, Finance Director  
SUBJECT: **Tax Equivalents**



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

The City Electric Fund's tax equivalent payment is calculated utilizing guidelines set forth in Sections 7-52-301 and 7-52-307 of the TCA and Section 2 – Terms and Conditions, Revision 1987, of the TVA contract. The tax equivalent is calculated utilizing the net asset value of the Electric System's physical plant (i.e. electric lines, land, traffic signals, street lights, vehicles and substations) on a cost basis and a three-year average of the system's operating revenues, excluding purchased power. The net asset value of the system's property is \$42,087,699 in the Anderson County portion of the City and \$6,699,623 in the Roane County portion of the City. Based on the calculations specified in Section 2 of the TVA contract, the tax equivalent payment from the Electric Fund operations for fiscal 2011 is \$1,700,337.

State law requires City Council to annually approve the amount of the Electric Fund's tax equivalent payments and to allocate 77.5% of the total tax equivalent to the City's General Fund, with the remaining 22.5% allocated to the county taxing jurisdictions. Computations in accordance with these formulas result in the following Electric Fund tax equivalent payments for fiscal 2011:

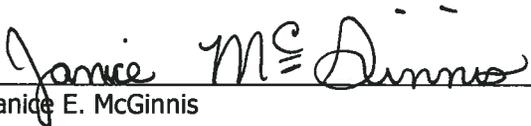
Portion to Oak Ridge General Fund (77.5%)	\$1,317,761
Portion to Counties (22.5%)	
distributed based on plant value:	
Anderson County	330,039
Roane County	<u>52,537</u>
Total Electric Fund Tax Equivalent	<u>\$1,700,337</u>

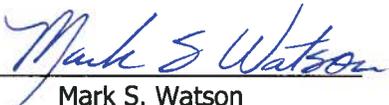
The Waterworks Fund disburses tax equivalent payments to the City's General Fund under authorization of TCA 7-34-115. The code provides for a maximum tax equivalent payment to the General Fund not to exceed the amount of taxes payable on privately owned property of a similar nature. The tax equivalent payment can be established at any level below that maximum amount. There is no provision for the Waterworks Fund's tax equivalent payment to be shared with the counties. Tennessee code does require City Council to annually approve the Waterworks Fund tax equivalent payment. This calculation is based on the net book value of waterworks fixed assets at the public utility assessment ratio of 55%, which equates to the assessed value, at the City's equalized property tax rate per \$100 of assessed value. Due to the recent property tax reappraisal, the appraisal ratio is currently 100%. The amount of the tax equivalent payment will fluctuate each year based on the value of new assets added versus depreciation and changes in the appraisal ratio. The amount of tax equivalent on the waterworks system comparable to that of a private enterprise for fiscal 2011 is \$1,117,075.

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

The Waterworks Fund's payment to the General Fund for fiscal 2011 will be \$1,367,520, which is the total of these two charges.

Staff recommends approval of the attached resolution.

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

<p>City Manager's Comments:</p> <p>I have reviewed the above issue and recommend council action as outlined in this document.</p> <p> _____ Mark S. Watson</p> <p> _____ Date</p>
--

**RESOLUTION**

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

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

WHEREAS, the City Council of the City of Oak Ridge now desires to establish such payment for the fiscal year ending June 30, 2011, and accordingly authorize its distribution between the City and Anderson and Roane Counties, in accordance with State law.

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

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

<u>Electric Fund</u>	
City of Oak Ridge	\$1,317,761
Anderson County	330,039
Roane County	52,537

<u>Waterworks Fund</u>	
City of Oak Ridge	\$1,367,520

This the 10th day of January 2011.

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**GOVERNMENT AND PUBLIC AFFAIRS MEMORANDUM**  
**11-01**

DATE: January 2, 2011

TO: Mark S. Watson  
City Manager

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

SUBJECT: 2011 State and Federal Agenda

An item for the January 10<sup>th</sup> City Council agenda is the approval of the City's *2011 State and Federal Agenda*. The draft agenda is attached for your review, and incorporates changes that were discussed at the December 13<sup>th</sup> meeting of City Council.

Each year the City develops a list of projects, policies and priorities that are submitted to our representatives in the Tennessee General Assembly and our Tennessee Congressional delegation to assist them in advocating on behalf of the City of Oak Ridge.

The draft was developed with an emphasis on current City initiatives, Council and staff input, and a review of agendas of other key organizations. In addition, staff worked with the city's state and federal legislative consultants, seeking to match city projects with potential funding opportunities.

While the agenda is intended to be comprehensive, issues may arise that require further action during the course of the year. Once approved, the agenda will be printed and distributed to the appropriate officials.

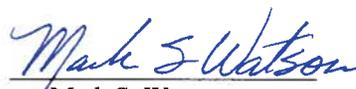
Staff recommends approval of the resolution.

  
\_\_\_\_\_

Attachments

**City Manager's Comments:**

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

  
\_\_\_\_\_  
Mark S. Watson      1/4/11  
Date

Number \_\_\_\_\_

**RESOLUTION**

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

WHEREAS, the City Manager recommends the approval of the *City of Oak Ridge 2011 State and Federal Agenda* to inform state and federal officials of key projects, policies, and priorities in the city of Oak Ridge, and to; and to help secure funding for agreed upon priorities of the community; and

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

WHEREAS, while the *City of Oak Ridge 2011 State and Federal Agenda* in intended to be comprehensive, issues may arise during the course of the year that require further action.

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

That the recommendation of the City Manager is approved, and the attached *City of Oak Ridge 2011 State and Federal Agenda* is hereby adopted to inform state and federal officials of key projects, policies, and priorities in the city of Oak Ridge, and to help secure funding for agreed upon priorities of the community.

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

BE IT FURTHER RESOLVED that the *City of Oak Ridge 2011 State and Federal Agenda* be transmitted to members of the Tennessee General Assembly and the Tennessee Congressional Delegation as the official 2011 state and federal agenda for the City of Oak Ridge.

This the 10<sup>th</sup> day of January 2011.

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**CITY OF OAK RIDGE**  
**2011 STATE AND FEDERAL AGENDA**

## City of Oak Ridge, Tennessee FY 2012 (Calendar 2011) State Agenda

Project/Issue	Responsible Agency/Organization	Benefits/Action Needed
Edgemoor Road (SR 170) improvements—(Exclusive of Bridge)	Tennessee Department of Transportation (TDOT)	Need to widen and improve highway. With the cancellation of the Knoxville beltway project, congestion along this major thoroughfare will continue to worsen, with additional traffic load. Benefits include: improve safety, significant congestion mitigation, improved access to major employment sectors, enhance commercial development.
Penalties and Fees for DOE Non-Compliance Should Restore Oak Ridge	Tennessee Department of Environment and Conservation in conjunction with DOE and EPA	Need to modify Federal Facility Agreement to require local involvement and that penalties, fees, and mitigation associated with CERCLA activities in the City of Oak Ridge—both current and future--be invested in environmental restoration in the City of Oak Ridge. Current requirements penalize the City of Oak Ridge.
Add City of Oak Ridge as Voting Member to the Knoxville Transportation Planning Office (TPO)	General assembly and/or TDOT	The City participates in the Rural Planning Organization despite hosting major employment centers whose commuters congest Oak Ridge roadways. Need to recognize central role that Oak Ridge plays in within the metropolitan area, with a high daytime population for purposes of participating in TPO. State needs to add Oak Ridge to the Knoxville TPO, making the city eligible for funding through its participation.
Oak Ridge General Aviation Airport	Tennessee Department of Transportation (TDOT) Aeronautics Division	Comprehensive use planning for development of a general aviation airport at K-25/EFTP.
Vacant Blighted Properties	General Assembly	Local governments in the greater Knoxville region and across the state experience significant problems associated with vacant, blighted properties. Local

**City of Oak Ridge, Tennessee  
FY 2012 (Calendar 2011) State Agenda**

<b>Project/Issue</b>	<b>Responsible Agency/Organization</b>	<b>Benefits/Action Needed</b>
		governments need assistance in developing solutions that return these properties to beneficial reuse. Dealing with these properties would benefit Oak Ridge by protecting property values, reducing crime, and improving neighborhoods.
Oak Ridge Energy Corridor Project	Tennessee Department of Transportation (TDOT)	Assistance with comprehensive transportation and redevelopment planning to create framework for implementation
Economic Development Incentives	General Assembly and Tennessee Department of Economic and Community Development	Maintain the Economic Development Grant, Loan, and Incentive Programs that support economic diversification for the City of Oak Ridge, including "Fast Track" job assistance training and infrastructure programs
Completion of SR 95/58 improvements	Tennessee Department of Transportation (TDOT)	Maintain Funding to complete final phase of project, anticipated in May 2012. Enhances public safety and development of major thoroughfare in city's West End.
Funding for Oak Ridge School System	General Assembly and Tennessee Department of Education	Fully fund Basic Education Program (BEP) with local capacity model that recognizes the Oak Ridge community's investment in education. Provide funding to implement the Tennessee Diploma Project and Race to the Top requirements. Educational system is a key attraction for the City of Oak Ridge
Recognize Local Decision Making Authority	General Assembly	Eliminate unfunded mandates and mandates that impose non-discretionary requirements on local governments

City of Oak Ridge, Tennessee  
 FY 2012 (Calendar 2011) Federal Agenda

Appropriations/Grants

Project Name	Description	Need	Primary Funding Source
Oak Ridge Energy Corridor Project	Assistance with comprehensive transportation and redevelopment planning to create framework for implementation	TBD	<ul style="list-style-type: none"> <li>• Department of Transportation, TIGER II</li> <li>• Department of Housing and Urban Development, (HUD) Community Challenge Grant Program</li> <li>• Discretionary funding from DOE's Oak Ridge offices (and HQ offices with presence in Oak Ridge)</li> <li>• Reauthorization of SAFETEA-LU</li> </ul>
Community Development	Housing Initiatives for Highland View Neighborhood	TBD	<ul style="list-style-type: none"> <li>• HUD's, Neighborhood Initiatives account</li> <li>• HUD's Neighborhood Stabilization Program Round IV</li> <li>• HUD's Choice Neighborhoods Program</li> <li>• Additional resources for Oak Ridge Housing Authority for redevelopment of units under its authority</li> <li>• Engagement with HUD's College of Experts to access cutting edge community-wide solutions</li> <li>• Engagement with White House Office of Faith-based and Neighborhood Partnerships for program modeling</li> </ul>
Anti-Crime Initiative	Focused anti-crime strategy	TBD	<ul style="list-style-type: none"> <li>• Department of Justice, COPS Hiring Program</li> <li>• Department of Justice, COPS Technology Program</li> <li>• Department of Justice, Secure Our Schools Program</li> <li>• Department of Justice, Second Chance Program (Adult and Juvenile)</li> <li>• Department of Justice, Project Safe Neighborhoods</li> </ul>

**City of Oak Ridge, Tennessee  
FY 2012 (Calendar 2011) Federal Agenda**

**Appropriations/Grants**

<b>Project Name</b>	<b>Description</b>	<b>Need</b>	<b>Primary Funding Source</b>
Oak Ridge General Aviation Airport	Comprehensive use planning for development of a general aviation airport at K-25/ETTP	TBD	<ul style="list-style-type: none"> <li>Federal Aviation Administration, Airport Improvement Program</li> </ul>
Public Safety Training	Investments in Information Technology Infrastructure to facilitate multisite training of Police, Fire, and EMS	TBD	<ul style="list-style-type: none"> <li>FEMA's Assistance to Fire Fighters Grant Program</li> <li>FEMA's Fire Prevention and Safety Grant Program</li> </ul>
Economic Development Planning	Enhance Oak Ridge's marketability to major employers. Recruit, incentivize, and retain quality retail commercial businesses.	TBD	<ul style="list-style-type: none"> <li>Economic Development Administration, Planning and Technical Assistance Program</li> </ul>
Community Infrastructure	Wastewater and sewer needs for increased commercial and residential development	TBD	<ul style="list-style-type: none"> <li>Funding from Army Corps of Engineers under 2007 WRDA Authorization for wastewater infrastructure</li> <li>U.S. Environmental Protection Agency, State and Tribal Assistance Grants (STAG) discretionary grants</li> <li>Alignment of implementation schedule set by EPA for sewer discharges with City resources</li> </ul>
Region-wide Security	Enhance regional security planning and implementation to protect the DOE's Oak Ridge Complex. Address vulnerabilities presented by City's role in protecting infrastructure		<ul style="list-style-type: none"> <li>Investments in securing City facilities, with priority on Municipal Building</li> <li>Structured commitment to collaborate between DOE's security apparatus and protocols and City's Police, Fire, and Public Safety Departments</li> </ul>
Climate Action Plan	Resources to implement recommendations and targets for Oak Ridge Climate Action Plan	TBD	<ul style="list-style-type: none"> <li>U.S. Department of Energy, Energy Efficiency Community Block Grant Competitive Program</li> </ul>

City of Oak Ridge, Tennessee  
 FY 2012 (Calendar 2011) Federal Agenda

Department of Energy Issues

Project/Issue	Program Office Within DOE Complex	Benefits/Action Needed
Rebuild Water/Wastewater Infrastructure to Support City Compliance with EPA Administrative Order	Environmental Management (EM) and NNSA	The City of Oak Ridge is under an EPA Administrative Order to correct violations of the Clean Water Act for inflow and infiltration. Because DOE is the City's largest customer, DOE needs to budget and set aside funding to repair its systems on the Oak Ridge Reservation.
Uranium Processing Facility (UPF)	NNSA	Need to complete design work and fund construction. Benefits include: significant risk reduction to workforce and community; enhances Y-12 efficiencies, reduces long-term costs. Supports Y-12 as Center of Excellence for HEU.
Command Control Center (CCC)	NNSA	Need to construct this emergency operations facility as an alternate financed building at Y-12. Benefits include: significant risk reduction to the city and Y-12 workforce; construction performed faster and more cost effectively.
Finish Cleanup of the Oak Ridge Reservation	Environmental Management (EM) lead office, with support from Office of Science and NNSA	Need to Increase and stabilize funding to accelerate and finish the cleanup job. Need cleanup solutions that minimize risk to Oak Ridge and avoid long-term institutional controls that stigmatize community. Benefits include: risk reduction to nearby population, reduction in life cycle costs, enhanced safety for workers, retention of environmental professionals; supports regional economic diversification, facilitates Y-12 and ORNL modernization, reduces stigma associated with environmental legacy

**City of Oak Ridge, Tennessee  
FY 2012 (Calendar 2011) Federal Agenda**

**Department of Energy Issues**

<b>Project/Issue</b>	<b>Program Office Within DOE Complex</b>	<b>Benefits/Action Needed</b>
Small Modular Reactor (SMR)	Science and Nuclear Energy	Support the development of NRC-licensed SMRs; support partnerships with TVA. Benefits include: demonstration of new generation of nuclear reactors; reduction in environmental emissions; potential power source for City of Oak Ridge.
Manhattan Project National Park	DOE in conjunction with National Park Service (NPS)	Support the "Three Site, One Park" Concept to Establish a National Park Designation for the Manhattan Project at Oak Ridge, Hanford and Los Alamos. Legislation needed once NPS report presented to Congress.
Conversion/Extension of Contract with Fire Department	Environmental Management	Allows city to provide more efficient service delivery to the federal government, business community and citizens. Facilitates long-term planning and resource allocation. Need to sustain or enhance current funding levels in order to maintain services currently provided.
Penalties and Fees for Non-Compliance Should Restore Oak Ridge	Environmental Management in conjunction with EPA and State of TN	Need to modify Federal Facility Agreement to require that penalties, fees, and mitigation associated with CERCLA activities in the City of Oak Ridge be invested in environmental restoration in the City of Oak Ridge. Current requirements penalize the City of Oak Ridge.
Coalition of Oak Ridge Retired Employees (CORRE)	DOE and NNSA	Contractor employees retiring before 2001 would have pensions adjusted to restore 75% of the lost purchasing power of the original pension; period adjustments would enhance quality of life of Oak Ridge citizens.
Contract Renewals and Rebids	DOE and NNSA	Incentivize contractors to invest in Oak Ridge community. Benefits include live where you work, expansion of local tax base to support municipal services, quality of life, and enhance economic diversification

RECREATION AND PARKS MEMORANDUM  
10-12

DATE: December 23, 2010  
TO: Mark S. Watson, City Manager  
FROM: Josh Collins, Recreation and Parks Director  
SUBJECT: ARTS COUNCIL CONTRACT FOR THE SECRET CITY FESTIVAL

The accompanying Resolution awards a contract to the Arts Council of Oak Ridge to provide professional services and activity support for the Secret City Festival and authorizes the reimbursement of actual costs incurred in an amount not to exceed \$150,000.

The proposed award will allow the City to contract with the Arts Council of Oak Ridge to provide entertainment, production support, activities and programs for the Secret City Festival and reimburses the organization for actual costs incurred. These costs are already included in the Secret City Festival 2011 Budget. Funding for this reimbursement will come from sponsor donations, ticket sales and event vendor booth fees. Currently, the Arts Council joins the Oak Ridge Convention and Visitor's Bureau and the City of Oak Ridge as presenters of the festival. The Arts Council schedules and manages the entertainment and production setup for the two-day event. The contract will designate certain responsibilities to the Arts Council and provide them with the flexibility to secure the services of professional artists and performers in a timely fashion. Under this contract, the Arts Council of Oak Ridge will be able to expedite the process of contacting, negotiating, contracting and accommodating the festival entertainers and service providers. In addition to providing a more flexible process, the contract will reduce staff time spent on securing services, preparing contracts and processing individual invoices for performers.

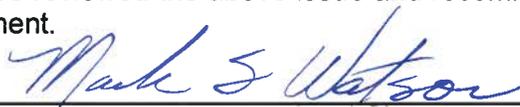
With the planning effort for the 2011 festival well underway, securing the Friday and Saturday night entertainment within the next few weeks is essential. The Arts Council has already started the process and hopes to have arrangements finalized by late January. The Secret City Festival Executive Committee will continue its role of directing and managing the festival and will rely heavily on the Arts Council for its expertise in entertainment.

Staff recommends approval of the accompanying Resolution as submitted. Funding for this contract and the reimbursement of actual costs incurred will be provided from sponsor donations, booth fees and ticket sales.

Attachment

City Manager's Comments:

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

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

12-23-10  
Date

NUMBER \_\_\_\_\_

**RESOLUTION**

WHEREAS, the City of Oak Ridge has a need for professional services to provide entertainment, production support, activities, and programs related to the upcoming 2011 Secret City Festival; and

WHEREAS, the Arts Council of Oak Ridge has been providing such services in the past to the satisfaction of the City; and

WHEREAS, the City and the Arts Council of Oak Ridge desire to enter into an agreement to provide such services for the upcoming 2011 Secret City Festival, which agreement the City Manager recommends be accepted.

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

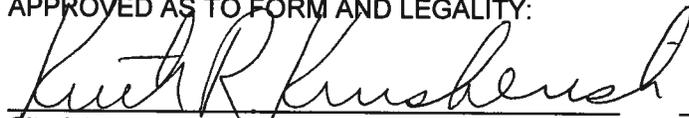
That the recommendation of the City Manager is approved and a Professional Services Agreement between the City of Oak Ridge and the Arts Council of Oak Ridge, P.O. Box 4324, Oak Ridge, Tennessee 37831, to provide entertainment, production support, activities, and programs related to the upcoming 2011 Secret City Festival is hereby approved; said agreement in an amount not to exceed \$150,000.

BE IT FURTHER RESOLVED that this agreement is for reimbursement of actual costs incurred and the funding will be provided from sponsor donations, booth fees and ticket sales.

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

This the 10th day of January 2011.

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_

City Attorney

\_\_\_\_\_

Mayor

\_\_\_\_\_

City Clerk

CITY COUNCIL MEMORANDUM  
11-07

DATE: January 4, 2011  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: ROANE STATE COMMUNITY COLLEGE

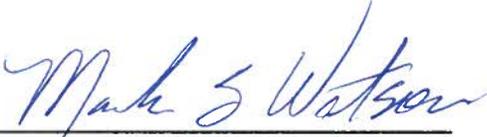
On May 18, 2009, the City Council adopted Resolution 5-42-09 supporting an application for capital facilities by Roane State Community College. As part of federal ARRA funding, an allocation was made by the State of Tennessee for facility needs throughout the state's community college system.

The City of Oak Ridge, along with Anderson County, pledged \$500,000 each as part of the local support for this endeavor. The City of Oak Ridge agreed to provide its funding through three equal annual payments contingent upon receipt of the grant by June 30, 2012. Since the award announcement on November 30, 2010, the City Manager has been in discussions with the college regarding its needs and process associated with the local match to be used along with the awarded \$9 million grant. Please recall that the original amount of the anticipated grant was \$20 million, but was reduced when the State of Tennessee capped the total amount of grant possible from the original limits. This has necessitated a "downsizing" of the original 63,000-square-foot project. The project will be coordinated by the State of Tennessee.

Roane State Community College has requested that City change the requirements of Resolution 5-42-09 and make payment of the local match sooner. Roane State Community College will need to send its full local match to the State of Tennessee in September 2011 prior to the bidding of the project.

The City Manager advises that it was the intent of the City to utilize savings from the refinancing of existing bonds scheduled for this April to provide for this commitment. Debt can be structured to take advantage of the savings up front. Roane State Community College has agreed for receipt of \$250,000 prior to September 2011 and would receive the next \$250,000 by May 1, 2012. This will allow the City of Oak Ridge to accommodate this request through its FY 2011-2012 budgeting process.

The City Manager recommends the adoption of this approach with the adoption of a new Resolution, which is attached.

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

Attachments

**RESOLUTION**

WHEREAS, Roane State Community College (Roane State) has proposed a \$25 million expansion of the Oak Ridge campus; and

WHEREAS, Roane State intends to request \$20 million in funding from the State of Tennessee for the proposed expansion, with the understanding that Roane State will need to raise \$4.2 million in contributions for this project; and

WHEREAS, on September 22, 2008, City Council received for the record a communication from Dr. Gary Goff, President of Roane State, requesting a contribution of \$500,000.00 from the City for this project; and

WHEREAS, at a special called meeting held on October 6, 2008, Council considered a resolution granting the request of Dr. Gary Goff, President of Roane State Community College, for the City of Oak Ridge to contribute \$500,000.00 to assist in the expansion of Roane State's Oak Ridge campus; however, City Council postponed the resolution indefinitely and referred the issue to the Budget and Finance Committee for review, thereby giving the requester, City staff, and City Council more time to get data and plan the financial details between the City and Roane State more thoroughly; and

WHEREAS, at the direction of City Council, City Staff analyzed funding alternatives and their impact should City Council approve Roane State's request for \$500,000.00; and

WHEREAS, at its May 4, 2009 meeting, City Council advised the City Manager that it was prepared to reconsider a resolution approving the Roane State request at its May 18, 2009 meeting; and

WHEREAS, after considering the request of Roane State and City Staff's analysis, City Council has determined it is in the City's best interests to approve the request.

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

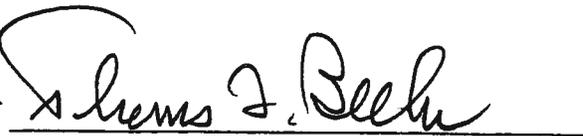
That the request of Dr. Gary Goff, President of Roane State Community College, for the City of Oak Ridge to contribute \$500,000.00 to assist in the expansion of Roane State's Oak Ridge campus is hereby granted upon the following conditions:

- The City's contribution is contingent upon Roane State receiving \$20 million in grant funding from the State of Tennessee by June 30, 2012 for the proposed expansion of the Oak Ridge campus; and
- The City's contribution will be paid, provided all conditions are met, in three equal installments over a three-year period, with each payment being made approximately twelve months apart, the first payment to be made in July 2012.

This the 18th day of May 2009.

APPROVED AS TO FORM AND LEGALITY:

  
City Attorney

  
Mayor

  
City Clerk



701 Briarcliff Avenue, Oak Ridge, TN 37830  
(865) 481-2000 Fax (865) 481-2018  
www.roanestate.edu

January 4, 2011

Mayor Tom Beehan and the Oak Ridge City Council  
P.O. Box 1  
Oak Ridge, TN 37830

Dear Mayor Beehan and City Council Members:

In May 2009 the Oak Ridge City Council passed a resolution to support the expansion of the Roane State Oak Ridge Branch Campus in the amount of \$500,000. Since this resolution passed, the State of Tennessee received approximately \$86 million in stimulus funds to help with capital projects for community colleges. The Tennessee Board of Regents offered matching funds of \$9 million to Roane State, the maximum match available to a community college. Combined with the \$2.5 million the college raised thanks to the generous support of the City of Oak Ridge, Anderson County and the Oak Ridge community, Roane State is ready to move forward with adding a much-needed \$11.5 million, 43,000-square-foot building on the Oak Ridge campus. Roane State was one of only five community colleges recommended to receive the maximum match of \$9 million and was among 11 community colleges recommended to receive matching funds for capital projects.

The Tennessee State Building Commission is scheduled to appoint an architect for the project in late January and the building design should be completed by late summer 2011. Bids for the project should go out in September and construction could begin as early as fall 2011. Construction should take approximately two years. The college should be able to begin offering classes in the new building as early as January 2014.

Roane State Community College must have all of the pledges and cash in hand by September 2011. At that time all funds will be turned over to the Tennessee Board of Regents so that bids can be posted and construction can begin. With this requirement, Roane State Community College respectfully requests:

- The City of Oak Ridge honor their \$500,000 pledge and the State of Tennessee's match to the project will be \$9 million; and
- The City's contribution will be paid in two installments – the first \$250,000 by September 2011 and the second \$250,000 by September 2012.

Your investment in this facility will help Roane State put more dollars in the City's tax base since, on average, 80 percent of our graduates continue to live and work in the area. Together, we can build a better educated workforce and improve the quality of life for the entire Oak Ridge community. We are deeply appreciative all that you do for Roane State and look forward to celebrating the expansion the Oak Ridge campus which now serves almost 2,600 students each semester.

Very Respectfully,

Handwritten signature of Gary Goff in cursive script.

Gary Goff, Ed.D.  
President

Handwritten signature of Melinda Hillman in cursive script.

Melinda Hillman  
VP Oak Ridge Campus

**RESOLUTION**

WHEREAS, by Resolution 5-42-09, City Council authorized a \$500,000.00 conditional contribution to Roane State Community College (Roane State) to assist in the expansion of Roane State's Oak Ridge campus; and

WHEREAS, the contribution was contingent upon Roane State receiving \$20 million in grant funding from the State of Tennessee by June 30, 2012 for the proposed expansion; and

WHEREAS, once the condition was met, the City's contribution would be paid in three equal installments over a three-year period, with each payment being made approximately twelve months apart, with the first payment to be made in July 2012; and

WHEREAS, Roane State received \$9 million in grant funding from the State of Tennessee for the proposed expansion, which has resulted in a "downsizing" of the original 63,000 square foot project to a 43,000 square foot project; and

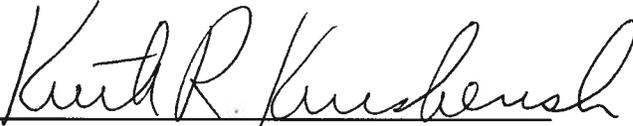
WHEREAS, Dr. Gary Goff, President of Roane State Community College, has requested the City to honor the \$500,000.00 pledge and provide payment in two equal installments payable in September 2011 and September 2012.

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

That Resolution 5-42-09 is hereby amended to delete the listed conditions for the City's \$500,000.00 contribution to Roane State Community College for the expansion of the Oak Ridge campus and the City's \$500,000.00 contribution will be paid in two equal installments payable in September 2011 and September 2012.

This the 10th day of January 2011.

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM  
10-106**

DATE: December 20, 2010

TO: Mark S. Watson, City Manager

THROUGH: Kathryn Baldwin, Community Development Director



FROM: Kahla Gentry, Senior Planner 

**SUBJECT: REZONING; PARCEL 1.01, MAP 100B, GROUP B AND A 30-FOOT WIDE PERIMETER STRIP AROUND PARCELS 3.00 & 4.00, MAP 100B, GROUP B ON FAIRBANKS ROAD.**

An item for the City Council agenda is a request to rezone the parcel behind 601 Oak Ridge Turnpike (NucSafe office location) from UB-2, Unified General Business to B-2, General Business. Also requested is rezoning a 30-foot wide perimeter strip around the Fairbanks Plaza parcels from RG-1, Residential, Open Space and Reserved, to B-2 General Business. R&R Enterprises owns the property proposed for rezoning. The rezoning request is made in order to unify the zoning of the subject property. At their regular meeting on December 16, 2010, the Planning Commission voted 7-0 to recommend approval of the requested rezoning.

The requested rezoning is related to the abandonment of the S. Florida Avenue right-of-way and the resulting resubdivision of property to remove the right-of-way and combine the parcels that were formerly divided by the right-of-way. The Fairbanks Plaza property on the east side of the former right-of-way is zoned B-2, General Business, except for a 30-foot wide perimeter zoned RG-1.

The parcel on the west side of the former S. Florida Avenue right-of-way, behind the NucSafe offices located at 601 Oak Ridge Turnpike is currently zoned UB-2, General Business. Along the southern boundary of the parcel is a portion of the Ernie's Creek floodway and flood fringe. No development can occur within the floodway. This parcel will be combined with the Fairbanks Plaza property, that is primarily zoned B-2, General Business, with the removal of the S. Florida Avenue right-of-way.

Without any action to change zoning, the new parcel being created by the abandonment of the S. Florida Avenue right-of-way would be zoned three ways, B-2, UB-2 and RG-1. The requested rezoning will unify the zoning into one district, B-2, General Business. The requested rezoning will not require any amendment to the Land Use Plan, which designates the subject property as B, General Business. The property proposed for rezoning is located near the intersection of Fairbanks Road, an arterial road, and the Oak Ridge Turnpike. The area is commercial in character with property located north, east and west zoned B-2, General Business, with the exception of the NucSafe office building, which is zoned UB-2 General Business. South of the subject property is Jefferson Middle School, which is buffered from the commercial development along the Turnpike and Fairbanks Road by a Greenbelt area.

Staff recommends approval of the requested rezoning finding the proposed B-2 zoning in compliance with the Land Use Plan, contiguous to other property zoned B-2, and finding the subject property located in an established commercial area, primarily zoned B-2, General Business. In addition, the proposed rezoning will unify the zoning of the Fairbanks Plaza property.

**City Manager's Comments:**

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

  
Mark S. Watson, City Manager      12-23-10  
Date

## Staff Review of Rezoning Request

**Location & Approximate Area:** Located on Fairbanks Avenue and S. Florida Avenue (right-of-way being abandoned) Parcel 585.07, Block 18CG or Tax Map No. 100B, Group B, Parcel 1.01, approx 2.518 acres; portion of Parcel 506 and 516, Block 18CH or Tax Map No. 100B, Group B, Parcels 3.00 and 4.00. Area to be rezoned is a 30-foot wide perimeter strip.

**Date:** December 1, 2010

**Owner:** R&R Enterprises  
575 Oak Ridge Turnpike  
Oak Ridge, TN 37830

**Request Rezoning:**

Rezone Parcel 1.01, Control Map 100B, Group B, approx. 2.518 acres from UB-2, Unified General Business to B-2, General Business. Portion of Parcel is within Flood Fringe and Floodway for Ernie's Creek.

Rezone 30-foot wide strip surrounding Parcels 3.00 & 4.00, Control Map 100 B, Group B from RG-1, Residential, Open Space and Reserved to B-2, General Business.

**Site Characteristics:**

Parcel 100B B 1.01 is vacant and undeveloped. It is located behind NucSafe, 601 Oak Ridge Turnpike. Most of the parcel is wooded with some cleared area on the north side. Ernie's Creek runs through the property along the southern boundary and there is Floodway and Flood Fringe area on the property related to Ernie's Creek.

The 30-foot wide perimeter strip around Parcels 3.00 and 4.00, Map 100B, Group B is part of the commercially developed Fairbanks Plaza. There are four multi-tenant commercial buildings on the property.

**Adjacent Land Uses & Zoning:**

North: Office buildings zoned UB-2 and B-2, with partial P, Parking and UB-2 strip along Oak Ridge Turnpike.  
West: Home Depot zoned B-2  
South: Natural area zoned G, Greenbelt  
East: C&D Tire, office building zoned B-2 with RG-1 strip along Fairbanks Road.

**Previous Rezoning Requests:** September 1969 – Parcels 3.00 and 4.00 rezoned from IND-Industrial to B-2 with a 30-foot strip on all four sides rezoned to G, Greenbelt (Greenbelt changed to RG-1 by City in January 1978).

January 2004 - Parcel 1.01 rezoned from IND-1 to UB-2

**Background:**

**Purpose:** The properties are being combined as a result of abandoning the S. Florida Avenue right-of-way. The owner is requesting the rezoning in order to unify the zoning of the subject property instead of having multiple zoning districts.

**Conformity with 1988 Comprehensive Plan:**

a. Land Use Plan: The Land Use Plan designates the area proposed for rezoning as B, General Business.

b. Applicable Policies:

Policy L-7: To the extent possible, commercial development which is located along Oak Ridge's arterial streets will be in unified centers with shared access to those roadways.

Policy L-8: The City will promote the location of intensively-designed retail, service, office, hotel, multiple-family residential, and civic activities in the Turnpike-Illinois-Rutgers vicinity and in the Jackson Square - Jackson Plaza vicinity while allowing appropriately located and designed neighborhood shopping centers.

Policy L-11: The City will locate new industrial and office areas and enforce site design standards to ensure that residential neighborhoods are protected from the adverse effects of those activities.

Policy L-20: The City will continue to protect and preserve the functional and aesthetic features of its floodplains, drainage ways, and river shorelines.

**Analysis:**

The following criteria were used to evaluate the rezoning request.

- 1) **Is the proposed zoning district consistent with the City's Comprehensive Plan?**  
The proposed zoning district is consistent with the General Business land use designation and general policies within the Comprehensive Plan as listed above.
- 2) **Are there substantial changes in the character of development in or near the area under consideration that support the proposed rezoning.**  
The area has been commercially developed for many years with no substantial changes in the character of the area. The most recent development has been the C&D Tire store on the east side of the property. The proposed zoning is consistent with the established zoning and uses in the area.
- 3) **Is the character of the area suitable for the uses permitted in the proposed zoning district and is the proposed zoning district compatible with surrounding zoning and uses?**  
Yes. This is an established commercial area fronting on an arterial road near an intersection with the Oak Ridge Turnpike(SR 95).

**4) Will the proposed rezoning create an isolated district unrelated to adjacent and nearby districts?**

No, the requested zoning district is B-2. Properties located north, east and west of the subject properties are also zoned B-2.

**5) Are public facilities and services adequate to accommodate the proposed zoning district?**

Public utilities and road capacity are adequate.

**6) Would the requested rezoning have environmental impacts?**

The largest area proposed for rezoning, Parcel 1.01, approximately 2.5 acres, already has a commercial zoning designation, UB-2. Changing the zoning from UB-2 to B-2 will have little, if any effect on the environmental impact of potential development. The area zoned RG-1 proposed for B-2 zoning has already been incorporated into the Fairbanks Plaza development. Rezoning to B-2 is not seen as having any environmental impact.

**Neighborhood Position:** No comments have been received as of December 20, 2010

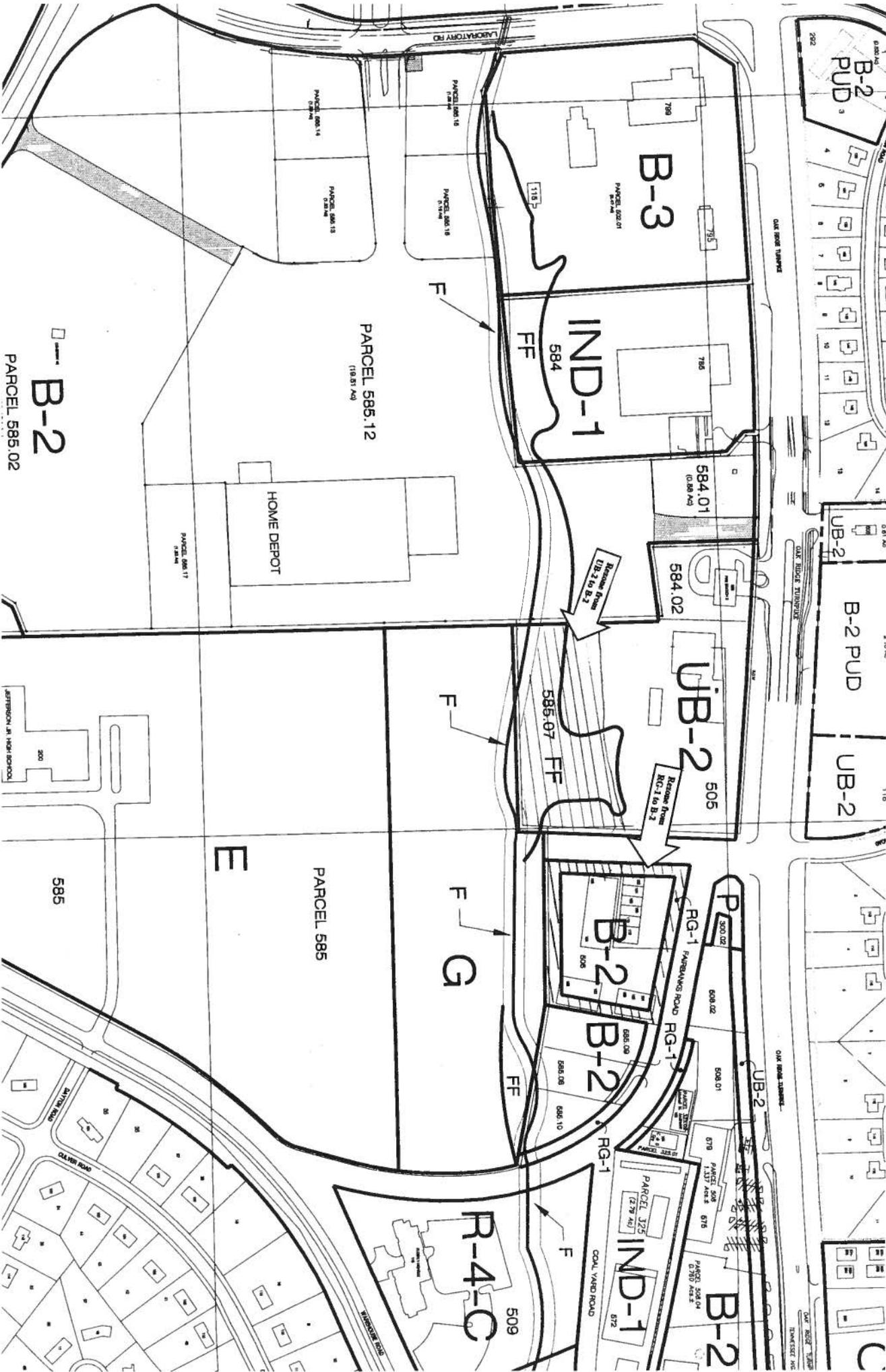
**Landscaping/Buffering requirements:** If new construction takes place, at least 20% of the site must remain in green space. A landscaped area between the parking lot and the front lot lines is required. No grading or development is permitted within the Floodway. The minimum floor elevation for a building on Parcel 1.01 is one foot above base flood elevation.

**Notification of Property Owners Within 200':** December 2, 2010

**Rezoning signs posted:** December 2, 2010

**Conclusion and Planning Staff Recommendation:** Staff recommends approval of the rezoning request. The requested rezoning will unify the zoning of the property owned by R&R Enterprises that is being combined into two parcels with the removal of the S. Florida Avenue right-of-way. The rezoning is compatible with existing zoning and uses in the area and is consistent with the City's Land Use Plan.

**Planning Commission Recommendation: December 16, 2010:** Recommended approving the requested rezoning by a vote of 7-0.



PARCEL 585.02  
B-2

PARCEL 585  
E

585

PARCEL 509  
R-4-C

509

PARCEL 506  
IND-1

506

PARCEL 508  
B-2

508

PARCEL 507  
B-2

507

PARCEL 505  
UB-2

505

PARCEL 584.01  
IND-1

584.01

PARCEL 584.02  
UB-2

584.02

PARCEL 756  
IND-1

756

PARCEL 755  
B-3

755

PARCEL 754  
B-3

754

LABORATORY RD

OAK RIDGE TURNPIKE

PARKWAY ROAD

COAL YARD ROAD

CLYDE ROAD

JEFFERSON JR HIGH SCHOOL

HOME DEPOT

Relocation from UB-2 to B-2

Relocation from RG-1 to B-2

200

110

0.820 AC

**TITLE**

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 1.01, MAP 100B, GROUP B, FROM UB-2, UNIFIED GENERAL BUSINESS TO B-2, GENERAL BUSINESS, AND A THIRTY-FOOT WIDE STRIP SURROUNDING PARCELS 3.00 AND 4.00, MAP 100B, GROUP B, FROM RG-1, RESIDENTIAL, OPEN SPACE AND RESERVED TO B-2, GENERAL BUSINESS.

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

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

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

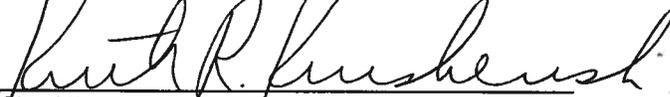
Section 1. The district boundaries of the zoning map attached to and made a part of Ordinance No. 2, as amended, are revised in the following particulars:

<u>Property Description</u>	<u>Location</u>	<u>Present Zoning District</u>	<u>New Zoning District</u>
Parcel 1.01, Map 100B, Group B (approx. 2.518 acres)	Behind 601 Oak Ridge Turnpike	UB-2, Unified General Business	B-2, General Business
Parcels 3.00 and 4.00, Map 100B, Group B	Fairbanks Avenue near the intersection with the Oak Ridge Turnpike	RG-1, Residential, Open Space and Reserved	B-2, General Business

Section 2. The change shall be imposed upon said map and shall be as much a part of Ordinance No. 2 as if fully described therein.

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

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

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

# ELECTIONS

**OAK RIDGE  
MUNICIPAL  
PLANNING  
COMMISSION**

CITY OF OAK RIDGE, TENNESSEE  
BOARDS AND COMMISSIONS

**TIME IN OFFICE AND ATTENDANCE RECORD**

NAME: Linda L. Brown

BOARD OR COMMISSION: Oak Ridge Municipal Planning Commission

TIME IN OFFICE: Term of Office 4 Years

Date Appointed 4/17/06

Number of Terms Served 2

ATTENDANCE RECORD (MOST RECENT TERM OF OFFICE):

Number of Meetings Held 36

Number of Absences 9

Date Prepared 12/07/10

Attachment: Resume

Linda Brown Realty  
1666 Oak Ridge Turnpike  
Oak Ridge, Tn 37830  
865-482-9990

RECEIVED  
CITY CLERK  
2006 DEC 27 PM 3:07

December 22, 2006

Honorable Mayor Bradshaw and  
Members of Oak Ridge City Council  
P. O. Box 1  
Oak Ridge, Tn 37830

Re: Upcoming vacancy on Oak Ridge Planning Commission

Ladies and Gentlemen:

I am pleased to submit myself as a candidate for the Planning Commission seat which will become vacant on February 11, 2007. I currently am serving in that capacity in the unexpired term of Mark Scarboro. I have enjoyed the experience and look forward to continuing to serve if you and the Council see fit to re-elect me to the position.

I am a Real Estate Broker and the Owner of Linda Brown Realty in Oak Ridge since 1979. Our family has approximately 23 years experience in development and the construction of homes in Oak Ridge and surrounding communities.

I have served on the Chamber of Commerce Builder's Forum working to streamline the process of zoning and city ordinances.

Thank you for your consideration.

Very truly yours,



Linda L. Brown  
108 Wiltshire Drive  
Oak Ridge, Tn 37830

CITY OF OAK RIDGE, TENNESSEE  
BOARDS AND COMMISSIONS

**TIME IN OFFICE AND ATTENDANCE RECORD**

NAME: Kelly S. Callison

BOARD OR COMMISSION: Oak Ridge Municipal Planning Commission

TIME IN OFFICE: Term of Office 4 Years

Date Appointed 5/21/07

Number of Terms Served 1 3/4

ATTENDANCE RECORD (MOST RECENT TERM OF OFFICE):

Number of Meetings Held 25

Number of Absences 4

Date Prepared 12/07/10

Attachment: Resume

RECEIVED

2008 SEP 30 AM 9:51

OFFICE OF THE CITY CLERK

**Kelly S. Callison**  
331 Louisiana Avenue  
Oak Ridge, TN 37830  
865-272-3433 (h)  
865-298-1268 (o)  
[Kelly.Callison@comcast.net](mailto:Kelly.Callison@comcast.net)  
[kcallison@iiaweb.com](mailto:kcallison@iiaweb.com)

**Career History**

**Information International Associates, Inc.** (12/1/2008 – present)

Oak Ridge, TN

Vice President for Technical Services

Ila is a woman-owned, small business headquartered in Oak Ridge, Tennessee. It provides information management, systems, and technology services to government, academia, the private sector, and international entities. Founded in 1988, the company was developed to provide innovative solutions to its customers' information challenges. It has special and long-term expertise in scientific and technical information services, national and international information policy and standards development, librarianship, and open-source intelligence work.

**Vangent, Transaction Services**, (01/2007 – 11/2008)

Arlington, VA

Senior Program Manager

Vangent, Inc. (formerly Pearson Government Solutions) offers the end-to-end capabilities necessary to tackle customers' toughest challenges. Vangent designs builds and operates mission-critical systems and processes to seamlessly deliver vital information, services and programs to customers and their constituents. Its integrated solutions are based on in-depth domain knowledge, proven methodologies and tools and over a half century of real-world experience.

**Accomplishments**

Senior Program Manager responsible for the \$1.5B NTIA Analog to Digital Transition Coupon Program. Developed the management plan for a staff of over 500 employees and \$100M in revenue for a program scheduled to run for 18 months.

**NCI Information Systems Inc**, Civilian Programs Group (06/2003 – 01/2007)

Reston, VA

*Vice President/Deputy GM*

NCI Information Systems, Inc., is a leading information technology, systems engineering and integration company, has 50 locations and over 1,400 employees worldwide. Vice President of Operations and Deputy General Manager with a staff of 450 and revenue of \$50 million delivering a broad range of services including: Enterprise Systems Management, Information Assurance, Network Engineering and Systems Development and Integration. Supporting clients in 18 states.

**Accomplishments**

Established Project Management Office with responsibility for management, staffing, and operational execution of the following contract efforts:

- Department of Commerce Commits NexGen GWAC
- VA GITTS MAC

- Major subcontract role under Millennia and Answer
- Numerous GSA Schedule 70 Tasks

Moved Group into new markets.

Established practice areas for Information Security and Systems Development.

Personally led several major new opportunity capture efforts.

100% win rate on contract recompetes.

**CNA Corporation**, Institute for Public Research (06/2002 - 06/2003)

Alexandria, VA

*Director of Decision Support Systems*

The CNA Corporation is a non-profit organization that provides in-depth, independent research and analysis to inform the important work of public sector leaders. For over 60 years they have helped make a difference by putting minds to work on the critical issues that face our nation and the world. As Director, created an IT practice outside the Federally Funded Research and Development Center (FFRDC).

**Accomplishments**

Led all phases of the business development cycle: strategic planning, opportunity discovery and evaluation capture planning, teaming, proposal development and contract implementation.

Positioned CNA for work on the FAA Traffic Flow Management (\$589M) contract and US Visitor Contract (\$10B).

Established the first ever enterprise wide project management system.

**Battelle**, Information Systems Engineering (06/1992 - 06/2002)

Arlington, VA

*Director, Federal Civilian Operations*

Battelle is a global science and technology enterprise that develops and commercializes technology and manages laboratories for customers. Headquartered in Columbus, Ohio, they have a vast science and technology reach. With the national labs they manage or co-manage, they oversee 20,000 staff members and conduct \$3.7 billion in annual research and development. As Director, responsible for \$15M in P/L generated by operations spread across the East coast

**Accomplishments**

As facilities manager oversaw the tripling of office space.

Established an extremely robust system development practice that was SEI/CMM assessed.

Led numerous successful proposal efforts to capture over \$500M in new contracts.

Program Manager for the Food and Drug Administration's SISTIR (Strategic Information Systems Technical Integration Resources) contract, the National Science Foundation, Information Technology (IT) Support Services Contract and the Volpe National Transportation System Center's Information Systems Engineering OMNI I, II, and III contracts.

**Battelle**, Information Systems Engineering (06/1991 - 06/1992)

Martinsburg, WV

*Program Manager*

Coast Guard Operations System Center (OSC), Martinsburg, WV. Responsible for establishment of a brand new computer center that brought together three completely different computer systems.

## **Accomplishments**

Completed consolidation under budget and ahead of schedule.

Personally staffed, trained, organized and managed the operation, maintenance (system software, applications, and hardware) and work order components of the Center

## **US Coast Guard, (06/1971 - 06/1991) Selected Assignments**

### **Computer Science Department Head and Computer Center Director, U.S. Coast Guard Academy, New London, CT (1988-1991)**

As Computer Center Director managed all academic and administrative computing resources. Established a vision statement to guide the Academy into 21st Century.

As Computer Science Department Head developed and delivered classroom instruction across the full spectrum of computer-related courses required for a degree in Math/Computer Science. Taught courses ranging in size from 20 to 200 students.

### **Deputy Group Commander and Base Executive Officer, U.S. Coast Guard Group/Base Detroit, Michigan (1985-1988)**

As Deputy Group Commander responsible to the operation of 12 search and rescue stations (stretching from Tawas, Michigan to Fairport, Ohio), two ice breaking tugs and numerous support units.

As Base Executive was responsible for the operation of a large industrial base that served the outlying units and hosted several ocean going buoy tenders.

### **Project Manager, Coast Guard Operational Computer Center, U.S. Coast Guard Base Governors Island, New York, NY, (1979-1981),**

Planned, designed and managed the construction of the Coast Guard's first computer center to support operations.

## **Education**

### **NPGS (1976)**

Master of Science, Computer Science

### **USCGA (1971)**

Bachelor of Science, Math/Computer Science

NOTICE  
OF  
ELECTIONS

CITY COUNCIL MEMORANDUM  
11-04

DATE: January 3, 2011  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: ELECTIONS – February 14, 2011

At the December 13, 2011 City Council Work Session, the Council concurred with a desire to consolidate the Advisory Board selection process to be conducted annually. The City Council indicated a desire to make this change effective in January 2012. It was indicated that concerns about quorums might necessitate appointments during the year; otherwise, further appointments can wait for appointment next year. This transition may begin now, with action being deferred to the future recruitment process in October-November of 2011. If the Council chooses not to "hold" appointments for later in the year, they may proceed as in the past. The following elections are scheduled for the February 14, 2011 City Council meeting:

Highland View Redevelopment Advisory Board

One (1) seat remains vacant on the Highland View Redevelopment Advisory Board. This seat is designated for either a social services representative or a realtor; however, if no individual meeting these criteria apply, the Council may appoint a person who does not possess such qualifications. As of this date, there are no candidates. The seat is for an unexpired term of office ending March 31, 2013.

Board of Plumbing Examiners

Two (2) seats are vacant on the Board of Plumbing Examiners. There are no special qualifications for these seats and as of this date, there are no candidates. Both seats are for unexpired terms of office with one ending March 10, 2011 and the other ending March 10, 2012.

Traffic Safety Advisory Board

Two (2) seats are vacant on the Traffic Safety Advisory Board. One seat is designated for an Oak Ridge High School student and there are no special qualifications for the other seat. As of this date, there are no candidates for either seat. Both seats are for an unexpired term of office with the student seat ending May 31, 2011 and the regular seat ending November 30, 2013.

Environmental Quality Advisory Board

One (1) seat is vacant on the Environmental Quality Advisory Board. There are no special qualifications for this seat and as of this date, there are no candidates. The seat is for an unexpired term of office ending September 29, 2013.

Deadline for Filing

The deadline for filing is 5:00 p.m. on Tuesday, February 1, 2011.

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

CITY COUNCIL MEMORANDUM  
11-05

DATE: January 4, 2011  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: CITY MANAGER'S REPORT

Realignment of the Reporting Authority of the City's Utility Business Office

Council Action Recommended: None, for information only.

As the City Council is aware, I have recently realigned the reporting authority of the City's Utility Business Office (UBO). UBO is directly responsible for the income related to the utility funds, and yet was organizationally isolated from them. As such, all utility business operations were transferred to Jack Suggs, the Electrical Director, on November 29, 2010.

I have recently directed Mr. Suggs to review all policies, procedures, activities, and the ongoing oversight of the business office with an eye toward process improvements. He has started this work and has been in regular contact with me regarding his findings and incremental changes being made.

One principal area of concern is the annual amount of recurring utility bad debt. Since July 1, 2005, the City has failed to collect about \$200,000 a year in outstanding utility accounts. While this money should be offset by our deposit system, currently the deposit for water, sewer and electric service is \$80.00. On average, however, the bad debt customer is leaving owing the City over \$330.00 after the deposit has been applied. These lost revenues must be made up by other customers in the City and through the utility rate structure.

Staff is in the process of developing a new deposit policy that will be designed to protect our customer's rate dollars. The amount of a required deposit for a particular customer will be based on that particular customer's risk of leaving the utility without paying their bills, as determined by a third party. The third party, Online Utility Connections, is well known and highly regarded in the Tennessee Valley for providing this service to utilities at a low cost.

The deposit amounts and procedures for implementing this new deposit policy are currently under development. They will be checked against current law and approved by TVA, who serves as our electrical regulator. It is likely that the deposit program, and perhaps some other items, may require changes to the *Rules and Regulations Governing Electric Power Distribution* of the City, which are adopted by Ordinance. Procedurally, the new deposit amounts will be brought to City Council for review and approval by resolution. Staff is targeting completion of these changes for presentation to the Council in February.

The secondary focus of Mr. Suggs' efforts will be on customer service. A survey has been mailed to over 300 UBO customers to determine their take on the services provided. The early results are extremely positive and reflect very well on the staff's attitudes, efforts, and potential. The UBO staff is frequently presented with extremely difficult negative situations. It is a department where customers who cannot or do not pay their utility bills must be denied service in order to preserve the viability of our utility system.

Training for handling these situations in an appropriate manner is important. Consequently, training specialists are being brought in who deal with utility business offices on an ongoing basis and who are familiar with their staff functions.

The staff also needs customer focused policies that are clear cut and in writing so that consistent, fair answers can be given for the hundreds of questions they must deal with every day. The policies must also be flexible enough for a wide range of applications. Mr. Suggs is working with a group of employees, supplemented by outside resources, to update and develop these policies.



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Mark S. Watson