

# **AGENDA**

**OAK RIDGE CITY COUNCIL MEETING**  
Municipal Building Courtroom  
May 9, 2011  
7:00 p.m.

**INVOCATION** – Reverend David Allred, Associate Pastor of High Places Church

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**I. APPEARANCE OF CITIZENS**

**II. PROCLAMATIONS AND PUBLIC RECOGNITIONS**

**1. PRESENTATION TO THE #1 RESIDENTIAL RECYCLER IN OAK RIDGE**

Waste Connection of Tennessee will present an award to the Number One Residential Recycler in Oak Ridge. This reward will be based on the most weight generated from recycling and collected from a resident's home during the 2<sup>nd</sup> year of this program.

**2. PROCLAMATION – ‘APPRECIATION OF STUDENT ART’**

Student Art is displayed in the Oak Ridge Municipal Building on a year-round basis and each year students add to that collection. This proclamation accepts the student art work for this year and commends the young artists for donating their work to the City for the enjoyment of all who visit the Municipal Building. It also recognizes the teachers for guiding the courses that led to this gift of student art.

**3. PROCLAMATION – ‘POLICE WEEK’ MAY 15-21 & ‘POLICE MEMORIAL DAY’ MAY 15**

This proclamation designates the week of May 15-21 as a time to express and acknowledge appreciation to the men and women of the Oak Ridge Police Department for their vital public service in our community. It also sets aside May 15<sup>th</sup> in honor of officers who have lost their lives or become disabled in the performance of their duty.

**4. PROCLAMATION – ‘NATIONAL PRESERVATION MONTH’ MAY.**

This proclamation is cosponsored by the Oak Ridge Heritage & Preservation Association and the National Trust for Historic Preservation. It reminds us to celebrate the role of history in our lives and encourages the preservation of our past.

**5. PROCLAMATION – ‘BUILDING SAFETY MONTH’ MAY**

This proclamation is sponsored by the International Code Council and International Code Council Foundation in appreciation to code officials, building safety and fire prevention officials, architects, engineers, builders and others in the construction industry who work to address critical safety issues. It also encourages citizens to be aware of building safety and to consider needed improvements in homes and in the community.

**6. PROCLAMATION – ‘NATIONAL KIDS TO PARKS DAY’ MAY 21**

This proclamation is in support of the first ‘National Kids to Parks Day’ which was organized and launched by the National Park Trust to encourage families to visit parks, be more active, and to enjoy nature and the outdoors.

7. ANNOUNCEMENT – THE CITY OF OAK RIDGE RECEIVED THE DISTINGUISHED BUDGET PRESENTATION AWARD; FINANCE DIRECTOR JANICE MCGINNIS AWARDED CERTIFICATE OF RECOGNITION FOR BUDGET PRESENTATION

The Government Finance Officers Association of the United States and Canada (GFOA) announced that the City of Oak Ridge, Tennessee, has received the GFOA's Distinguished Budget Presentation Award for its budget. The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the City had to satisfy nationally recognized guidelines for effective budget presentation.

A Certificate of Recognition for Budget Presentation is also presented to the individual designated as being primarily responsible for its having achieved the award. This has been presented to Finance Director Janice McGinnis.

**III. SPECIAL REPORTS**

1. FY 2012 BUDGET PRESENTATION

Presentation of the FY 2012 City of Oak Ridge Proposed Budget by Mark S. Watson, City Manager.

2. FY 2012 SCHOOL BUDGET PRESENTATION

Presentation of the FY 2012 Oak Ridge Schools Proposed Budget by Dr. Thomas Bailey, Superintendent of Schools, and Keys Fillauer, Chairman of the Board of Education.

**IV. CONSENT AGENDA**

1. APPROVAL OF THE APRIL 11, 2011 COUNCIL MINUTES

2. AFFIRMING JAMES E. RUSHTON AS COMMISSIONER OF THE OAK RIDGE UTILITY DISTRICT FOR A FIVE-YEAR TERM ENDING JUNE 30, 2016

3. RESOLUTION - ANNUAL STATE HIGHWAY MAINTENANCE CONTRACT

A resolution to approve a contract with the Tennessee Department of Transportation (TDOT) for maintenance of state highways within the corporate city limits whereby the city is reimbursed by TDOT for said services in the amount of \$141,176.

4. RESOLUTION - PURCHASE OF BACKHOE/LOADER

A resolution authorizing the purchase of a backhoe/loader from Contractor's Machinery, Inc., Louisville, Tennessee, in the estimated amount of \$57,493.

5. RESOLUTION - COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED PLAN 2011-2013 / ACTUAL ACTION PLAN PY 2011 / FY 2012

A resolution approving the CDBG Consolidated Plan 2011-2013, including a Citizen Participation Plan; the FY2012 Annual Action Plan; and proposed allocations of Community Development Block Grant entitlement funds for FY2012 estimated at \$237,000.

6. RESOLUTION – 2011 COPS HIRING PROGRAM GRANT APPLICATION

A resolution authorizing the city to apply for a grant from the U.S. Department of Justice, Office of Community Oriented Policing Services, and accepting said grant if awarded, which grant requires no matching funds.

V. **RESOLUTIONS**

1. RESOLUTION - AMENDMENT TO THE PILT AGREEMENT WITH DOE

A resolution approving Amendment No. 12 to the Agreement PILT-Oak Ridge-002 between the U.S. Department of Energy and the City of Oak Ridge for Payment In Lieu of Taxes for tax year 2010 in the sum of \$1,662,772.76.

2. RESOLUTION - INFORMATION MANAGEMENT SYSTEM

A resolution authorizing the purchase of an Information Management System from INFO Global Solutions (Michigan), Inc., Alpharetta, Georgia, in the estimated amount of \$272,100.

3. RESOLUTION – FAIR HOUSING

A resolution to certify that the city will affirmatively further Fair Housing and will take appropriate action as identified in the Analysis of Impediments to Fair Housing conducted by the city in March 2011.

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

1. FY 2011 BUDGET APPROPRIATION AMENDMENT ORDINANCE FOR SCHOOL FUND  
[PUBLIC HEARING & 1<sup>ST</sup> READING]

An ordinance to amend Ordinance No. 8-10, which ordinance imposes a tax on all property within the city, fixes the rate of the tax, adopts a budget, and adopts appropriations for the fiscal year beginning July 1, 2010, by amending said appropriations.

2. SEWER USE ORDINANCE – AMENDMENT TO CITY CODE SECTION 18-307 (12)  
[1<sup>ST</sup> READING]

An ordinance to amend Title 18, titled “Water And Sewers,” Chapter 3, titled “Sewer Use Ordinance,” Section 18-307, titled “Building Sewers And Connections,” of the Code of Ordinances, City of Oak Ridge, Tennessee, by deleting Subsection (12), titled “Grease Traps,” in its entirety and substituting therefor a new Subsection (12), titled “Grease Control Equipment,” to establish a Fats, Oils and Grease (FOG) Management Policy for the city in compliance with the requirements set forth by the Tennessee Department of Environment and Conservation.

VII. **FINAL ADOPTION OF ORDINANCES** [NONE]

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

1. ELECTIONS & APPOINTMENTS

**ELECTIONS**

Environmental Quality Advisory Board

- One (1) student seat to the Environmental Quality Advisory Board

Oak Ridge High School student Austin Morgan has reapplied for this position with a term ending May 31, 2012.

Traffic Safety Advisory Board

- One (1) student seat to the Traffic Safety Advisory Board with a term ending on May 31, 2012.

Oak Ridge High School student David Hughes was appointed at the April 11, 2011 meeting to serve an unexpired term of office ending May 31, 2011. He has requested reappointment to this position. A new applicant Vanessa Frye has also applied.

**NOTICE OF ELECTIONS FOR JUNE 13, 2011**

Environmental Quality Advisory Board

- One (1) student seat to the Environmental Quality Advisory Board to fill an unexpired term of office ending May 31, 2012.

The deadline for filing is 5:00 p.m. on Friday, June 3, 2011.

2. ANNOUNCEMENTS
3. SCHEDULING

Discussion and rescheduling, if necessary, of the June 13, 2011 regular City Council Meeting due to the Tennessee Municipal League Annual Conference that is scheduled for June 12-14 in Murfreesboro, TN.

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

**X. SUMMARY OF CURRENTS EVENTS**

1. CITY MANAGER'S REPORT

EPA Sustainable Communities Building Blocks Program

2. CITY ATTORNEY'S REPORT

**XI. ADJOURNMENT**

**PROCLAMATIONS  
AND  
PUBLIC RECOGNITION**

**CITY CLERK MEMORANDUM**  
**11-23**

DATE: May 3, 2011  
TO: Honorable Mayor and Members of City Council  
FROM: Donna Patterson, City Clerk  
SUBJECT: Proclamations and Public Recognitions

Award Presentation to the #1 Residential Recycler in Oak Ridge

Waste Connections of Tennessee will present an award to the Number One Residential Recycler in Oak Ridge. This reward will be based on the most weight generated from recycling and collected from a resident's home during the 2<sup>nd</sup> year of this program. Divisional Municipal Marketing Manager Douglas McGill of Waste Connections will recognize Rita Moore as the top recycler.

Proclamation - Appreciation of the Gift of Student Art

Art is displayed in the Oak Ridge Municipal Building on a year-round basis and each year students add to that collection. This proclamation accepts the student art work for this year and commends the young artists for donating their work to the City for the enjoyment of all.

The following students will be present to receive certificates of appreciation: Andrew Atnip, Carinne Cheney, Adrian Etheridge, Jas Jakowski, Eric Johnston, Driane Lee, Bella Moberly, Samaha Naseem, and Robin Parker.

The following teachers will be present to receive certificates of appreciation: Jim Dodson, Liz Rodgers, Tristy Berryhill, Sara Cochran, Sean Seyfert, Mary Katherine Wooten, Anna Wakefield, Cheryl Burchett, and Gisela Schrock.

Proclamation – ‘Police Week’ May 15 – 21 & ‘Police Memorial Day’ May 15<sup>th</sup>

This proclamation designates the week of May 15-21 as a time to express and acknowledge appreciation to the men and women of the Oak Ridge Police Department for their vital public service in our community. It also sets aside May 15<sup>th</sup> in honor of officers who have lost their lives or become disabled in the performance of their duty. This proclamation was requested by Acting Police Chief Alan Massengill.

Proclamation – ‘National Preservation Month’ May

This proclamation was requested by David Bradshaw. It is cosponsored by the Oak Ridge Heritage & Preservation Association and the National Trust For Historic Preservation. It reminds us to celebrate the role of history in our lives and encourages the preservation of our past.

Proclamation – ‘Building Safety Month’ May

This proclamation is sponsored by the International Code Council and International Code Council Foundation in appreciation to code officials, building safety and fire prevention officials, architects, engineers, builders and others in the construction industry who work to address critical safety issues. It also encourages citizens to be aware of building safety and to consider needed improvements in homes and in the community.

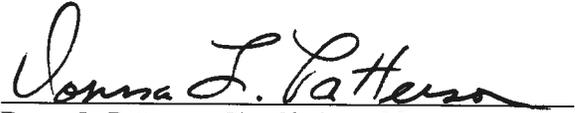
Proclamation – ‘National Kids to Parks Day’ May 21

This proclamation is in support of the first ‘National Kids to Parks Day’ which was organized and launched by the National Park Trust to encourage families to visit parks, be more active, and to enjoy nature and the outdoors. It was requested by Laura Sore with National Park Trust. *[No one will be here to accept this proclamation.]* They requested a copy of the proclamation and minutes adopting it.

Announcement – The City of Oak Ridge received the Distinguished Budget Presentation Award; Finance Director Janice McGinnis awarded Certificate of Recognition for Budget Presentation

The Government Finance Officers Association of the United States and Canada (GFOA) announced that the City of Oak Ridge, Tennessee, has received the GFOA's Distinguished Budget Presentation Award for its budget. The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the City had to satisfy nationally recognized guidelines for effective budget presentation.

A Certificate of Recognition for Budget Presentation is also presented to the individual designated as being primarily responsible for its having achieved the award. This has been presented to Finance Director Janice McGinnis.

A handwritten signature in black ink that reads "Donna L. Patterson". The signature is written in a cursive style with a horizontal line underneath it.

Donna L. Patterson, City Clerk

# PROCLAMATION

## IN APPRECIATION OF THE GIFT OF STUDENT ART

**WHEREAS**, in May of 2003, the citizens of Oak Ridge enjoyed the “First Annual Municipal Art Show” in which the art works of students in Kindergarten through 12<sup>th</sup> grade classes in the Oak Ridge Schools were displayed in the Municipal Building; and

**WHEREAS**, the works of these young artists were a source of visual pleasure for the employees as well as the visitors to the Municipal Building; and

**WHEREAS**, because of the success of the Art Show and its enhancement of the décor of the Municipal Building, it was suggested by the Art teachers in the Oak Ridge School System that the student art be displayed on a year-round basis; and

**WHEREAS**, with the consent of the parents of the student artists, the teachers made a gift to the City of the pieces of art that were hanging in the Municipal Building and each year they add to the City’s collection; and

**WHEREAS**, several new pieces are scheduled to be added to the City’s student art collection this year; and

**WHEREAS**, the visual arts contribute greatly to our cultural heritage and the City of Oak Ridge is pleased to have a role in continuing this legacy through perpetual display of the works of our community’s young artists.

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

That on behalf of the citizens of Oak Ridge, this Council accepts the works of art that have been added to the display in the Municipal Building and commends Andrew Atnip, Carinne Cheney, Adrian Etheridge, Jas Jakowski, Eric Johntson, Driane Lee, Bella Moberly, Samaha Naseem, and Robin Parker for donating their work to the City for the enjoyment of all who visit the Municipal Building.

**BE IT FURTHER PROCLAIMED** that this Council honors their teachers – Jim Dodson, Liz Hodgers, Tristy Berryhill, Sara Cochran, Sean Seyfert, Mary Katherine Wooten, Anna Wakefield, Cheryl Burchett, and Gisela Schrock – and extends to them its gratitude for guiding the course that led to this great gift of student art.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed, this the 9<sup>th</sup> day of May in the year 2011.

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Thomas L. Beehan, Mayor

ATTEST:

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Donna L. Patterson, City Clerk

# PROCLAMATION

**WHEREAS**, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which it falls as Police Week; and

**WHEREAS**, the members of the law enforcement agency of the City of Oak Ridge play an essential role in safeguarding the rights and freedoms of the citizens of Oak Ridge; and

**WHEREAS**, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

**WHEREAS**, the men and women of the Oak Ridge Police Department provide a vital public service unceasingly.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE**, that the week of May 15 - 21, 2011 be designated as

## **'POLICE WEEK'**

in the City of Oak Ridge, Tennessee, and that all citizens observe this week with appropriate ceremonies in which all of our people may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and in so doing have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

**BE IT FURTHER PROCLAIMED** that Sunday, May 15, 2011 be designated as

## **'POLICE MEMORIAL DAY'**

in honor of those peace officers who have lost their lives or have become disabled in the performance of their duty.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed, this the 9<sup>th</sup> day of May, in the year 2011.

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Thomas L. Beehan, Mayor

ATTEST:

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Donna L. Patterson, City Clerk

# PROCLAMATION

**WHEREAS**, Historic Preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

**WHEREAS**, Historic Preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

**WHEREAS**, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

**WHEREAS**, 'Celebrating America's Treasures' is the theme for National Preservation Month 2011, cosponsored by the Oak Ridge Heritage and Preservation Association and the National Trust for Historic Preservation.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE**, that the month of May, 2011, be designated as

## **'NATIONAL PRESERVATION MONTH'**

in the City of Oak Ridge, Tennessee, and that all citizens be urged to call upon the people of Oak Ridge, Tennessee to join their fellow citizens across the United States in recognizing and participating in this special observance.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed, this the 9<sup>th</sup> day of May, 2011.

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Thomas L. Beehan, Mayor

ATTEST:

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Donna L. Patterson, City Clerk

# PROCLAMATION

**WHEREAS**, due to our continuing efforts to address critical safety issues in the built environment that affect our citizens, regardless of age or occupation, both in everyday life and in times of natural disaster, we are confident that our structures are safe and sound; and

**WHEREAS**, vigilant guardians – building safety and fire prevention officials, architects, engineers, builders and other in the construction industry – work year-round to ensure the safe construction of buildings; and

**WHEREAS**, ‘Building Safety Month’, sponsored by the International Code Council and International Code Council Foundation, reminds the public about the critical role of our communities’ largely unknown guardians of public safety – our local code officials – who help prevent countless deaths and injuries from fires and accidents; and

**WHEREAS**, the theme, ‘An International Celebration of Safe and Sensible Structures’, encourages all Americans to raise awareness of the importance of building safety, of disaster-resistant, energy efficient, green and sustainable building, of pool, spa and hot tub safety, and of new technologies that are available in the construction industry; and

**WHEREAS**, this year, as we observe ‘Building Safety Month’, we ask all citizens to consider projects to improve building safety at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments and federal agencies in protecting lives and property.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE**, that May 1 - 31, 2011, be designated as

## **‘BUILDING SAFETY MONTH’**

in the City of Oak Ridge, Tennessee, and that all citizens be encouraged to join in this worthy observance.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed, this the 9<sup>th</sup> day of May, in the year 2011.

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Thomas L. Beehan, Mayor

ATTEST:

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Donna L. Patterson, City Clerk

# PROCLAMATION

**WHEREAS**, May 21<sup>st</sup> is the first 'National Kids to Parks Day' organized and launched by the National Park Trust; and

**WHEREAS**, 'National Kids to Parks Day' empowers kids and encourages families to get outdoors and visit America's parks; and

**WHEREAS**, it is important to introduce a new generation to our nation's parks because of the decline in park attendance over the last decades; and

**WHEREAS**, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and

**WHEREAS**, 'National Kids to Parks Day' is open to all children and adults across the country to encourage a large and diverse group of participants; and

**WHEREAS**, 'National Kids to Parks Day' will broaden children's appreciation for nature and the outdoors;

**NOW, THEREFORE, BE IT PROCLAIMED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE**, that May 21, 2011 be designated as

## **'NATIONAL KIDS TO PARKS DAY'**

in the City of Oak Ridge, Tennessee, and that all citizens be urged to make time to take the children in their lives to a neighborhood, state or national park.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed, this the 9<sup>th</sup> day of May, in the year 2011.

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Thomas L. Beehan, Mayor

ATTEST:

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Donna L. Patterson, City Clerk

# **SPECIAL REPORTS**

**CITY COUNCIL MEMORANDUM**  
**11-25**

DATE: May 3, 2011  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: FY 2012 CITY OF OAK RIDGE PROPOSED BUDGET

As required by the City of Oak Ridge City Charter, the City Manager is pleased to submit the proposed FY 2012 Budget for your consideration and review. This document represents the spending plan for the City during the coming year. Primarily, the budget document retains the same level of expenditures as the previous year, while providing for limited capital projects and equipment replacements. Along with Janice McGinnis, Finance Director, I have reviewed each line item and found all expense areas to be reasonable and prudent. Minor adjustments have been made, with accommodations taken to address additional expenses caused to the Utility Fund due to the EPA Administrative Order.

The City's General Fund municipal expenditures are budgeted at \$19,453,250. This is a 1.1%, \$212,979, increase over fiscal 2011 budgeted expenditure levels. The City's operating transfer to the Oak Ridge Schools is presented at the School Board's requested fiscal 2012 funding level of \$15,529,302. This is a 7.3% increase over fiscal 2011 funding levels. Per previous discussions with the City Council, and with a strong desire to hold the line with present expenses and present school costs, discussion will be required to resolve said differential. School officials will be present to convey their budget overview.

The FY 2012 property tax rate is proposed at \$2.49 per \$100 of assessed valuation, representing a 10-cent increase over FY 2011 levels. The tax increase is due to a School Board action with a proposed funding increase of \$1,059,171 by Oak Ridge Schools. Each cent on the property tax rate generates approximately \$90,000. The tax rate without the proposed increase is \$2.39 per \$100 of assessed valuation.

Agencies budgeted for funding for economic development and/or tourism services are the Convention & Visitors Bureau (CVB), Oak Ridge Chamber of Commerce, Anderson County Economic Development Association (ACEDA), Innovation Valley, Roane Alliance, and Oak Ridge Revitalization Effort (ORRE). Agencies budgeted for social service/cultural programs funding include Aid to Distressed Families of Appalachian Counties (ADFAC), Prevent Child Abuse TN for the Healthy Start program, Arts Council of Oak Ridge, Youth Advisory Board and Sister City Support Organization. Funding for these agencies remains constant at the fiscal 2011 level, with the exception of the Oak Ridge Chamber of Commerce, which is budgeted to increased 2.7% based on annual contractual inflationary adjustments.

A new fund has been added, titled Housing Fund, to account for the City's anticipated housing initiatives. The usage of a separate fund will provide a better segregation and accounting of expenditures and will allow for the accumulation of a fund balance that may be expended in a subsequent fiscal year. Initial cash to establish the fund will be provided by a \$250,000 transfer from the Economic Diversification Fund and a \$50,000 operating transfer from the General Fund. As discussed in a Council workshop, ongoing support for the Economic Diversification Fund is one requiring review for the coming year as revenue sources are limited, yet expenditures remain constant to increasing.

The City Manager and Finance Director look forward to reviewing the proposed plan with all funds and services for the coming year.

  
Mark S. Watson

# CONSENT AGENDA

CITY COUNCIL MEMORANDUM  
11-24

DATE: May 2, 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 May 9, 2011, Council meeting.

Approval of Minutes

Approval of the Minutes of the April 11, 2011 City Council regular meeting.

Elections

Confirmation of James E. Rushton to serve as Commissioner of the Oak Ridge Utility District for a five-year term beginning July 1, 2011.

Resolutions

Adoption of a resolution approving a contract with the Tennessee Department of Transportation (TDOT) for maintenance of state highways within the corporate city limits whereby the City is reimbursed by TDOT for said services in the amount of \$141,176.00.

Adoption of a resolution authorizing the purchase of a backhoe/loader from Contractor's Machinery, Inc., Louisville, Tennessee, in the estimated amount of \$57,493.00.

Adoption of a resolution approving the Community Development Block Grant (CDBG) Consolidated Plan 2011-2013, including a citizen participation plan; the FY 2012 Annual Action Plan; and proposed allocations of CDBG Entitlement Funds for FY 1012 estimated at \$237,000.00.

Adoption of a resolution authorizing the City to apply for a grant from the U. S. Department of Justice, Office of Community Oriented Policing Services, and accepting said grant if awarded, which grant requires no matching funds.

The documentation for these items follows this memorandum.

  
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Mark S. Watson

**MINUTES OF THE  
OAK RIDGE CITY COUNCIL MEETING  
APRIL 11, 2011**

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:** Reverend Joe Westfall, Itinerant Minister for Christian Brotherhood Churches

**PLEDGE OF ALLEGIANCE:** Sharon Crane

**ROLL CALL:**

The following Councilmembers were present: Anne Garcia Garland, Thomas Hayes, Charles Hensley, Jane Miller, David Mosby, Ellen Smith, and Mayor Thomas Beehan.

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

**I. APPEARANCE OF CITIZENS**

Mayor Beehan opened the meeting for public comments.

Andy Marathe, 121 Westlook Circle, came forward to discuss the Oak Ridge School Board's request for an increase in their budget. He stated that it was his understanding that there would be no tax increase this year.

Mayor Beehan stated that the school board will be presenting their budget at the May 9<sup>th</sup> City Council Meeting.

Kay Williamson, 420 Jefferson, came forward to register a complaint about code enforcement in her neighborhood. She stated that there are several abandoned vehicles and old rusty signs that need to be removed. She also wants a vote from the citizens concerning the use of traffic cameras in Oak Ridge.

Mayor Beehan suggested to Ms. Williamson that she make an appointment with the City Manager to discuss the code enforcement issues.

Joseph Lee, 99 E. Pasadena Road, came forward to express appreciation to the Public Works Department for their efficiency on completing projects and their quick response time when needed. He also expressed appreciation to the City for expending funds for the upgrade of water lines and water pumps which is vital for citizens' convenience and safety.

Mike Mahathy, 113 Fallberry Street, came forward and requested more police presence in Oak Ridge. He said that they do not patrol enough in his neighborhood. He also stated that he is in favor of the Oak Ridge School Board receiving the budget increase they have requested from the City.

**II. PROCLAMATIONS AND PUBLIC RECOGNITIONS**

**1. PROCLAMATION – 'PUBLIC SERVICE RECOGNITION WEEK' MAY 1-7**

City Clerk Donna Patterson read the proclamation proclaiming the week of May 1-7 as 'Public Service Recognition Week'.

A motion was made by Councilmember Smith, seconded by Councilmember Hayes, to approve the proclamation as read.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

Mayor Beehan explained that this proclamation was brought forward by Councilmember Smith. Councilmember Smith learned of 'Public Service Recognition Week' while attending a National League of Cities conference.

Mayor Beehan asked for City employees in attendance to stand. They received a round of applause. Mayor Beehan expressed appreciation to all City employees for the services they provide to the City of Oak Ridge.

## 2. PROCLAMATION – 'CHILD ABUSE PREVENTION MONTH' APRIL

City Clerk Donna Patterson read the proclamation proclaiming the month of April as 'Child Abuse Prevention Month'.

A motion was made by Councilmember Hensley, seconded by Councilmember Smith, to approve the proclamation as read.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

Mayor Beehan presented Marsha Slagle, the President of Healthy Start, and Anita Vines with the proclamation.

The members of Healthy Start handed out blue pinwheels, representing a happy childhood and the prevention of child abuse.

Mayor Beehan expressed appreciation to the members of Healthy Start for their work towards preventing child abuse.

## 3. PROCLAMATION – 'PARKINSON'S AWARENESS MONTH' – APRIL

City Clerk Donna Patterson read the proclamation proclaiming the month of April as 'Parkinson's Awareness Month'.

A motion was made by Councilmember Smith, seconded by Councilmember Miller, to approve the proclamation as read.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

Mayor Beehan presented Karen Sampsell, RN-Founder and President of 'PK Hope Is Alive', and Joan Cassens, Secretary, with the proclamation.

Ms. Sampsell explained that in 2008, three people started a Parkinson Disease support group called 'PK Hope Is Alive' in Oak Ridge. They now have over 72 members. The Parkinson Disease Foundation has proclaimed April as 'Parkinson's Awareness Month' in order to create public awareness of the disease.

Karen Sampsell invited everyone to the 'PK Hope Is Alive' meetings held on the third Tuesday of every month at 11:30 a.m. in the Cheyenne Building.

Ralph Lockhart came forward and spoke about a co-worker that was accused of being an alcoholic and was harassed because, unknown to his co-workers, he had Parkinson Disease. Mr. Lockhart reminded everyone that we all should be more compassionate of others and be careful of things we say and do.

Mayor Beehan expressed appreciation on behalf of the Council and the Community of Oak Ridge for the educational and informative work presented by the 'PK Hope is Alive' Foundation.

#### 4. PROCLAMATION – 'FAIR HOUSING MONTH' APRIL

City Clerk Donna Patterson read the proclamation proclaiming April as 'Fair Housing Month'.

A motion was made by Councilmember Miller, seconded by Councilmember Smith, to approve the proclamation as read.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

### III. SPECIAL REPORTS

#### 1. CITY MANAGER EVALUATION PROCEDURE FOR FY 2011

Councilmember Hayes, the Chairman of the City Manager Evaluation Committee, explained that the committee had met several times to discuss the type of evaluation procedure to use with the new City Manager. After researching several evaluation forms and with the help of Margaret Norris, a Municipal Management Consultant with MTAS, the Committee is recommending the evaluation form and schedule presented tonight. The City Manager Evaluation Committee is in agreement that this evaluation process will provide beneficial information to both the City Manager and the City Council.

A motion was made by Councilmember Miller, seconded by Councilmember Smith, to approve the City Manager Evaluation Procedure for FY 2011 as presented.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

### IV. CONSENT AGENDA

A motion was made by Councilmember Smith, seconded by Councilmember Miller, to approve the Consent Agenda as presented with the removal of Item #4.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

The Consent Agenda was approved, as amended, with Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan voted 'for' thereby:

- Approving the Minutes of March 7, 2011 City Council Meeting
- Approving the Minutes of March 28, 2011 Special Called Meeting
- Adopting **Resolution No 4-25-11** / Approval Of Agreements To Deliver Electric Power To The East Tennessee Technology Park (ETTP)

The Council then discussed the item removed from the agenda as follows:

- **Resolution No. 4-26-11– Approval Of Modifications To TVA Billing Agreements**

City Clerk Donna Patterson read the title of the resolution as follows: A resolution to approve agreements between the City and the Tennessee Valley Authority (TVA) regarding power billing arrangements at the East Tennessee Technology Park (ETTP) and the Science and Technology Park.

A motion was made by Councilmember Hayes, seconded by Councilmember Smith, to adopt the resolution as presented.

Electric Director Jack Suggs explained that the City has a couple of locations where it does not have a power source but it does have a few customers. These locations are the East Tennessee Technology Park and the Science & Technology Park located on the Oak Ridge National Laboratory Campus. The City contracted with TVA to deliver power to those locations, provided through Oak Ridge meters, to customers of the Oak Ridge electric system. TVA has decided to calculate a demand that is applied evenly over each hour of the billing month, based solely on the energy consumed by the Oak Ridge customers. Staff has concluded that it is slightly favorable to the City of Oak Ridge and will result in a slight increase in our net revenues. It will not affect our customers.

After discussion, Mayor Beehan called for a vote.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

## V. **RESOLUTIONS**

### 1. **Resolution No. 4-27-11 – Approval of Bicycle and Pedestrian Plan**

City Clerk Donna Patterson read the title of the resolution as follows: A resolution to approve the Oak Ridge Bicycle and Pedestrian Plan, dated March 2011, as a tool to guide the City in future improvements.

A motion was made by Councilmember Smith, seconded by Councilmember Hensley, to adopt the resolution as presented.

City Manager Mark Watson stated that this plan is the result of more than a year of meetings held among city staff, regional planners, committees, citizens and the Council. It provides the frame work for the City to follow in the coming years to develop our pedestrian and bicycle walkways into one complete system. This shows the commitment of the City to provide a high quality of life for visitors and residents.

After discussion, Mayor Beehan called for a vote.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

### 2. **Resolution No. 4-28-11- Melton Lake Greenway Phase IV Construction Contract**

City Clerk Donna Patterson read the title of the resolution as follows: A resolution to approve an agreement with Duco Construction, LLC, for the construction of Melton Lake Greenway Phase IV in the estimated amount of \$667,086.16.

A motion was made by Councilmember Smith, seconded by Councilmember Hensley, to adopt the resolution as presented.

City Manager Mark Watson stated this is for the construction of a sidewalk beginning near the Edgemoor Bridge. The funding is mainly through federal grant money from the Tennessee Department of Transportation in partnership with the City.

Dan Robbins, Chairman of the Greenways Oak Ridge, stated that he believes this is going to be the best of the greenways because of the river and the light traffic flow.

After discussion, Mayor Beehan called for a vote.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

**3. Resolution No. 4-29-11 - Amendment to Resolution No. 6-49-10**

City Clerk Donna Patterson read the title of the resolution as follows: A resolution to amend Resolution 6-49-10 to increase expenditure levels for Temporary Employment Services, Information Service Consultants (temporary technical support) and fuel for Fiscal Year 2011.

A motion was made by Councilmember Miller, seconded by Councilmember Smith, to approve the resolution as presented.

After discussion, Mayor Beehan called for a vote.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Smith, and Mayor Beehan.

Councilmember Mosby abstained.

The motion carried.

**4. Resolution No. 4-30-11 - Expenditures from Special Programs Fund**

City Clerk Donna Patterson read the title of the resolution as follows: A resolution to authorize approval of expenditures from the Special Programs Fund for transportation enhancement projects to improve traffic capacity/safety, school crossing, and bicycle/pedestrian safety improvements.

A motion was made by Councilmember Smith, seconded by Councilmember Hensley, to adopt the resolution as presented.

City Manager Mark Watson reported that a public meeting was held on April 4, 2011 to seek additional ideas for the expenditure of the funds generated by the traffic cameras in Oak Ridge. The majority of those in attendance agreed that enhancement to traffic and pedestrian safety is an acceptable use of the money. Mr. Watson recommended approval of the resolution.

Councilmember Garcia Garland recommended that the costs involved with monitoring the tickets, such as the salary for a police officer, be taken off the top of earnings from this fund.

Councilmember Mosby stated that he feels like the approval of expenditures from this fund is being rushed and asked the impact of delaying this decision.

City Manager Mark Watson explained that this has been under discussion since December. A project takes about six months to develop design plans before a bid can even be brought before the Council for consideration. It could delay completed improvements by over 18 months and it would also be difficult to effectively plan for in the budget.

Mayor Beehan said that he believes spending these funds for safety is the appropriate use for this money.

After discussion, Mayor Beehan called for a vote.

Those voting for: Councilmembers Hayes, Hensley, Miller, Smith, and Mayor Beehan.

Those voting against: Councilmembers Garcia Garland and Mosby.

The motion carried.

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

### **1. PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED PLAN 2011-2013 / ACTUAL ACTION PLAN PY 2011 / FY 2012 [No Ordinance]**

Mayor Beehan explained that the City of Oak Ridge receives Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD). One of the requirements of the CDBG program is the development and submission of a Consolidated Plan and annual Action Plans.

City Manager Mark Watson stated that the following projects are being recommended for funding by the PY 2011 / FY 2012 CDBG Entitlement Program: (1) Scarboro Community Center Debt - \$95,000; (2) Code Enforcement - \$63,000; (3) Acquisition & Demolition of Dilapidated Housing - \$89,000; and, (4) Grant Administration - \$3,000.

Mayor Beehan opened the public hearing for any comments from the public.

No one came forward to speak.

Mayor Beehan closed the public hearing. No further action was necessary.

## **VII. FINAL ADOPTION OF ORDINANCES**

### **1. AMEND USE DESIGNATION / PORTION OF HENDRIX CREEK PUD PUBLIC HEARING AND 2<sup>ND</sup> READING**

City Clerk Donna Patterson read the title of the ordinance as follows: An ordinance to amend a use designation on a portion of Parcel 59.00, Map 100J, Group A, in Hendrix Creek Planned Unit Development, Phase 1, located at 123 Hendrix Drive, from Open Space to Residential, with the overall zoning district remaining R-1-C/PUD, One-Family Residential with a Planned Unit Development Overlay.

A motion was made by Councilmember Smith, seconded by Councilmember Miller, to adopt the ordinance as presented.

Mayor Beehan opened the public hearing for any comments from the public.

Sharon Crane, Wakefield Road, came forward and stated that this property contains the grave of John Hendrix, a prophet of Oak Ridge. She does not agree with a Residential zoning. She prefers it remain an Open Space zoning.

Jack Mansfield, 103 Hendrix Drive, came forward and stated that he is not opposed to the zoning but he does have concern with the upkeep and the provision of access to the grave. He stated that the ordinance passed in 1987 provided for public access to the gravesite, but it is not in the proposed ordinance.

Mayor Beehan called for a motion to close the public hearing.

A motion was made by Councilmember Hensley, seconded by Councilmember Smith, to close the close the public hearing.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith and Mayor Beehan.

The motion carried unanimously.

City Manager Mark Watson explained that the decision of the City Council is that of the appropriateness of expanding the residential use in the PUD by one lot. The provision of access to the Hendrix gravesite would be addressed during the platting process. He has prepared a motion for staff direction that will accommodate necessary changes to the plat to allow for a reservation of land for access to the Hendrix gravesite.

David Bradshaw, President of Oak Ridge Heritage Preservation Association, came forward and expressed appreciation to the Council and to the property owner for working with them concerning the preservation of this gravesite. Mr. Bradshaw stated his concern that something will be built in front of the gravesite and block the view of it from the road. He also has concerns about the placement of the pathway to the gravesite.

Mayor Beehan called for a vote on the motion to adopt the ordinance as presented.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

A motion was made by Councilmember Hensley, seconded by Councilmember Smith, to direct the City Manager to account for the John Hendrix gravesite during any future platting process associated with Parcel 59.00, Map 100J, Group A, in Hendrix Creek Planned Unit Development, Phase I, allowing for the provisions of dedicating, delineating, and establishing a reservation of land that will be used for public purposes, access, and preservation of the gravesite, including a permanent access easement from Hendrix Drive for the public and the future of Oak Ridge.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

Bob Ledford, 123 Hendrix Drive and the owner of the property, came forward and stated that no one was interested in the gravesite when he bought the property 20 years ago. He has invested money and maintained the property surrounding the gravesite all these years. He also wants the gravesite kept up in the future. He appreciates the Council approving his zoning request.

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

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

## **ELECTIONS**

### Environmental Quality Advisory Board

A motion was made by Councilmember Hensley to postpone this election for one month. The motion was seconded by Councilmember Smith for discussion.

Councilmember Smith stated that this position has been vacant for several months and it could cause a problem with having a quorum during some of the meetings.

Those voting for: Councilmember Hensley

Those voting against: Councilmembers Garcia Garland, Hayes, Miller, Mosby, Smith, and Mayor Beehan.

The motion failed.

A motion was made by Councilmember Smith, seconded by Councilmember Hayes, to appoint Donald E. Forester by acclamation to serve on the Environmental Quality Advisory Board for an unexpired term of office ending December 31, 2013.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

### Traffic Safety Advisory Board

A motion was made by Councilmember Miller, seconded by Councilmember Garcia Garland, to appoint David Hughes by acclamation to serve on the Traffic Safety Advisory Board for an unexpired term of office ending May 31, 2011.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

### Recreation and Parks Advisory Board

Mayor Beehan stated that sixty-one candidates applied for the nine seats on the newly formed Recreation and Parks Advisory Board. One candidate, Fran Pisano, withdrew her name for consideration.

The nine members will be elected to the following terms: Three (3) members to three-year terms; three (3) members to two-year terms; and three (3) members to one-year terms.

City Manager Mark Watson explained the voting procedure that was approved at the last Council Meeting for this election.

A motion was made by Councilmember Smith, seconded by Councilmember Hensley, to amend the approved procedure by stating that the first ballot is strictly a straw poll and no one is elected.

Councilmember Miller suggested that anyone who receives seven votes should be automatically elected and anyone that doesn't receive any votes should be eliminated.

Councilmember Smith agreed to amend her motion as suggested by Councilmember Miller. Councilmember Hensley amended his second.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Miller, Mosby, Smith, and Mayor Beehan.

The motion carried unanimously.

A motion was made by Councilmember Garcia Garland that, for the purposes of appointing this board, we thank kindly but remove from consideration any candidates who: (1) are related to senior city staff members or councilmembers, (2) currently serve on a city-appointed board or commission, or (3) are principals in a current contract with the City.

The motion failed for lack of a second.

A motion was made by Councilmember Smith, seconded by Councilmember Garcia Garland, to further amend the procedure that was approved at the last meeting by stating that during the second round of voting, the Council will vote for nine members and in the subsequent ballots vote for no more than the number of seats remaining.

Those voting for: Councilmembers Garcia Garland, Hayes, Miller, Mosby, Smith and Mayor Beehan.

Those voting against: Councilmember Hensley.

At this time, Mayor Beehan asked for the applicants present to stand and give their names. They all received a round of applause.

Deputy City Manager marked the selections, which was projected on the screen, when the votes were called by City Attorney Ken Krushenski.

ROUND ONE (each Councilmember votes for twenty; seven votes automatically elects an applicant)

<u>Candidate</u>	<u>Vote by Councilmember</u>	<u>Total</u>
Agron, Eleanor	Garcia Garland	1
Baker, Robert 'Bob'		0
Baughn, Trina	Garcia Garland/Hensley/Miller/Smith	4
Biewer, Theodore	Miller	1
Chmielewicz, Frank	Beehan/Hensley/Miller	3
Cloutier, Linda	Garcia Garland	1
Colverson, Sherith	Beehan/Hensley/Miller/Mosby/Smith	5
Cooksey, Gerald 'Jerry'		0
Crossno, Tracy Marie Wigham	Garcia Garland/Mosby/Smith	3
Cushman, Robert	Hayes/Hensley/Smith	3
Dittner, Steven	Garcia Garland	1
Donnelly, Susan	Beehan/Hensley/Miller/Smith/	4
Dooley, Donald 'Chip'		0
Edwards, Leigha	Beehan/Miller/Smith	3
Ellis, Bridgette	Hayes/Hensley/Miller/Mosby/Smith	5
Eubanks, William Allen	Beehan/Hayes/Hensley/Miller/Mosby/Smith	6
Everitt, Joseph	Miller	1
Freeman, Jenny	Beehan/Hensley/Miller	3
Gilpin, Jeff	Smith	1
Groscost, Erik	Beehan/Hayes/Mosby	3

Gound, Dennis		0
Gunn, Barbara	Garcia Garland	1
Hackett, David	Hayes	1
Harvey, Teresa	Beehan/Hayes	2
Hatmaker, Donna	Mosby/Smith	2
Henry, Bill	Miller	1
Hubbard, Camden	Garcia Garland/Hensley	2
Kline, Keith	Garcia Garland	1
Lance, Suzanne	Beehan/Hensley/Miller/Mosby	4
Lane, Joan	Beehan/Smith	2
Logan, W. Mark	Hayes	1
Lyons, Jan	Garcia Garland/Smith	2
Martin, Fay	Beehan/Hayes/Hensley/Miller/ Smith	5
Martin, Lois	Smith	1
McPeak, Greg		0
Miller, David	Beehan	1
Miller, Donald Richard	Garcia Garland/Hayes	2
Moss, Bryan	Hensley	1
Noecker, Joseph	Beehan/Mosby	2
Olson, Bob	Garcia Garland/Hayes	2
Palau, Gerry	Beehan/Garcia Garland/Hensley/Mosby/Smith	5
Palmer, Esther	Garcia Garland	1
Parker, Jack Alan		0
Patrick, Laurel	Beehan/Hensley/Miller/Mosby/Smith	5
Peters, Harry	Miller/Mosby	2
Rabinowitz, Lou	Beehan/Hayes/Hensley/Miller/Mosby/Smith	6
Ricche, David	Garcia Garland/Hayes	2
Robbins, Daniel	Beehan/Garcia Garland/Hayes/Hensley/Miller/Mosby/Smith	7
Scott, Theresa	Hayes/Beehan/Hensley/Mosby	4
Sloan, James	Hayes/Mosby	2
Stephens, Benjamin	Garcia Garland/Beehan/Hensley/Mosby	4
Toth, Catherine	Garcia Garland/Smith/Hayes/Beehan/Miller/Hensley/Mosby	7
Tuft, Ruth		0
Turner, Tony	Mosby	1
Underwood, R. Scott	Hayes/Miller/Mosby	3
Vane, Timothy	Smith/Hayes	2
Willison, Marci	Garcia Garland	1
Wood, Joe	Garcia Garland/Hayes	2
Wright, Thomas	Garcia Garland	1
Yates, David	Hayes/Miller/Hensley/Mosby	4

Daniel Robbins and Catherine Toth received seven votes each, thereby appointing them to the Recreation and Parks Advisory Board.

The applicants that didn't receive a vote were removed from the list.

ROUND TWO (each Councilmember votes for seven; four or more votes automatically elects an applicant)

<u>Candidate</u>	<u>Vote by Councilmember</u>	<u>Total</u>
Agron, Eleanor	Garcia Garland	1

Baughn, Trina	Garcia Garland	1
Biewer, Theodore		0
Chmielewicz, Frank	Hensley	1
Cloutier, Linda		0
Colverson, Sherith	Smith/Beehan	2
Crossno, Tracy Marie Wigham	Mosby	1
Cushman, Robert	Smith/Hayes/Hensley	3
Dittner, Steven		0
Donnelly, Susan	Beehan/Hensley	2
Edwards, Leigha	Miller	1
Ellis, Bridgette	Smith/Hayes/Mosby	3
Eubanks, William Allen	Smith/Beehan/Miller/Hensley	4
Everitt, Joseph		0
Freeman, Jenny		0
Gilpin, Jeff		0
Groscost, Erik		0
Gunn, Barbara	Garcia Garland	1
Hackett, David		0
Harvey, Teresa		0
Hatmaker, Donna		0
Henry, Bill		0
Hubbard, Camden	Hensley	1
Kline, Keith		0
Lance, Suzanne	Beehan/Miller/Mosby	3
Lane, Joan		0
Logan, W. Mark		0
Lyons, Jan		0
Martin, Fay	Hayes/Miller	2
Martin, Lois		0
Miller, David		0
Miller, Donald Richard		0
Moss, Bryan		0
Noecker, Joseph		0
Olson, Bob	Garcia Garland	1
Palau, Gerry	Beehan/Garcia Garland/Smith/Mosby	4
Palmer, Esther		0
Patrick, Laurel	Miller/Mosby/Smith	3
Peters, Harry	Miller	1
Rabinowitz, Lou	Beehan/Hayes/Hensley/Miller/Mosby/Smith	6
Ricche, David		0
Robbins, Daniel		0
Scott, Theresa	Hensley	1
Sloan, James		0
Stephens, Benjamin	Beehan/Garcia Garland/Mosby	3
Toth, Catherine		0
Turner, Tony		0
Underwood, R. Scott	Hayes	1
Vane, Timothy	Hayes	1
Willison, Marci		0
Wood, Joe	Hayes/Garcia Garland	2
Wright, Thomas		0
Yates, David		0

William Allen Eubanks received four votes, Gerry Palau received four votes, and Lou Rabinowitz received six votes; thereby appointing them to the Recreation and Parks Advisory Board.

The applicants that didn't receive a vote were removed from the list.

ROUND THREE (each Councilmember votes for four; four or more votes automatically elects an applicant)

<u>Candidate</u>	<u>Vote by Councilmember</u>	<u>Total</u>
Agron, Eleanor		0
Baughn, Trina		0
Chmielewicz, Frank		0
Colverson, Sherith	Garcia Garland/Smith/Beehan/Miller	4
Crossno, Tracy Marie Wigham		0
Cushman, Robert	Smith/Hensley/Mosby	3
Donnelly, Susan	Beehan/Hensley	2
Edwards, Leigha	Beehan	1
Ellis, Bridgette	Garcia Garland/ Smith/Hayes/Mosby/Hensley	5
Gunn, Barbara		0
Hubbard, Camden		0
Lance, Suzanne	Miller	1
Martin, Fay	Miller	1
Olson, Bob		0
Patrick, Laurel	Beehan/Garcia Garland/Smith/Miller/Mosby/Hensley	6
Peters, Harry		0
Scott, Theresa		0
Stephens, Benjamin	Garcia Garland/Mosby	2
Underwood, R. Scott	Hayes	1
Vane, Timothy	Hayes	1
Wood, Joe	Hayes	1

Laurel Patrick received six votes, Bridgette Ellis received five votes, and Sherith Colverson received four votes, thereby appointing them to the Recreation and Parks Advisory Board.

The applicants that received no votes were removed from the list.

ROUND FOUR (each Councilmember votes for one; four or more votes automatically elects an applicant)

<u>Candidate</u>	<u>Vote by Councilmember</u>	<u>Total</u>
Colverson, Sherith		0
Cushman, Robert	Hensley/Smith	2
Donnelly, Susan	Beehan	1
Edwards, Leigha	Miller	1
Ellis, Bridgette		0
Lance, Suzanne		0
Martin, Fay		0
Patrick, Laurel		0
Stephens, Benjamin	Garcia Garland/Mosby	2
Underwood, R. Scott	Hayes	1

Vane, Timothy	0
Wood, Joe	0

No one was elected in this round. The applicants that received no votes were removed from the list.

ROUND FIVE (each Councilmember votes for one; four votes automatically elects an applicant)

<u>Candidate</u>	<u>Vote by Councilmember</u>	<u>Total</u>
Cushman, Robert	Hayes/Hensley/Smith	3
Donnelly, Susan		0
Edwards, Leigha	Beehan/Miller	2
Stephens, Benjamin	Garcia Garland/Mosby	2
Underwood, R. Scott		0

No one was elected in this round. The applicants that received no votes were removed from the list.

ROUND SIX (each Councilmember votes for one; four votes automatically elects an applicant)

Cushman, Robert	Hayes/Hensley/Smith	3
Edwards, Leigha	Beehan/Miller	2
Stephens, Benjamin	Garcia Garland/Mosby	2

No one was elected in this round. The applicants that received no votes were removed from the list.

ROUND SEVEN (each Councilmember votes for one; four votes automatically elects an applicant)

Cushman, Robert	Beehan/Hayes/Hensley/Smith	4
Edwards, Leigha	Miller	1
Stephens, Benjamin	Garcia Garland/Mosby	2

Robert Cushman received four votes, thereby appointing him to serve on the Recreation and Parks Advisory Board.

After the election of the nine members to the Recreation and Parks Advisory Board, the Council voted on the terms of office.

Three Members to serve three-year terms ending on December 31, 2014

<u>Candidate</u>	<u>Vote by Councilmember</u>	<u>Total</u>
Colverson, Sherith	Smith	1
Cushman, Robert	Hayes	1
Ellis, Bridgette		0
Eubanks, William Allen	Miller	1
Palau, Gerry	Garcia Garland	1
Patrick, Laurel		0
Robbins, Daniel	Beehan/Garcia Garland/Hayes/Hensley/Miller/Mosby/Smith	6

Rabinowitz, Lou	Beehan/Hayes/Hensley/Mosby/Smith	5
Toth, Catherine	Beehan/Garcia Garland/Hensley/Miller/Mosby	5

Lou Rabinowitz, Daniel Robbins, and Catherine Toth were elected to serve three-year terms.

Three Members to serve two-year terms ending on December 31, 2013

<u>Candidate</u>	<u>Vote by Councilmember</u>	<u>Total</u>
Colverson, Sherith	Garcia Garland/Hayes/Hensley/Mosby/Smith	5
Cushman, Robert	Hayes/Hensley/Smith	3
Ellis, Bridgette	Hayes	1
Eubanks, William Allen	Beehan/Hensley/Miller	3
Palau, Gerry	Beehan/Garcia Garland/Miller/Mosby/Smith	5
Patrick, Laurel	Beehan/Garcia Garland/Miller/Mosby	4

Sherith Colverson, William Allen Eubanks, and Gerry Palau were elected to serve two-year terms.

Three Members to serve a one-year term ending on December 31, 2012.

Robert Cushman, Bridgette Ellis, and Laurel Patrick will serve one-year terms.

**NOTICE OF ELECTIONS FOR MAY 9, 2011**

Mayor Beehan announced that two elections are scheduled for the May 9, 2011 City Council meeting as follows:

- Two (2) seats to the Environmental Quality Advisory Board, both shall be Oak Ridge High School students.
- Two (2) seats to the Traffic Safety Advisory Board. One seat is for an Oak Ridge High School student, the other seat is to fill an unexpired term ending December 31, 2013.

Deadline for Filing

- The deadline for filing is 5:00 p.m. on Friday, April 29, 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

Information – Budget Presentation

City Manager Mark Watson stated that the City's proposed FY 2012 budget will be presented to the City Council at the May 9, 2011 Council Meeting. The School's budget will also be presented.

Budget Meetings will be held on May 9, 16, and 23.

2. CITY ATTORNEY'S REPORT

**XI. ADJOURNMENT**

There being no further business, the meeting adjourned at 11:00 p.m.

Approved this 9th day of May, 2011.

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Donna L. Patterson, City Clerk

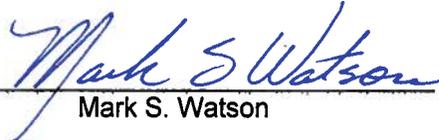
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Thomas L. Beehan, Mayor

**CITY COUNCIL MEMORANDUM  
11-22**

DATE: May 2, 2011  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: CONFIRMATION OF NOMINATION BY ORUD  
BOARD OF COMMISSIONERS

The attached communication from the Oak Ridge Utility District (ORUD) Board of Commissioners nominates James E. Rushton to succeed himself as a Commissioner of the Utility District and petitions City Council to confirm his nomination. I met with the ORUD Board of Commissioners on May 20, 2011 and join with them in recommending the reappointment of Mr. Rushton to fill the five-year term beginning July 1, 2011 and ending June 30, 2016.

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

Attachment

**TO THE HONORABLE MAYOR AND CITY COUNCIL  
OF OAK RIDGE, TENNESSEE**

1. That, by Chapter 503 of the 1951 Private Acts of Tennessee, there was created a municipal corporation designated as "Oak Ridge Utility District,"
2. That, by Section 3 of said Chapter 503, and by petitions for appointments by the Board of Commissioners of Oak Ridge Utility District and the City Manager of the City of Oak Ridge, having been confirmed by the City Council of the City of Oak Ridge as follows:
  - a. On July 1, 2006, James E. Rushton was duly nominated and appointed to a five-year term expiring on June 30, 2011.
  - b. On July 1, 2007, Nancy B. Stanley was duly nominated and appointed for a five-year term expiring June 30, 2012.
  - c. On July 1, 2008, James W. Charles, III was duly nominated and appointed for a five-year term expiring June 30, 2013.
  - d. On July 1, 2009, Alan L. Liby was duly nominated and re-appointed to a five-year term expiring June 30, 2014.
  - e. On July 1, 2010, Dr. Thomas L. Clary, III, was duly nominated and re-appointed to a five year term expiring June 30, 2015.
3. That when the term of James E. Rushton expires on June 30, 2011, there will be a vacancy created on the Board of Commissioners of Oak Ridge Utility District.
4. That Section 3 of said Chapter 503 provides that whenever a vacancy occurs, a successor shall be nominated by a majority vote of the remaining members of the Board of Commissioners and the City Manager, then the name of the person so nominated shall be submitted to the City Council of Oak Ridge, Tennessee, for confirmation and within twenty days from the submission of such name to such City Council, the Council shall act upon the nomination and advise the District thereof.
5. That James E. Rushton, of Oak Ridge, Tennessee, has been nominated to fill the vacancy created by the expiration of his current term, beginning July 1, 2011 and expiring on June 30, 2016, such nomination being made by a majority vote of the remaining members of the Board of Commissioners of Oak Ridge Utility District and the City Manager of Oak Ridge, Tennessee, as evidenced by the Resolution attached hereto.

**Wherefore**, the undersigned Petitioners pray that Oak Ridge City Council confirm the nomination of James E. Rushton as Commissioner of the Oak Ridge Utility District to serve a five-year term beginning July 1, 2011 and ending June 30, 2016, as authorized by Chapter 503 of the 1951 Private Acts of Tennessee.

RESPECTFULLY SUBMITTED THIS 20<sup>th</sup> DAY OF APRIL, 2011,

**BOARD OF COMMISSIONERS OF OAK RIDGE UTILITY DISTRICT:**

  
\_\_\_\_\_  
Alan L. Liby, Chairman

  
\_\_\_\_\_  
Dr. Thomas L. Clary, III, Member

  
\_\_\_\_\_  
Nancy B. Stanley, Member

  
\_\_\_\_\_  
James W. Charles, III, Member

**CITY OF OAK RIDGE, TENNESSEE:**

  
\_\_\_\_\_  
Mark Watson, City Manager

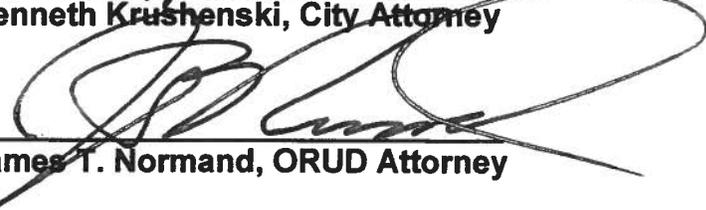
**Approved By OAK RIDGE CITY COUNCIL**  
The \_\_\_\_\_ Day of \_\_\_\_\_ 2011:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM AND LEGALITY:**

  
\_\_\_\_\_  
Kenneth Krushenski, City Attorney

  
\_\_\_\_\_  
James T. Normand, ORUD Attorney

**RESOLUTION NOMINATING JAMES E. RUSHTON, TO THE BOARD OF COMMISSIONERS OF OAK RIDGE UTILITY DISTRICT**

**A RESOLUTION** to nominate **James E. Rushton**, to be a member of the Board of Commissioners of Oak Ridge Utility District, to fill the vacancy created by the expiration of his current term as a Commissioner of the Oak Ridge Utility District, and to petition the Mayor and City Council of Oak Ridge, Tennessee, to confirm said nomination.

**WHEREAS**, by Chapter 503 of the 1951 Private Acts of Tennessee, there was created a municipal corporation designated as "Oak Ridge Utility District," and

**WHEREAS**, Section 3 of Chapter 503 provides that whenever a vacancy occurs or thirty days prior to the expiration of the term of office of any commissioner, the Chief Executive Officer of the City (the City Manager) shall meet with the Board of Commissioners of the District, exclusive of the commissioner whose term of office is about to expire, and nominate a commissioner by a majority vote, and to submit the name of said nominee to the Oak Ridge City Council for confirmation, and within twenty days from the submission of such name to City Council, the Council shall act upon the nomination and advise the District thereof, and

**WHEREAS**, the current term of office of **James E. Rushton**, expires June 30, 2011, and

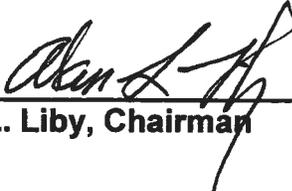
**WHEREAS**, the remaining members of the Board of Commissioners and the City Manager unanimously agree that Oak Ridge Utility District will greatly benefit by the continued service of **James E. Rushton**, on the ORUD Board of Commissioners, and

**WHEREAS**, **James E. Rushton**, is desirous and willing to serve another term on the ORUD Board of Commissioners;

**NOW THEREFORE**, be it resolved by the Board of Commissioners of the Oak Ridge Utility District of Oak Ridge, Tennessee, along with the City Manager of the City of Oak Ridge, Tennessee, that **James E. Rushton**, of Oak Ridge, Tennessee, be and hereby is nominated to serve a five-year term on the Board of Commissioners of Oak Ridge Utility District, beginning July 1, 2011 and ending June 30, 2016.

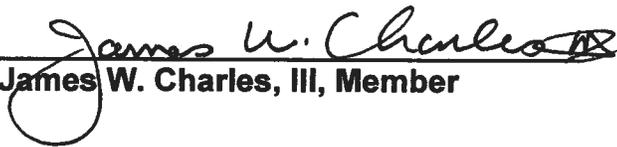
APPROVED THIS 20<sup>th</sup> DAY OF April, 2011,

**BOARD OF COMMISSIONERS OF OAK  
RIDGE UTILITY DISTRICT:**

  
\_\_\_\_\_  
Alan L. Liby, Chairman

  
\_\_\_\_\_  
Dr. Thomas L. Clary, III, Member

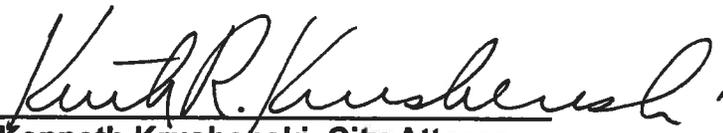
  
\_\_\_\_\_  
Nancy B. Stanley, Member

  
\_\_\_\_\_  
James W. Charles, III, Member

**CITY OF OAK RIDGE, TENNESSEE:**

  
\_\_\_\_\_  
Mark Watson, City Manager

**APPROVED AS TO FORM AND LEGALITY:**

  
\_\_\_\_\_  
Kenneth Krushenski, City Attorney

  
\_\_\_\_\_  
James T. Normand, ORUD Attorney

**PUBLIC WORKS DEPARTMENT MEMORANDUM**  
**11-10**

**DATE:** April 18, 2011  
**TO:** Mark S. Watson, City Manager  
**FROM:** Gary M. Cinder, P.E., Public Works Director  
**SUBJECT: STATE HIGHWAY MAINTENANCE CONTRACT**

The accompanying resolution authorizes a contract between the City of Oak Ridge and the State of Tennessee that provides reimbursement to the City for maintenance of prescribed portions of State Highways located within the city limits for the period of July 1, 2011 to June 30, 2012.

Activities covered by this contract include all routine maintenance such as pavement repair, striping, sweeping, snow removal, mowing of medians and litter removal. Work performed in the areas located between curb and curb or between shoulders is eligible for reimbursement. A copy of the contract is attached.

The sections of roadway included in the contract are:

- State Route 95 (Oak Ridge Turnpike) from the intersection of SR61 and SR95 to Wisconsin Avenue;
- State Route 62 (Illinois Avenue) from the northern city limit to the Solway Bridge; and
- State Route 170 (Edgemoor Road) from the Edgemoor Bridge to the SR62 interchange.

The contract includes a total reimbursement of \$141,176.00, which allows for an increase of \$9,629.00 for the portion of State Route 95 (Oak Ridge Turnpike) completed during 2010. The total is based on the approximate reimbursement of \$130,050.75 for roadway and pavement maintenance; \$5,556.60 for mowing of medians; and \$5,568.00 for litter removal.

The pavement maintenance reimbursement is calculated at \$0.15 per square yard of pavement with a total pavement or curb-to-curb width area of 867,005 square yards, an increase of 40,297 square yards for the widened State Route 95. While the cost of street maintenance has risen considerably, based upon historical records our costs will continue to be fully reimbursed.

The mowing reimbursement is based on a monthly cycle for six months of the year for the 20.58 acres, an increase of 5.74 acres, of median located along the state routes at a rate of \$45 per acre. The City is not reimbursed for any mowing of the right-of-way located back of the curb or edge of pavement. Based on the City's current mowing contract, the annual cost for mowing along the state routes and medians is approximately \$68,000. Unlike the state's criteria of once per month, the City mows medians and right-of-ways along the state routes once every 10 days or three times per month. The contract also provides reimbursement for twelve monthly litter pickups along state routes.

Staff recommends approval of the accompanying resolution.

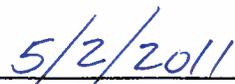
  
\_\_\_\_\_  
Gary M. Cinder, P.E.

Enclosure

**City Manager's Comments:**

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

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

  
\_\_\_\_\_  
Date

NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION TO APPROVE A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR MAINTENANCE OF STATE HIGHWAYS WITHIN THE CORPORATE CITY LIMITS WHEREBY THE CITY IS REIMBURSED BY TDOT FOR SAID SERVICES IN THE AMOUNT OF \$141,176.00.

WHEREAS, the City of Oak Ridge has heretofore entered into one-year contracts with the State of Tennessee whereby the City performs and is reimbursed for maintenance on State highways located within the corporate city limits; and

WHEREAS, the State has proposed a contract for said maintenance activity for the period beginning July 1, 2011 through June 30, 2012 for a total reimbursement of \$141,176.00, which contract the City Manager recommends be approved.

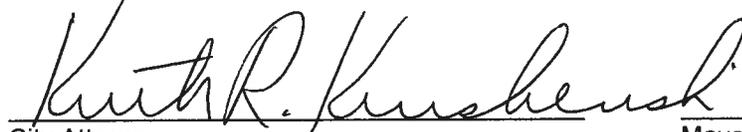
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into a contract with the State of Tennessee, Department of Transportation, Nashville, Tennessee, for the maintenance of prescribed sections of State routes within Oak Ridge during the period of July 1, 2011 through June 30, 2012, for the considerations set out in said contract prepared by the State and presented to the City for execution.

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

This the 9th day of May 2011.

APPROVED AS TO FORM AND LEGALITY:

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

\_\_\_\_\_  
Mayor

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

**STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION  
CONTRACT - CITY OF OAK RIDGE  
(MAINTENANCE OF STATE HIGHWAYS THROUGH MUNICIPALITIES)**

This Agreement made and entered into by and between the State of Tennessee, acting through its Department of Transportation, hereinafter referred to as the Department, and the CITY OF OAK RIDGE, hereinafter referred to as the City.

**WITNESSETH:**

WHEREAS, T.C.A., Sections 54-5-201-203 provide that the Department is responsible for the maintenance of the streets in municipalities over which traffic on State highways is routed and may enter into contracts with municipalities relative to this requirement where a municipality is organized for the care of its own streets, on a reimbursement basis; and

WHEREAS, the City is organized for the care of its own streets, and the parties want to enter into an agreement to provide for the maintenance of those sections of streets hereinafter itemized.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

The City shall perform street maintenance on the hereinafter identified sections of City streets over which traffic on state highways is routed, for the period of time beginning July 1, 2011 and ending June 30, 2012.

The work performed by City under this agreement shall consist of those activities designated in the "Guidelines Covering Maintenance of State Highways through Municipalities", a copy of which is attached hereto and incorporated by reference as "Exhibit A". "Eligible items" are described on Exhibit A.

The street area to be maintained by City under this agreement shall include the roadway only, from curb to curb where curbs exist or to the shoulder lines where curbs do not exist, and will include the eligible grass control and the eligible litter removal activities.

The Department agrees to reimburse said City in the amount actually expended for street maintenance, not to exceed a total of \$0.15 per square yard of area routinely maintained, swept or flushed, and the Department agrees to reimburse said city for the eligible grass control activities and the eligible litter removal activities, not to exceed the number of cycles and the price per acre or mile, as described on "Exhibit A" page 2.

ROUTE NO.		SQUARE YARDS
<b>ROANE COUNTY</b>		
95	Oak Ridge Turnpike Roane-Anderson County Line to Wisconsin Avenue	
<b>Total State Route 95</b>		<b>52,203</b>
<b>ANDERSON COUNTY</b>		
95	Oak Ridge Turnpike 591' East of Intersection of 95 and 61, Northwest 186' of Intersection to West to Roane-Anderson County Line	363,616
	Illinois and Tulane Avenue	1,955
<b>Total Square Yards State Route 95</b>		<b>365,571</b>
<b>Less Grass Median Square Yards</b>		<b>(15,968)</b>
<b>Total Roadway Surface Square Yards</b>		<b>349,603</b>
62	North Illinois Avenue - North City Limits to Intersection with Oak Ridge Turnpike (SR 95)	49,199
	South Illinois Avenue - Oak Ridge Turnpike to Solway Bridge (City Limit)	409,962
<b>Total Square Yards State Route 62</b>		<b>459,161</b>
<b>Less Grass Median Square Yards</b>		<b>(55,686)</b>
<b>Total Roadway Surface Square Yards</b>		<b>403,475</b>
170	Edgemoor Bridge to Solway Interchange	
<b>Total State Route 170</b>		<b>61,724</b>
<b>SUMMARY</b>		
State Route 95 (Roane) Roadway Surface Square Yards		52,203
State Route 95 (Anderson) Roadway Surface Square Yards		349,603
State Route 62 Roadway Surface Square Yards		403,475
State Route 170 Roadway Surface Square Yards		61,724
<b>Grand Total Roadway Surface Square Yards</b>		<b>867,005</b>
<b>Total Roadway Surface Square Yards 867,005 @ \$0.15 =</b>		<b>\$ 130,050.75</b>
SR 95 (R) Mowing 01.46 Acres @ \$45.00 = \$ 65.70 x 6 cycles =		\$ 394.20
SR 95 (A) Mowing 07.58 Acres @ \$45.00 = \$ 341.10 x 6 cycles =		\$ 2,046.60
SR 62 Mowing 11.54 Acres @ \$45.00 = \$ 519.30 x 6 cycles =		\$ 3,115.80
SR 170 Mowing 00.00 Acres @ \$45.00 = \$ 00.00 x 6 cycles =		\$ 00.00
SR 95 (R) Litter 01.04 Miles @ \$50.00 = \$ 52.00 x 12 cycles =		\$ 624.00
SR 95 (A) Litter 05.10 Miles @ \$50.00 = \$ 255.00 x 12 cycles =		\$ 3,060.00
SR 62 Litter 03.14 Miles @ \$50.00 = \$ 157.00 x 12 cycles =		\$ 1,884.00
SR 170 Litter 00.00 Miles @ \$50.00 = \$ 00.00 x 12 cycles =		\$ 00.00
<b>TOTAL AMOUNT OF CONTRACT</b>		<b>\$ 141,176.00</b>

"In no event shall the maximum liability of the Department for all services under this contract exceed \$141,176.00."

**CONTRACT - CITY OF OAK RIDGE  
(MAINTENANCE OF STATE HIGHWAYS THROUGH MUNICIPALITIES)  
Page 3**

The Department will not be obligated to reimburse the cost for repairing sections of State highways damaged as the result of the activities of any public or private utility.

The City will furnish the Department with itemized monthly sworn statements, by the 20th of each month for work performed the previous month, setting out in detail the amount expended for labor, equipment, materials and shall furnish copies of receipted vendors invoices for materials used. If a contractor or contract labor or contract equipment rental is used on the above state highways the City agrees to furnish a detailed invoice from the Vendor for work performed. In no event will accounts be paid which were incurred more than sixty (60) days prior to submission to the Department unless an extension of time has been requested by the City and granted by the Director of Maintenance. The City hereby submits to the Department, a statement showing the wage scale by classification proposed to be paid, with the Department's equipment rental rates to be charged, identified as "Exhibit B", attached hereto and incorporated herein by reference, which exhibit shall be subject to approval of the Department. The Department agrees to pay monthly bills as soon after receipt thereof as it can be checked and warrants issued. The Department will be furnished a work report by the City, which will detail the work performed by activity including the quantified units of measure, as identified in Exhibit A, to correspond to the requests for reimbursement of each activity submitted. The City's failure to comply with this requirement shall relieve the Department of any obligation to reimburse the City for the subject work.

Prior to the beginning of non-routine maintenance work outside the scope of this agreement, the City shall notify the Department of its intentions in writing, and shall give the Department an opportunity to inspect the sections of State highways proposed to be maintained. During the time such work is being performed, the Department shall have a right to inspect said work and the City hereby agrees to carry out such instructions as may be given by the representatives of the Department making any such inspection.

The City agrees to comply with all applicable federal and state laws, rules and regulations in the performance of its duties under this agreement. The parties hereby agree that the failure of the City to comply with this provision shall constitute a material breach of the agreement and may subject the City to the repayment of all damages suffered by the state and/or the Tennessee Department of Transportation as a result of said breach.

**CONTRACT - CITY OF OAK RIDGE  
(MAINTENANCE OF STATE HIGHWAYS THROUGH MUNICIPALITIES)  
Page 4**

The contract is subject to the appropriation and availability of state funds. In the event that the funds are not appropriated or are otherwise unavailable, the Department reserves the right to terminate the contract upon written notice to the City. Said termination shall not be deemed a breach of contract by the Department. Upon receipt of the written notice, the City shall cease all work associated with the contract. Should such an event occur, the City shall be entitled to compensation for all satisfactory and authorized services completed as of the termination date. Upon such termination, the City shall have no right to recover from the Department any actual, general, special, incidental, consequential or any other damages whatsoever of any description or amount.

The City shall maintain documentation for all charges against the Department under this contract. The books, records, and documents of the City, insofar as they relate to the work performed or money received under this contract, shall be maintained for a period of three (3) full years from the date of the final payment and be subject to audit at any reasonable time and upon reasonable notice by the Department, the Comptroller of the Treasury, or their duly appointed representatives. The financial statements shall be prepared in accordance with generally accepted accounting principles.

No person on the grounds of handicap or disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal and/or Tennessee State Constitutional and/or statutory law shall be excluded from participation in, or be denied benefits of, or be otherwise subjected to discrimination in any program or activity or in the employment practices of the City and will immediately take any measure necessary to effectuate this agreement. The City shall, upon request, show proof of such non-discrimination, and shall post in conspicuous places, available to all employees and applicants, notices of non-discrimination.

The City acknowledges that it has total and complete responsibility for appropriate maintenance of the designated streets.

The Department, by the execution of this agreement, does not assume any liability for damages caused to persons or property by reason of the City maintaining said sections of State highways, or by reason of the City's decisions regarding whether and to what extent a street should be maintained. The Department assumes no liability for injury to any employee of the City performing maintenance work under this agreement. The Department shall have no liability except as specifically provided in this contract.

**CONTRACT - CITY OF OAK RIDGE  
(MAINTENANCE OF STATE HIGHWAYS THROUGH MUNICIPALITIES)**

Page 5

The contract shall be deemed effective by the parties as of July 1, 2011, regardless of the date it is executed by the parties.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed by their respective authorized officials on the date set forth below.

The undersigned Municipal official verifies that he/she is authorized to execute this contract on behalf of the municipality.

**CITY OF OAK RIDGE**

**STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_  
MAYOR

By: \_\_\_\_\_  
JOHN C. SCHROER  
COMMISSIONER

DATE: \_\_\_\_\_

Approved as to Form and Legality

Approved as to Form and Legality

By: *Keith R. Kusherush*  
CITY ATTORNEY

BY: \_\_\_\_\_  
JOHN REINBOLD  
GENERAL COUNSEL

**GUIDELINES COVERING MAINTENANCE  
OF STATE HIGHWAYS THROUGH MUNICIPALITIES**

The following items where applicable are eligible for reimbursement by the State to the Municipalities under our Standard Maintenance Agreement:

Activity	Units of measure	
401	Manual Spot Patching	Tons
402	Crack Repair	Pounds
404	Mechanical Continuous Patching	Tons
405	Milling	Square Yards
406	Surface Replacement	Tons
411	Concrete Pavement Repair	Cubic Yards
412	Concrete Joint Repair	Linear Feet
425	Grading Unpaved Surface (Shoulder)	Linear Miles
427	Patching Unpaved Surface (Shoulder)	Tons
435	Machine Mowing on medians (Also back of curbs or shoulders on C.A.*)	Acres
438	Debris, Trees, etc., removal from Roadway surface only (Also Brush control on C.A.*, according to TDOT Tree and Vegetation policy)	Man Hours
441	Litter removal on medians (Also back of curbs or shoulders on C.A.*)	Roadway Miles
446	Mechanical Sweeping and Street Flushing	Miles
447	Manual Roadway Sweeping	Man Hours
460	Plowing Snow	Lane Miles
461	De-icing Salt and/or Sand for snow and ice removal	Tons
463	Anti-Icing (Salt Brine)	Gallons
470	Pavement Markings	Line Miles
471	Specialty Markings	Each

\* C.A.- Controlled-Access Highways

The following items are the responsibility of the Municipalities and are not eligible for State maintenance reimbursement:

1. Crosswalk Striping
2. Mowing right-of-way back of curbs or shoulder lines on non-C.A.\*
3. Litter from right-of-way back of curbs or shoulder lines on non-C.A.\*
4. Storm drainage
5. Traffic control signs and signals and any other traffic control or monitoring devices
6. Street lighting
7. Street name signs
8. Tree removal and vegetation control on right-of-way back of curbs or shoulders on non-C.A.
9. Sidewalks

\* C.A.- Controlled-Access Highways

**NOTE:**

1. Major resurfacing when generally required will be performed by the Tennessee Department of Transportation as a construction project, in accordance with a program developed after consultation with the municipalities.
2. The Department of Transportation will furnish and maintain route markers through the Municipalities.
3. The Department of Transportation assumes responsibility for maintaining everything inside the right-of-way fences on the Interstate System of Defense Highways with its own forces, except lighting systems.  
(Chapter 54-5-206, Tennessee Code Annotated.) Rev. 5-11-04.

**GUIDELINES COVERING MAINTENANCE  
OF STATE HIGHWAYS THROUGH MUNICIPALITIES**

The eligible litter removal activities on controlled-access state highways and grass medians only on non-controlled-access state highways will be calculated, by (12) cycles, by the price per mile as described below:

Litter removal on non-controlled-access highways 1 pass mile-median only

No. of Miles	by	No. of cycles	by	Amount per pass mile
Total		12		\$50.00

Litter removal on controlled-access highways 2 pass mile-no median

No. of Miles	by	No. of cycles	by	Amount per pass mile
Total		12		\$100.00

Litter removal on controlled-access highways 3 pass mile w/median

No. of Miles	by	No. of cycles	by	Amount per pass mile
Total		12		\$150.00

The eligible grass control activities on controlled-access state highways and medians only on non-controlled-access state highways will be calculated, by number of acres, by (6) cycles, by the average state contract price of \$45.00 per acre on state highways:

State Highways

No. of acres	by	No. of cycles	by	Amount per acre
Total		6		\$45.00

Note: The eligible grass control activities, and the eligible litter removal activities will be invoiced for reimbursement by the cycle.

"EXHIBIT B"

CITY OF OAK RIDGE

MAXIMUM ALLOWABLE EQUIPMENT RATES

2011 – 2012 FISCAL YEAR

ITEM NO	DESCRIPTION OF EQUIPMENT	RATE	UNIT
01	SEDAN, POLICE OR FULL SIZE	12.00	HR
02	TRUCK, PICKUP	11.00	HR
03	TRUCK, ¾ TO 1 TON LIGHT DUTY	12.00	HR
04	TRUCK, ¾ TO 1 TON 4X4	13.00	HR
05	TRUCK, UTILITY/SERVICE BODY	14.00	HR
06	TRUCK, DUMP UP TO 15,000 GVWR	24.65	HR
07	TRUCK, DUMP OVER 15,000 UP TO 20,000 GVWR	28.12	HR
08	TRUCK, DUMP OVER 20,000 UP TO 40,000 GVWR	42.35	HR
09	TRUCK, DUMP TANDEM AXLE OVER 40,000 GVWR	68.00	HR
10	TRUCK, STAKE OR FLATBED UP TO 10,000 GVWR	17.45	HR
11	TRUCK, STAKE OR FLATBED OVER 10,000 UP TO 20,000 GVWR	26.10	HR
12	TRUCK, STAKE OR FLATBED OVER 20,000	42.00	HR
13	TRUCK, FLATBED OVER 32,500 GVWR	54.00	HR
14	TRUCK, TRACTOR SINGLE AXLE	37.00	HR
15	TRUCK, TRACTOR TANDEM AXLE	40.15	HR
16	TRUCK, SEWER/CULVERT/CATCH BASIN/ CLEANER (VAC-ALL)	82.20	HR
17	SWEEPER, TRUCK MOUNTED	55.89	HR
18	SWEEPER, SELF-PROPELLED	43.71	HR
19	TRUCK, W/STREET FLUSHER	70.16	HR
20	TRUCK, CRANE	28.28	HR
21	TRUCK, EXCAVATOR	64.73	HR
22	TRUCK, REFUSE COLLECTION	30.50	HR
23	TRACTOR, W/SWEEPER	32.68	HR
24	TRACTOR, W/DITCHER	62.12	HR
25	TRACTOR, WHEEL	48.22	HR
26	CHIPPER, BRUSH	36.81	HR
27	TRAILER, TILT	8.04	HR
28	TRAILER, PLATFORM OR GENERAL	10.12	HR
29	TRAILER, LOW BOY TANDEM	20.78	HR
30	JOINT & CRACK SEALING MACHINE	28.55	HR
31	ASPHALT RECLAIMER/RECYCLER MACHINE	135.78	HR
32	PAVER, ASPHALT SELF-PROPELLED	154.53	HR
33	PAVER, ASPHALT PULL TYPE	7.45	HR
34	DISTRIBUTOR, ASPHALT, PULL TYPE	27.37	HR
35	CHIP SPREADER MACHINE	57.42	HR
36	EXCAVATOR, TRACK TYPE (TRACKHOE)	87.31	HR
37	DRAGLINES AND CRANES	75.99	HR
38	TRACTOR, CRAWLER (DOZER)	98.18	HR
39	MOTOR GRADER	65.30	HR
40	BACKHOE	37.90	HR
41	LOADER, FT END RUBBER TIRED (ARTICULATED) UP TO 1 CU. YD.	32.13	HR
42	LOADER, FT END RUBBER TIRED (ARTICULATED) OVER 1 UP TO 1.5 CY	47.50	HR

**"EXHIBIT B"**

**CITY OF OAK RIDGE**

**MAXIMUM ALLOWABLE EQUIPMENT RATES**

**2011 – 2012 FISCAL YEAR**

<b>ITEM NO</b>	<b>DESCRIPTION OF EQUIPMENT</b>	<b>RATE</b>	<b>UNIT</b>
43	LOADER, FT END RUBBER TIRED (ARTICULATED) OVER 1.5 CU. YD.	59.71	HR
44	LOADER, FRONT END TRACK TYPE	71.50	HR
45	LOADER, SKID-STEER	58.46	HR
46	PROFILER, MILLING MACHINE	305.76	HR
47	ROLLER, WALK BEHIND	4.27	HR
48	ROLLER, STEEL WHEEL, 1 TO 5 TONS	88.84	HR
49	ROLLER, STEEL WHEEL, OVER 5 TONS	41.93	HR
50	GENERATOR, PORTABLE	8.30	HR
51	AIR COMPRESSOR, PORTABLE OR PULL TYPE	36.40	HR
52	WELDER, PORTABLE OR PULL TYPE	5.76	HR
53	CONCRETE MIXER, PORTABLE OR PULL TYPE	32.07	HR
54	CURBING MACHINE	65.74	HR
55	PAINT MACHINE, WALK BEHIND	31.57	HR
56	PAINT MACHINE, TRUCK MOUNTED (LARGE)	84.61	HR
57	THERMOPLASTIC MARKING MACHINE, WALK BEHIND	23.24	HR
58	TRAFFIC LINE REMOVER (WATER BLASTER)	43.68	HR
59	ARROW BOARD, TRAILER OR TRUCK MOUNTED	4.15	HR
60	MESSAGE SIGN, TRAILER MOUNTED	1.14	HR
61	LIGHT TOWER, TRAILER MOUNTED	24.18	HR
62	TRUCK MOUNTED ATTENUATOR	10.00	HR

**"EXHIBIT B"**  
**CITY OF OAK RIDGE**  
**MAXIMUM ALLOWABLE EQUIPMENT RATES**  
**2011-2012 FISCAL YEAR**

**LABOR RATES**    Beginning July 1, 2011 and ending June 30, 2012

<b>Job Title Classification</b>	<b>Low Rate</b>	<b>High Rate</b>
<b>Maintenance Worker</b>	<b>\$ 12.29</b>	<b>\$ 18.78</b>
<b>Maintenance Mechanic</b>	<b>\$ 13.55</b>	<b>\$ 20.72</b>
<b>Utility Maintenance Specialist</b>	<b>\$ 16.46</b>	<b>\$ 25.17</b>
<b>Equipment Operations Specialist</b>	<b>\$ 14.94</b>	<b>\$ 22.84</b>
<b>Facilities Maintenance Specialist</b>	<b>\$ 16.46</b>	<b>\$ 25.17</b>
<b>Signs &amp; Markings Specialist</b>	<b>\$ 16.46</b>	<b>\$ 25.17</b>
<b>Utility Line Maintenance Crew Chief</b>	<b>\$ 20.01</b>	<b>\$ 30.60</b>
<b>Street Maintenance Crew Chief</b>	<b>\$ 18.15</b>	<b>\$ 27.76</b>
<b>Temporary Laborer</b>	<b>\$ 11.71</b>	<b>\$ 17.91</b>

**Note: An overhead fee of 97% for fringe benefits and associated overhead will be applied to the above performance rates during the fiscal year for all employees other than Temporary Laborers.**

**PUBLIC WORKS DEPARTMENT MEMORANDUM**  
**11-09**

**DATE:** April 25, 2011  
**TO:** Mark S. Watson, City Manager  
**FROM:** Gary M. Cinder, P.E., Public Works Director  
**SUBJECT: PURCHASE OF BACKHOE/LOADER**

The accompanying resolution recommends the purchase of one backhoe/loader from Contractor's Machinery, Inc., Louisville, TN, per the specifications provided in the estimated amount of \$57,493.

The backhoe/loader will be utilized by the Public Works Department West End Crew and will be an addition to the fleet. Originally, the West End Crew was assigned a "hand-me-down" backhoe, equipment number 446, which was replaced in FY07. Equipment number 446 was in fair condition when transferred to the West End Crew in July 2008. Over time, equipment number 446 began to leak fluid requiring the application of a pad to the machine when working at Heritage Center. As this became an ongoing issue, equipment number 446 was returned to the Central Services Complex to be sold as surplus.

To provide the West End Crew the needed equipment to perform their work, a demo model backhoe/loader with very limited hours used, was rented on a month-to-month basis. The recommended purchase is the backhoe/loader that has been rented for this work crew. The bid price for the equipment includes a credit for a portion of the rental payments. The recommended backhoe/loader has not had any service problems and has been an outstanding machine. The cost of a new, equivalent model of the recommended backhoe/loader would exceed \$100,000.

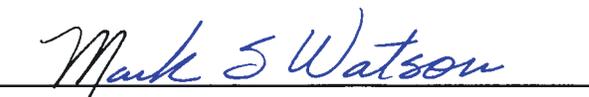
Bids were solicited from three vendors, requesting prices for new and used backhoe/loaders. The lowest bid received for a new, smaller model backhoe/loader was \$78,347 and the lowest and only bid received for a used backhoe/loader was \$57,493, the recommended purchase.

The Public Works Department staff recommends the purchase of this equipment, as budgeted from the West End Fund, that includes \$100,000 for machinery and equipment, with funding provided via the agreement with the Department of Energy. Staff recommends approval of the attached resolution as submitted.

  
\_\_\_\_\_  
Gary M. Cinder, P.E.

**City Manager's Comments:**

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

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

Date 5/2/2011

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

RFQ #122850 & RFQ #122382

OPENING DATE: April 19, 2011 2:00 P.M. & March 29, 2011 2:00 P.M.

DESCRIPTION	ITEM	UNIT	BIDDER: Contractor's Machinery, Inc. P.O. Box 129 Louisville, TN 37777		BIDDER: Stowers Machinery Corporation 6301 Rutledge Pike Knoxville, TN 37924		BIDDER: Contractor's Machinery, Inc. P.O. Box 129 Louisville, TN 37777		BIDDER: Nortrax Tennessee 2825 John Deere Drive Knoxville, TN 37917	
			UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
USED LOADER / BACKHOE & NEW LOADER/BACKHOE										
THE FURNISHING OF A USED LOADER / BACKHOE PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE PUBLIC WORKS DEPARTMENT	1		\$ 57,493.00	\$ 57,493.00						
OR										
THE FURNISHING OF A NEW LOADER / BACKHOE PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE PUBLIC WORKS DEPARTMENT	2	1	\$ 78,347.00	\$ 78,347.00	\$ 78,347.00	\$ 78,347.00	\$ 88,436.00	\$ 88,436.00	\$ 99,078.00	\$ 99,078.00
TOTAL PRICE			\$ 57,493.00	\$ 57,493.00	\$ 78,347.00	\$ 78,347.00	\$ 88,436.00	\$ 88,436.00	\$ 99,078.00	\$ 99,078.00
TERMS			Net 30	Net 30	Net 30	Net 30	Net 30	Net 30	Net 30	Net 30
DELIVERY			30 Days	30 Days	6/23/2011	6/23/2011	45-90 Days	45-90 Days	60 Days	60 Days
F.O.B.			Oak Ridge	Oak Ridge	Oak Ridge	Oak Ridge	Oak Ridge	Oak Ridge	Oak Ridge	Oak Ridge
VIA			Truck	Truck	Truck	Truck	Truck	Truck	Truck	Truck
OTHER BIDDERS CONTACTED:										
BIDS OPENED AND RECORDED BY---										
<p align="center">               Lynn Dowlen              Accounting Division Manager           </p> <p align="center">               Janice McGinnis              Financial Director           </p>										
REASON FOR AWARD				RECOMMEND AWARD FOR USED LOADER / BACKHOE BE MADE TO:						
<input type="checkbox"/> ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input checked="" type="checkbox"/> LOWEST TOTAL COST				Contractor's Machinery, Inc. P.O. Box 129 Louisville, TN 37777						

NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION AUTHORIZING THE PURCHASE OF A BACKHOE/LOADER FROM CONTRACTOR'S MACHINERY, INC., LOUISVILLE, TENNESSEE, IN THE ESTIMATED AMOUNT OF \$57,493.00.

WHEREAS, the City of Oak Ridge has issued invitations to bid for the furnishing of a loader/backhoe for the Public Works Department; and

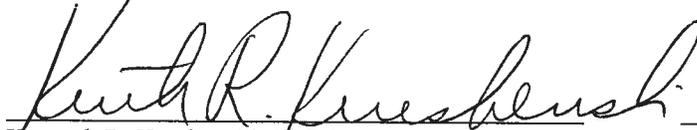
WHEREAS, bids were received and publicly opened on April 19, 2011, with Contractor's Machinery, Inc., Louisville, Tennessee, submitting the lowest and best bid, which bid the City Manager recommends be accepted.

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

That the recommendation of the City Manager is approved and award is hereby made to Contractor's Machinery, Inc., 3310 Wrights Ferry Road, P.O. Box 129, Louisville, Tennessee 37777, for the furnishing one (1) backhoe/loader for the Public Works Department; said award in strict accordance with Requisition No. 122850, the required specifications, and the bid as publicly opened on April 19, 2011, and in the estimated amount of \$57,493.00.

This the 9th day of May 2011.

APPROVED AS TO FORM AND LEGALITY:

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

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

\_\_\_\_\_  
Donna L. Patterson, City Clerk

**COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM**  
**11-37**

DATE: April 26, 2011  
TO: Mark S. Watson, City Manager  
FROM: Kahla Gentry, Community Development Department Senior Planner *KG*  
THROUGH: Kathryn Baldwin, Community Development Director *KAB*

**SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANT**

The City of Oak Ridge receives Community Development Block Grant (CDBG) entitlement funds annually from the U.S. Department of Housing and Urban Development (HUD). The City's Program Year (PY) 2011/Fiscal Year (FY) 2012 allocation from HUD is expected to be reduced from the amount received last year by 16% or more based upon reductions in CDBG funding approved by Congress. Last year the City received \$282,187 in CDBG funding. The City of Oak Ridge has not received an official allocation for the upcoming year, but based upon a 16 percent reduction in CDBG funding the City can expect to receive approximately \$237,000. When official notification of funding is received, adjustments may be made to the funding allocation in the approved Annual Action Plan without a new public hearing when there are no changes that exceed 50% of the allocation for any activity. When the City receives official notification of funding from HUD the amount allocated for Acquisition and Demolition will be adjusted as needed with funding for the remaining activities remaining the same. The accompanying resolution approves the City of Oak Ridge CDBG Annual Action Plan for PY11/FY12 and allocates funds in the total amount of \$237,000.

A requirement of the CDBG entitlement program is the development and submission of a Consolidated Plan to HUD at least every five years, but may be developed and submitted for a three-year period, if deemed appropriate by the grant recipient. The development of the fifth City of Oak Ridge Consolidated Plan took place during the seven-month period of September 2010 through March 2011 and is to be utilized for the three-year period of July 1, 2011 through June 30, 2014 (CDBG Program Year 2011 through Program Year 2013).

A draft copy of the City of Oak Ridge CDBG Consolidated Plan 2011-2013, with a Citizen Participation Plan (CPP) that includes a local Relocation Policy and includes the CDBG Annual Action Plan for PY2011/FY2012 was provided on March 29, 2011 for review. The distribution of these documents initiated a 30-day public comment period for them that concluded on April 30, 2011. A public hearing for the Consolidated Plan and the PY2011/FY2012 Annual Action Plan including funding recommendations was held during the April 11, 2011 City Council meeting.

The development of the City of Oak Ridge CDBG Consolidated Plan 2011-2013 including the PY2011/FY2012 Action Plan and recommended funding allocations included the following significant milestones:

September 28, 2010	Consolidated Plan Public Meeting #1
October 5, 2010	Consolidated Plan Public Meeting #2
October 12, 2010	Consolidated Plan Public Meeting #3
October 12, 2010	Public Hearing #1 – Needs Assessment and Potential Projects
April 1, 2011	30-Day Public Comment Period Begins for the City of Oak Ridge Consolidated Plan 2011-2013 including the PY11/FY12 Annual Action Plan



**City Manager's Comments:**

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

  
Mark S. Watson, City Manager      Date 5/2/2011

# I. GENERAL INFORMATION

## A. Executive Summary

### General Information

The Consolidated Plan for Housing and Community Development is a requirement of the 1990 National Affordable Housing Act and the Community Development Plan, for the U.S. Department of Housing and Urban Development (HUD). The plan is required of entitlement communities, which receive Community Development Block Grant (CDBG) funds under HUD's housing and service programs related to the needs of low and moderate-income persons. Once developed, the Consolidated Plan identifies a community's housing, homeless, community development and non-homeless special needs and establishes strategies to address those needs.

The Consolidated Plan is the City's guide for the provision of decent housing, a suitable living environment and economic opportunities for its citizens, specifically those of low and moderate-income. The CDBG program can fund a host of activities to help low-income people and neighborhoods, such as housing rehabilitation, public facilities, code enforcement activities, transitional housing, community services and infrastructure.

The Consolidated Plan is required to be developed and submitted to HUD at least every five years, but may be developed and submitted for a three-year period, if deemed appropriate by the grant recipient. The City of Oak Ridge chose to develop a Consolidated Plan for the three-year period of July 1, 2011 through June 30, 2014, or for the federal fiscal years of 2011, 2012 and 2013. This decision was based on the belief that the City's housing and community development needs will be better identified after complete 2010 Census data is available.

The City of Oak Ridge CDBG Consolidated Plan 2011 – 2013 was developed after holding three public meetings to obtain comments and recommendations from citizens, non-profit agencies, faith-based organizations and city staff. Data and information from the 2000 U.S. Census, American Community Survey and HUD is used.

The City of Oak Ridge must develop and submit three Annual Action Plans under the CDBG Consolidated Plan 2011 – 2013. Each Annual Action Plan must describe how the City of Oak Ridge intends to invest the CDBG entitlement funds for the upcoming program year. The first Annual Action Plan for the City of Oak Ridge Consolidated Plan 2011 – 2013 will be for Program Year (PY) 2011 / Fiscal Year (FY) 2012 and can be found in Section VI of this document.

### Major Components of the Consolidated Plan

The City of Oak Ridge CDBG Consolidated Plan 2011 – 2013 contains several major components:

- A Citizen Participation Plan which includes a local Relocation Policy
- An analysis of housing, homeless, chronic homelessness, community development and non-homeless special needs
- A housing market analysis
- Strategies for monitoring the CDBG program, fair housing issues, lead-based paint hazards and anti-poverty
- A description of the community's priority needs
- Strategies to address the priority needs
- A listing of projects that will receive funding each year to implement the strategies

## **Organization and Preparation of the Consolidated Plan**

The City of Oak Ridge CDBG Consolidated Plan 2011 – 2013 consists of seven sections and includes the HUD required documentation and tables. The sections of the Consolidated Plan are listed below with a brief description of the information provided in each section.

- **General Information**  
This section contains the Consolidated Plan's executive summary, strategic plan, geographic information, management of the process, Citizen Participation Plan including a local Relocation Policy, institutional structure and the required strategies for monitoring, fair housing, lead-based paint hazards and anti-poverty. The section concludes with the priority needs analysis and strategies.
- **Housing**  
This section provides information and data pertaining to the City's housing needs, priority housing needs, HUD Table 2A, a housing market analysis, barriers to affordable housing and specific housing objectives. The section also includes the needs of public housing and the public housing strategy from information provided by the Oak Ridge Housing Authority.
- **Homeless**  
This section provides information concerning the City's homeless needs, priority homeless needs, homeless inventory, and specific homeless needs objectives and discussion of chronic homelessness. The section includes HUD Table 1A with data from a point-in-time inventory completed by agencies that serve the homeless and near-homeless population within the city limits of Oak Ridge.
- **Community Development**  
This section provides information pertaining to the City's community development needs, community development needs analysis, HUD Table 2B, priority community development needs and specific community development objectives.
- **Non-Homeless Special Needs**  
This section provides information concerning the City's non-homeless special needs analysis and the specific special needs objectives.
- **Annual Action Plan for PY2011/FY2012**  
This section contains the entire City of Oak Ridge Annual Action Plan for PY2011/FY2012, which is the first annual action plan for this Consolidated Plan. The Annual Action Plan for PY2011/FY2012 provides information, including HUD Table 3 for each of the projects to be funded with CDBG entitlement funds during the period of July 1, 2011 through June 30, 2012. This section also includes the HUD required certifications.
- **Appendix**  
The appendix contains information referenced in the Consolidated Plan and the Annual Action Plan. The appendix is organized into sections that include public meetings information, public hearings information, fair housing initiatives, maps, Oak Ridge City Council documents and other administrative information.

Coordination of resources and compilation of data for the Consolidated Plan was accomplished through a multi-faceted process combining public meetings, staff and the organization's expertise.

The development of the City of Oak Ridge CDBG Consolidated Plan 2011 – 2013 is a significant project, requiring the support and effort of city staff in all departments. Kahla Gentry, Senior Planner, Community Development Department was tasked with collecting the data, documenting the process and creating the document. Several City employees provided research information, historical and statistical data. The effort and support of these employees is appreciated and without their assistance this document would not be possible.

The 30-day comment period for the City of Oak Ridge Consolidated Plan 2011 – 2013 and the PY2011/FY2012 Annual Action Plan will begin on Tuesday April 1, 2011 and end on Wednesday April 30, 2011. A public hearing is to be held on Monday April 11, 2011 at 7:00 p.m. during the City of Oak Ridge Council meeting at the Oak Ridge Municipal Building. There were no comments received during the 30-day comment period or the public hearing.

Copies of the City of Oak Ridge CDBG Consolidated Plan 2011 – 2013 and the PY2011/FY2012 Annual Action Plan are available by contacting Kahla Gentry, [kgentry@cortn.org](mailto:kgentry@cortn.org), 865-425-3580, and are available for review at the following locations:

- City Clerk's Office
- Community Development Department
- Public Library

Or online at [www.cortn.org](http://www.cortn.org) CDBG Icon

## A. Executive Summary

The Consolidated Plan for Housing and Community Development is a requirement of the 1990 National Affordable Housing Act and the Community Development Plan, for the U.S. Department of Housing and Urban Development (HUD). Such a plan is required of entitlement communities, which receive Community Development Block Grant (CDBG) funds under HUD's housing and service programs related to the needs of low and moderate-income persons. The development of the fifth City of Oak Ridge Consolidated Plan took place during the seven-month period of September 2010 through March 2011 and will be utilized for the three-year period of July 1, 2011 through June 30, 2014 (CDBG Program Year 2011 through Program Year 2013).

Nationwide, all CDBG entitlement funds have been reduced, and the City of Oak Ridge is no exception. The PY2011/FY2012 funding allocation for the City of Oak Ridge is expected to be reduced by approximately \$45,000 from the PY2010/FY2011 level of funding.

Each Annual Action Plan of the Consolidated Plan must be submitted to HUD at least forty-five days prior to the beginning of the entitlement community's fiscal year. A citizen participation plan element requires that interested parties have a 30-day period in which to review and comment upon the funding proposals and that at least one public hearing be held. Any information received during the public comment period or at the public hearing will be included with the submitted Annual Action Plan.

The 30-day comment period for the Program Year (PY) 2011 / Fiscal Year (FY) 2012 Annual Action Plan will begin on Friday April 1, 2011 and end on Saturday April 30, 2011. A public hearing is scheduled for Monday April 11, 2011 at 7:00 p.m. during the Oak Ridge City Council meeting at the Oak Ridge Municipal Building. There were no comments received during the 30-day comment period or the public hearing.

The objectives and outcomes utilizing the HUD Outcome Framework identified in the PY2011/FY2012 Annual Action Plan include the following:

Objective 1: Suitable Living Environment	Outcome 3: Sustainability
Objective 2: Decent Housing	Outcome 3: Sustainability
Objective 1: Suitable Living Environment	Outcome 1: Availability/Accessibility

Copies of the City of Oak Ridge Consolidated Plan 2011 – 2013 including the Citizen Participation Plan and the PY2011/FY2012 Annual Action Plan are available upon written request to:

City of Oak Ridge  
Municipal Building  
Community Development Department  
200 S. Tulane Avenue  
Oak Ridge, TN 37830  
Kahla Gentry, Senior Planner  
kgentry@cortn.org  
or  
Online at [www.cortn.org](http://www.cortn.org), CDBG icon.

**RESOLUTION**

A RESOLUTION APPROVING THE CDBG CONSOLIDATED PLAN 2011-2013, INCLUDING A CITIZEN PARTICIPATION PLAN; THE FY2012 ANNUAL ACTION PLAN; AND PROPOSED ALLOCATIONS OF COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT FUNDS FOR FY2012 ESTIMATED AT \$237,000.00.

WHEREAS, FY2012 will be the 28<sup>th</sup> year that the City of Oak Ridge is the recipient of Community Development Block Grant (CDBG) Entitlement funds from the U. S. Department of Housing and Urban Development (HUD); and

WHEREAS, HUD requires the development and submission of a Consolidated Plan at least every five years, however, the Consolidated Plan may be developed and submitted for a three-year period if deemed appropriate by the grant recipient; and

WHEREAS, the Consolidated Plan document shall include a citizen Participation Plan and the Annual Action Plan; and

WHEREAS, the amount of funds available for distribution under the FY2012 CDBG Entitlement Program is \$237,000.00; and

WHEREAS, HUD requires that a description of the City's proposed allocations of CDBG Entitlement funds be included in the FY2012 Annual Action Plan of the Consolidated Plan, which is subject to HUD approval before disbursement of CDBG allocations; and

WHEREAS, the City Manager recommends approval of the City of Oak Ridge CDBG Consolidated Plan 2011–2013, including a Citizen Participation Plan, and the FY2012 Annual Action Plan.

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

That the recommendation of the City Manager is approved and the City of Oak Ridge Consolidated Plan 2011–2013, including a Citizen Participation Plan, is hereby approved.

BE IT FURTHER RESOLVED that the FY2012 Annual Action Plan and the following proposed allocations of Community Development Block Grant Entitlement funds estimated to be available for FY2012, totaling \$237,000.00, are hereby approved:

- |  |             |
|--|-------------|
| • Scarboro Center Expansion (Year 10 of 15 Debt Expense) | \$95,000.00 |
| • Code Enforcement Services                              | \$63,000.00 |
| • Acquisition and Removal of Dilapidated Housing         | \$76,000.00 |
| • Program Grant Administration                           | \$ 3,000.00 |

This the 9th day of May 2011.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

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

\_\_\_\_\_  
Donna L. Patterson, City Clerk

MEMO TO THE CITY MANAGER  
No. 11-05

DATE: April 29, 2011  
TO: Mark Watson, City Manager  
FROM: Alan Massengill, Interim Chief of Police  
SUBJECT: 2011 COPS Hiring Program Grant Application

On June 15, 2010 the Oak Ridge Police Department submitted an application to the Office of Community Oriented Policing Services (Cops Office) requesting funding for (5) Police Officers through the 2010 COPS Hiring Program (CHP). The Oak Ridge Police Department did not receive the award or funding for 2010.

We have received notice from the (COPS Office) that the 2011 COPS Hiring Program will award \$200 million. All agencies requests will be capped at 5% of their actual sworn workforce, (61) for the Oak Ridge Police Department. The application deadline for the 2011 program will be May 25, 2011.

We are requesting authorization to submit the updated application to the COPS Office for consideration of (3) sworn officer positions. As with the 2010 funding this year's grant funding requirements will remain the same. CHP grants provide 100 percent funding for entry-level salary and benefits for 3 years (36 months), there are no matching fund requirements and grantees will be required to retain the positions for a minimum of (12) months at the conclusion of the (36) months of federal funding for each position.

A copy of the notification for this year's COPS Hiring Program, outlining the coming process, is attached for your review.

Staff recommends approval.

Respectfully,

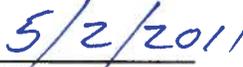


Alan R. Massengill  
Interim Chief of Police

City Manager's Comments:

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

  
Mark S. Watson

  
Date



U.S. DEPARTMENT OF JUSTICE  
OFFICE OF COMMUNITY ORIENTED POLICING SERVICES  
145 N Street, NE, Washington, D.C. 20530

**COPS**

April 18, 2011

Dear Colleague:

The Office of Community Oriented Policing Services (COPS) is pleased to announce that we will be accepting grant applications for the Fiscal Year (FY) 2011 **COPS Hiring Program (CHP)**. Subject to funding availability, approximately \$200 million may be available under FY 2011 CHP for the hiring and rehiring of additional career law enforcement officers.

The FY 2011 CHP solicitation will open on May 2, 2011. The application deadline will be **May 25, 2011, at 8:59 PM, EDT**. Please note that applications for this program must be submitted in two parts. First, applicants must apply online via [www.grants.gov](http://www.grants.gov) to complete the SF-424, which is a government-wide standard form required for competitive grant application packages. The SF-424 is intended to reduce the administrative burden to the Federal grants community, which includes applicants/grantees and Federal staff involved in grants-related activities. Once the SF-424 has been submitted, you will receive an e-mail from the COPS Office with instructions on completing the second part of the CHP application through the COPS Office Online Application System found on the COPS Office website at [www.cops.usdoj.gov](http://www.cops.usdoj.gov). Applications must be submitted via the COPS Office Online Application System by **8:59 PM, EDT, on May 25, 2011** to be considered for FY 2011 CHP funding.

CHP is a competitive grant program that provides funding directly to law enforcement agencies having primary law enforcement authority to impact their community policing capacity and problem solving efforts.

CHP grants provide 100 percent funding for approved entry-level salaries and benefits for 3 years (36 months) for newly-hired, full-time sworn officer positions (including filling existing unfunded vacancies) or for rehired officers who have been laid off, or are scheduled to be laid off on a specific future date, as a result of local budget cuts. There is no local match requirement or cap on the amount of funding that can be requested per officer position, but CHP grant funding will be based on your agency's current entry-level salary and benefits packages. Any additional costs for higher than entry-level salaries and fringe benefits will be the responsibility of the grantee agency. All agencies' requests will be capped at no more than 5% of their actual sworn force strength reported in their application, up to a maximum of 50 officers. The request of any agency with a sworn force strength less than or equal to 20 will be capped at one officer.

At the conclusion of federal funding, grantees must retain all sworn officer positions awarded under the CHP grant for a minimum of one year (12 months). The retained CHP-funded position(s) should be added to the grantee's law enforcement budget with state and/or local funds, over and above the number of locally-funded positions that would have existed in the absence of the grant.

The COPS Office looks forward to working with your agency. If you would like more information or require technical assistance during the solicitation process, please contact the COPS Office Response Center at 1.800.421.6770.

Sincerely,

Bernard K. Melekian  
Director

### *Before Preparing Your Application*

The COPS Office wants to ensure that your agency has sufficient time to complete your FY 2011 CHP application once the solicitation opens. We strongly recommend that your agency begin preparations for submitting your application at this time. To minimize delays in submitting your application, please take some time now to address the following items.

- Register at [www.grants.gov](http://www.grants.gov) to apply for federal funding. In order to apply for a grant, your organization must complete the Grants.gov registration process. The registration process can take between three to five business days or as long as four weeks if all steps are not completed in a timely manner. Therefore, you should register early. You must have a Data Universal Numbering System (DUNS) number and be registered with the Central Contractor Registration (CCR) database to begin your application with Grants.gov. For additional instructions on how to register with Grants.gov please visit [http://www.grants.gov/applicants/get\\_registered.jsp](http://www.grants.gov/applicants/get_registered.jsp).
- All Applicants must have a Data Universal Numbering System (DUNS) number prior to submitting an application for COPS funding. A DUNS number is a unique nine or thirteen-digit sequence recognized as the universal standard for identifying and tracking entities receiving federal funds. Please note that obtaining a DUNS number may take one to two business days. To obtain or verify your DUNS number, please call 1.866.705.5711 or visit [www.dnb.com/us](http://www.dnb.com/us).
- All Applicants must be registered with the Central Contractor Registration (CCR) database prior to submitting an application for COPS funding. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and sub-recipients. Applicants must maintain an active CCR registration with current information at all times during the grant application process and, if awarded, the grant award period. If you have an active CCR registration that is set to expire before September 30, 2011, you must renew your CCR registration before completing the application. Please note that the CCR verification process may take up to two weeks to complete. To register or to verify that your CCR registration has not expired, please visit [www.ccr.gov](http://www.ccr.gov).
- Applicants should note that all recipients of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act (FFATA), will be required to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. If applicable, the FFATA Subaward Reporting System (FSRS), accessible at [www.fsr.gov](http://www.fsr.gov), is the reporting tool recipients under this solicitation will use to capture and report subaward information and any executive compensation data required by FFATA. The subaward information entered in FSRS will then be displayed on [www.USASpending.gov](http://www.USASpending.gov) associated with the prime award, furthering Federal spending transparency. **Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the applicable reporting requirements should it receive funding.**
- Visit the “Account Access” portion of the COPS web site at [www.cops.usdoj.gov](http://www.cops.usdoj.gov) to determine if your agency currently has an active online account and/or how to create one. If you do not remember your password, you can use this site to have a password reminder sent to you. Please note that the COPS Agency Portal (“Account Access”) has recently been modified. Answers to frequently asked questions regarding the COPS Agency Portal can be found at: <http://www.cops.usdoj.gov/Default.asp?Item=2566> or by contacting the COPS Office Response Center at 1.800.421.6770.
- If your agency was never assigned a password or you need assistance creating an account and/or system access, or you would like to verify your agency’s correct ORI number, call 1.800.421.6770 between 9:00 a.m. and 5:00 p.m. Eastern Daylight Time, or e-mail [askcopsrc@usdoj.gov](mailto:askcopsrc@usdoj.gov).
- Once logged into “Account Access,” your agency will be able to add additional user accounts and also update your agency contact and address information. Please take this time to ensure that your agency’s Law Enforcement Executive, Government Executive, and point of contact information are current with our office.
- You will be required to provide the unique Geographic Names Information System (GNIS) identification number assigned to your agency. The GNIS database is maintained by the U.S. Geological Survey, U.S. Department of the Interior. To look up your GNIS Feature ID, please visit their website at: <http://geonames.usgs.gov/domestic/index.html>.

**RESOLUTION**

A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR A GRANT FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, AND ACCEPTING SAID GRANT IF AWARDED, WHICH GRANT REQUIRES NO MATCHING FUNDS.

WHEREAS, in 2010, the City applied for grant funds from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), for hiring five new law enforcement officers through the COPS Hiring Program; and

WHEREAS, the City was not a recipient of grant funds through the COPS Recovery Program in 2010; and

WHEREAS, the COPS Office has notified the City that Hiring Program grant funds are available for 2011; and

WHEREAS, the COPS Office will require the City to submit an updated application for consideration; and

WHEREAS, if awarded, grant funds would be utilized to hire new law enforcement officers; and

WHEREAS, said grant requires no matching funds; and

WHEREAS, the City Manager recommends that the City submit an updated grant application to the U.S. Department of Justice, Office of Community Oriented Policing Services, for this purpose.

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

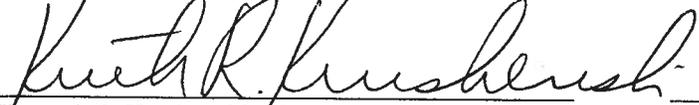
That the recommendation of the City Manager is approved and the City is hereby authorized to submit an updated grant application to the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), which funding, if awarded, would be utilized to hire new law enforcement officers through the COPS Hiring Program.

BE IT FURTHER RESOLVED that if said application is approved, the City is authorized to accept said funding.

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

This the 9th day of May 2011.

APPROVED AS TO FORM AND LEGALITY:

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

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

\_\_\_\_\_  
Donna L. Patterson, City Clerk

# RESOLUTIONS

**GOVERNMENT AND PUBLIC AFFAIRS MEMORANDUM**  
**11-03**

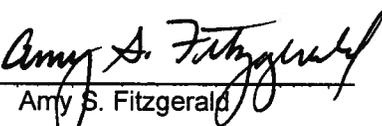
DATE: April 29, 2011  
TO: Mark S. Watson, City Manager  
FROM: Amy Fitzgerald, Ph.D., Government and Public Affairs Coordinator  
SUBJECT: RESOLUTION AUTHORIZING ACCEPTANCE OF PAYMENT IN LIEU OF TAXES FROM THE U.S. DEPARTMENT OF ENERGY FOR TAX YEAR 2010

An item for the May 9th City Council meeting agenda is the adoption of the attached resolution authorizing acceptance of an amendment to the intergovernmental agreement between the City of Oak Ridge and the U.S. Department of Energy (DOE), which serves as the basis for the receipt of Payment in Lieu of Taxes (PILT).

Payment for 2010 is based on 32,933.53 acres owned by DOE within the city limits. This reflects a reduction of approximately 97.65 acres associated with the conveyance of two parcels to the Community Reuse Organization of East Tennessee.

The 2010 payment also reflects the increase in the per acre valuation of DOE property from \$6,450 to \$8,450 that was made in 2011 as a result of the 2010 state-mandated reappraisal and subsequent decrease in the local jurisdictions' certified tax rates.

Staff recommends adoption of the resolution.

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

Attachments

**City Manager's Comments:**

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

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

5/2/2011  
\_\_\_\_\_  
Date

**RESOLUTION**

A RESOLUTION APPROVING AMENDMENT NO. 12 TO THE AGREEMENT PILT-OAK RIDGE-002 BETWEEN THE U.S. DEPARTMENT OF ENERGY AND THE CITY OF OAK RIDGE FOR PAYMENT IN LIEU OF TAXES FOR TAX YEAR 2010 IN THE SUM OF \$1,662,772.76.

WHEREAS, the City of Oak Ridge has requested that the U.S. Department of Energy (DOE) render financial assistance in the form of a payment in lieu of taxes on real property acquired for nuclear and other energy purposes; and

WHEREAS, DOE has agreed to aid the City of Oak Ridge by making a payment in lieu of taxes in the amount of the ad valorem tax revenue loss for the tax year 2010, which the City of Oak Ridge has suffered by virtue of removal of said real property from taxable ownership, provided the City will accept such payment in release of tax claims, if any, it may have against DOE or its contractors engaged in the performance of functions of DOE in the City of Oak Ridge; and

WHEREAS, the City of Oak Ridge is authorized by state law to accept financial assistance from federal agencies and to make agreements and execute instruments containing such terms and conditions as may be necessary for the purpose of obtaining such financial assistance; and

WHEREAS, the City Manager recommends approval of the attached amended agreement with DOE for payment in lieu of taxes.

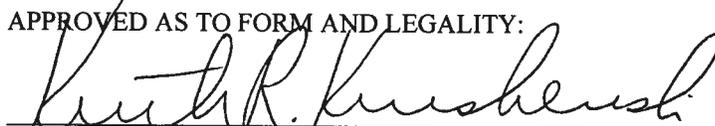
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the attached amendment, designated as Amendment No. 12 to AGREEMENT PILT-OAK RIDGE-002, between the U.S. Department of Energy and the City of Oak Ridge for payment in lieu of taxes for tax year 2010 in the sum of \$1,662,772.76 in full satisfaction and release of any claims against DOE and its contractors based on or measured by the value of federal property utilized by such contractors in the performance of activities of DOE in the City of Oak Ridge, provided that the acceptance of this payment shall not operate in any manner in prejudice of the City of Oak Ridge's eligibility for payment in lieu of taxes based on the benefits and burdens test prescribed in Section 168 of the Atomic Energy Act; and further provided that the acceptance of this payment shall not operate in any manner in prejudice of the City of Oak Ridge's eligibility for annual assistance payments under § 91 of the Atomic Energy Communities Act of 1955, is hereby approved.

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

This the 9th day of May 2011.

APPROVED AS TO FORM AND LEGALITY:

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

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

\_\_\_\_\_  
Donna L. Patterson, City Clerk

AMENDMENT NO. 12 TO  
AGREEMENT PILT-OAKRIDGE-002  
CITY OF OAK RIDGE, TENNESSEE

EXHIBIT NO. 1

PAYMENT IN LIEU OF TAXES FOR TAX YEAR 2010

The following computations are based on the Department of Energy's authority to make PILT payment on a revised per-acre-valuation based on availability of funds. Accordingly, the value of \$8,450 is applied pursuant to previously approved valuations.

1. A full assessment of \$69,572,082.13 for 32,933.53 acres of farm property in the City of Oak Ridge classified as farm or agriculture property (assessed at 25% rate) is equivalent to a value of \$8,450 per acre (32,933.53 acres x \$8,450 value per acre = \$278,288,328.50 appraised value x 25% assessment = \$69,572,082.13 land value).
2. Application of the City of Oak Ridge tax rate for tax year 2010 of \$2.39 per \$100.00 of assessed valuation to \$69,572,082.13 yields a tax payment of \$1,662,772.76 for tax year 2010.

CITY OF OAK RIDGE, TENNESSEE

AMENDMENT NO. 12 TO AGREEMENT

This Amendment to Agreement PILT-OAKRIDGE-002 is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by and between the UNITED STATES OF AMERICA DEPARTMENT OF ENERGY (DOE), and CITY OF OAK RIDGE, State of Tennessee.

The following revisions are made to the cited Agreement and are applicable to the payment-in-lieu-of-taxes for tax year 2010:

1. The tax year is changed to reflect "2010."
2. Item II.a. of the Agreement is revised to reflect that the payment-in-lieu-of-tax amount for tax year 2010 is \$1,662,772.76 as reflected in Exhibit No. 1 to this Amendment.

Payment of funds by DOE in lieu of property taxes constitutes financial assistance within the meaning of 10 CFR Part 1040; therefore, the City of Oak Ridge must comply with such regulations.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 12 to Agreement PILT-OAKRIDGE-002 on the day and year first above written.

CITY OF OAK RIDGE, TENNESSEE

U.S. DEPARTMENT OF ENERGY

BY: \_\_\_\_\_  
Mark S. Watson

BY: \_\_\_\_\_  
Cindy B. Finn

TITLE: ~~Mayor~~ City Manager

TITLE: DOE ORO Realty Officer

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

**PUBLIC WORKS DEPARTMENT MEMORANDUM**  
**11-08**

**DATE:** April 28, 2011  
**TO:** Mark S. Watson, City Manager  
**FROM:** Gary M. Cinder, P.E., Public Works Director  
**SUBJECT: INFORMATION MANAGEMENT SYSTEM**

The accompanying resolution authorizes the purchase of an Information Management System (IMS) from Infor Global Solutions (Michigan), Inc. (Infor), in compliance with the Administrative Order (Order) received by the City of Oak Ridge, from the U.S. Environmental Protection Agency (EPA), in the estimated amount of \$272,100.00.

Section D, Item i, of the EPA Order received by the City of Oak Ridge, dated September 28, 2010, requires that within nine months (June 28, 2011) of the effective date of the Order, the City shall develop and submit for EPA's review, comment and approval, the IMS programs. This mandate does not require that the City have the IMS implemented, but that the City have the plan in place for purchase, implementation and training.

The recommended IMS purchase includes software, support services, implementation and training services as listed below.

• Software License (fixed amount)	\$100,000
• Implementation and Training Services (estimated)	\$152,100
• Software Support (fixed amount)	<u>\$ 20,000</u>
Total Estimated Amount	\$272,100

The software license in the fixed amount of \$100,000 will be the first item purchased for the IMS. It is planned for the implementation and training services to be paid in installments during the next three to nine months as staff and Infor progress through the implementation process. The software support is for the twelve month period after complete implementation and "going live".

In general, an IMS involves the collection, identification, analysis, storage, presentation and distribution of information. Currently, the Public Works Department utilizes several software systems for these functions, which makes for a very time consuming and inefficient process to compile the associated data. It is planned for the IMS to streamline the data and provide the following:

- detailed work activities conducted
- work time and cost for specific tasks
- data for supervisors and managers to adequately evaluate operations, maintenance, customer service and system rehabilitation activities
- guidelines to track scheduled maintenance activities and to enhance maintenance performance
- complaint tracking system.

As the IMS is implemented, the system will collect the data into one system, allowing for the data to:

- to be easily reviewed by location, work order, work task or work crew
- include time, material, equipment information and cost
- preserve historical information on each identified asset, such as individual manholes, pumps, motors
- replace numerous paper forms

The Public Works Department began the process of learning about IMS prior to receiving the EPA Order, as a possible method to increase efficiencies and track assets, such as pumps and motors installed at the sewer pump stations. Once the Order was received, the Public Works Department led the city staff effort in researching possible IMS vendors. A work team was developed including staff from Computer Services, Public Works, Finance and Lamar Dunn & Associates (LD&A). The work team reviewed several IMS providers via the Internet and decided to invite three providers for onsite presentations. The work team developed a list of requirements for the IMS, such as ability to incorporate the current JDEdwards work orders, GIS and utility customer information. A Request for Proposal was issued to the three companies that had provided staff an onsite presentation.

The selection process included the work team reviewing the three proposals received, without the pricing information, which allowed for a true technical review of the proposals and allowed the work team to focus on the requirements of the EPA Order and how the IMS complied with them. The work team discussed each proposal with all being most supportive of the one received from Infor. The work team agreed that the IMS provided by Infor allowed for the most flexibility based on the following:

- non-module based system, which allows for the flexibility to include work activities without purchasing a module for each activity
- allows for an unlimited number of users without charging a licensing fee per user
- includes energy consumption tracking and asset sustainability management.

The work team felt strongly that the Infor IMS will allow for our ownership of the system, instead of it being implemented for us by the vendor and then leaving us with it. This philosophy was demonstrated in the Infor RFP by the following statement.

*“Throughout the implementation there is a gradual transfer of knowledge and ownership from Infor consultants to your project team until the members of the project team become the drivers and champions of the new system and business processes.”*

The Infor philosophy was apparent in a three hour meeting on March 29, 2011 with the Infor representatives and city staff from several departments. Several subjects were discussed thoroughly with enough information exchange for the Infor representatives to reevaluate the original pricing and provide revised pricing for implementation and training. The revised pricing includes the integration of GIS, sewer CCTV, JDEdwards and SCADA for \$100 more than the original pricing for JDEdwards only. The revised pricing includes integration of all the needed systems to the IMS.

The IMS implementation schedule with Infor is aggressive, but one the work team believes can be accomplished. Section D, Item iv, of the Order requires the City to submit within fifteen months (December 28, 2011) of the effective date, to the EPA a report of the sewer pump station maintenance programs, including procedures to feed information into the IMS Program. To comply with the Order, staff plans for sewer pump station maintenance to be the first work group for implementation of the IMS. It is believed that this work group will provide staff with the appropriate learning curve, prior to implementing the IMS to a larger, more diverse work group.

Once the sewer pump station maintenance work group is implemented, staff plans to continue to move work groups to the IMS, with the first criteria being compliance with the EPA Order. Currently, the work group has been assured that computer hardware is not an issue. As we progress through the IMS implementation, computer hardware purchases will become necessary and will be recommended to City Council for approval as required.

As requested by Councilman Mosby during the March 28, 2011 work session, staff contacted our representative at the EPA seeking guidance and/or endorsement of the choice of Infor as the provider for the IMS. Staff was advised by the EPA representative that they did not officially recommend any particular vendor and/or IMS product. The EPA review and approval of the IMS is based on the results provided by the product and how it will assist the City in the management of the sewer system.

Staff has been advised that the funding plan for the IMS purchase, along with other major waterworks projects, will be presented at the June 13, 2011 City Council meeting. Staff recommends the purchase of the IMS from Infor Global Solutions (Michigan), Inc., 13560 Morris Road, Suite 4100, Alpharetta, GA 30004, in the estimated amount of \$272,100 as reflected in the accompanying resolution.



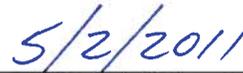
Gary M. Cinder, P.E.

**City Manager's Comments:**

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



Mark S. Watson, City Manager



Date

**RESOLUTION**

A RESOLUTION AUTHORIZING THE PURCHASE OF AN INFORMATION MANAGEMENT SYSTEM FROM INFOR GLOBAL SOLUTIONS (MICHIGAN), INC., ALPHARETTA, GEORGIA, IN THE ESTIMATED AMOUNT OF \$272,100.00.

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

WHEREAS, the EPA Order requires the City to implement an Information Management System (IMS); and

WHEREAS, Section D, Item i, of the EPA Order requires the City to develop the IMS program and submit it for the EPA's review, comment and approval by June 28, 2011; and

WHEREAS, the City issued a Request for Proposals for the IMS program, with Infor Global Solutions (Michigan) Inc., Alpharetta, Georgia, submitting the most responsive proposal based upon the City's needs; and

WHEREAS, the City Manager recommends acceptance of the proposal by Infor Global Solutions (Michigan) Inc.

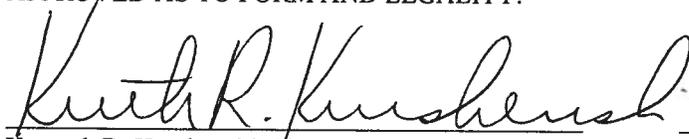
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to purchase an Information Management System (IMS) from Infor Global Solutions (Michigan), Inc., 13560 Morris Road, Suite 4100, Alpharetta, GA 30004, for compliance with the Administrative Order from the United States Environmental Protection Agency (EPA), in the estimated amount of \$272,100.00.

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

This the 9th day of May 2011.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

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

\_\_\_\_\_  
Donna L. Patterson, City Clerk



**RESOLUTION**

A RESOLUTION TO CERTIFY THAT THE CITY WILL AFFIRMATIVELY FURTHER FAIR HOUSING AND WILL TAKE APPROPRIATE ACTION AS IDENTIFIED IN THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CONDUCTED BY THE CITY IN MARCH 2011.

WHEREAS, the United States Department of Housing and Urban Development (HUD) requires all state and local governments receiving Community Development Block Grant (CDBG) awards to conduct an Analysis of Impediments to Fair Housing (IA) in conjunction with the Consolidated Plan every three to five years; and

WHEREAS, the City conducted an IA in March 2011 and identified housing-related issues in Oak Ridge, such as lack of education about fair housing laws, inadequate number of housing options for low-income families, and accessibility issues for people with physical disabilities; and

WHEREAS, as part of the IA, the City identified solutions to the housing-related issues as follows: display information about fair housing laws on the City's website, encourage managers of multi-family housing to distribute fair housing information, encourage the school system to educate children about fair housing through creative activities, continue to declare April as 'Fair Housing Month' and participate in local fair housing events, develop a brochure on fair housing and make it available in the City's Utility Business Office and the Oak Ridge Public Library, continue an active Board of Building and Housing Code Appeals whereby charges of housing discrimination may be addressed, and certify that the City will affirmatively further fair housing.

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

That the Mayor hereby certifies on behalf of the City of Oak Ridge, Tennessee, that the City will affirmatively further fair housing by implementing the solutions to housing-related issues as identified by the City in its Analysis of Impediments to Fair Housing (IA) conducted in March 2011.

This the 9th day of May 2011.

APPROVED AS TO FORM AND LEGALITY:

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

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

\_\_\_\_\_  
Donna L. Patterson, City Clerk

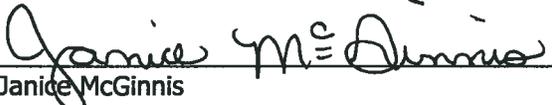
**PUBLIC HEARINGS  
AND  
FIRST READING OF  
NEW ORDINANCES**

**FINANCE DEPARTMENT MEMORANDUM  
11-02**

DATE: April 1, 2011  
TO: Mark S. Watson, City Manager  
THROUGH: Steven W. Jenkins, Deputy City Manager   
FROM: Janice E. McGinnis, Finance Director  
SUBJECT: Fiscal 2011 Budget Appropriation Amendment

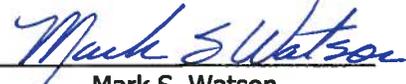
Attached is a request from Keys Fillauer, Chairman of the Oak Ridge Board of Education, and Dr. Thomas Bailey, Superintendent, requesting that the fiscal 2011 budget appropriation for the General Purpose School Fund be amended to \$55,150,932. This is a \$115,524 increase over the General Purpose School Fund appropriation of \$55,035,408 adopted by City Council in ordinance number 8-10 on May 24, 2010. The attached correspondence outlines the reasons for the School's request. The amendment does not change the fiscal 2011 operating transfer from the City to the Oak Ridge Schools and has no impact on the property tax rate.

Staff recommends approval of the attached ordinance amendment.

  
\_\_\_\_\_  
Janice McGinnis

City Manager's Comments:

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

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

  
\_\_\_\_\_  
Date



# Oak Ridge Schools

OFFICE OF  
Superintendent of Schools

Telephone (865)425-9001  
Fax: (865)425-9070

March 24, 2011

Honorable Mayor and Members of City Council  
City of Oak Ridge Schools  
P.O. Box 1  
Oak Ridge, TN 37831

Dear Mayor and Members of City Council:

The purpose of this letter is to request an amendment to the Schools FY 2011 Appropriations Ordinance to reflect budget adjustments that have been approved by the Board to date. The following summarizes those amendments. Please see attached.

FUND		APPROVED	AMENDED	CHANGE
141	General Fund	\$48,446,592	\$48,294,910	(\$151,682)
142	Federal Projects Fund	\$3,270,904	\$3,270,904	-0-
143	Central Cafeteria Fund	\$1,708,889	\$1,918,114	\$209,225
145	Special Revenue Fund	\$82,299	\$100,682	\$18,383
146	Extended School Program	\$448,559	\$448,559	-0-
147	ARRA	\$900,000	\$894,000*	<6,000>
148	First To The Top	\$178,165	\$184,165*	6,000
149	Employee Jobs Bill	-0-	\$39,598	\$39,598
<b>GRAND TOTAL – ALL FUNDS</b>		<b>\$55,035,408</b>	<b>\$55,150,932</b>	<b>\$115,524</b>

The requested amendment does not impact the amount appropriated by Council to the Schools or the local tax rate but does impact the overall budget appropriation and must be authorized by ordinance.

Thank you for your prompt attention to this matter.

Sincerely,

Keys Fillauer  
Chairman, Board of Education

Thomas E. Bailey, Ed.D.  
Superintendent of Schools

TEB/KLG/tjv

**ITEM FOR ACTION**

**FY'11 Budget Amendment – Second Reading.**

I recommend approval to amend the FY'11 Budget Allocations as follows:

FUND		APPROVED	AMENDED	CHANGE
141	General Fund	\$48,446,592	\$48,294,910	(\$151,682)
142	Federal Projects Fund	\$3,270,904	\$3,270,904	-0-
143	Central Cafeteria Fund	\$1,708,889	\$1,918,114	\$209,225
145	Special Revenue Fund	\$82,299	\$100,682	\$18,383
146	Extended School Program	\$448,559	\$448,559	-0-
147	ARRA	\$900,000	\$894,000*	<6,000>
148	First To The Top	\$178,165	\$184,165*	6,000
149	Employee Jobs Bill	-0-	\$39,598	\$39,598
<b>GRAND TOTAL – ALL FUNDS</b>		<b>\$55,035,408</b>	<b>\$55,150,932</b>	<b>\$115,524</b>

Several adjustments to the originally approved budget were necessary to reflect revenue and expenditure variations based upon updated information that has become available since budget adoption. For informational purposes, figures have been included regarding the districts fund balance and the levels of use originally approved and now proposed for amendment.

The attached documents reflect changes by line item and by fund, by revenue and expenditures. Also included is accounting of budget transfers between functions board approved to date, along with a few new ones, and detailed set-up of grant awards.

Please note that 1.50 FTE TA positions have been charged to the Employee Job Bill Grant for FY'11. \$935,402 of that grant will be available for use in FY'12.

Upon Board approval of the first and second readings of this amendment, it will be presented to the City of Oak Ridge for approval to increase the overall appropriation by \$115,524. This amendment will not impact the City's allocation to the schools or the property tax rate.

\*Please Note: Immediately following approval of "First Reading", a \$6,000 grant was awarded to Oak Ridge Schools for School Improvement. This "Second Reading" accounts for the grant. Placeholder funding has been reduced by \$6,000 in Fund 147 and increased by the \$6,000 in Fund 148 to account for this change. This keeps the "bottom line" equal to what was presented in the "First Reading". Please see attached detailed statements reflecting changes.

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 8-10, WHICH ORDINANCE IMPOSES A TAX ON ALL PROPERTY WITHIN THE CITY, FIXES THE RATE OF THE TAX, ADOPTS A BUDGET, AND ADOPTS APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, BY AMENDING SAID APPROPRIATIONS.

WHEREAS, there exists a need to amend the original appropriations for Fiscal Year 2011 and for the accomplishment of the same, a public hearing has been held before the City Council after ten (10) days' notice thereof published in The Oak Ridger, the official newspaper, as provided by law; and

WHEREAS, the City Manager has certified in writing that a sufficient amount of unappropriated revenue will be available for the needed amendment.

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

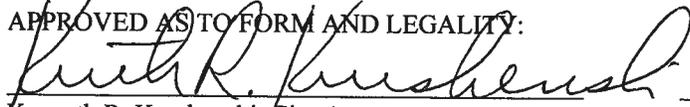
Section 1. Ordinance No. 8-10, which adopts appropriations for Fiscal Year 2011, is hereby amended by revising Section 3 so that the same, as revised, will read as follows:

Section 2. In accordance with Article V, Section 14, of the Charter of the City of Oak Ridge, the following amounts shall be and hereby are adopted as appropriations by funds for the operation of the City of Oak Ridge, Tennessee, for Fiscal Year 2011:

General Fund, Municipal Operations	\$19,240,271
Debt Service (Bond and Interest Redemption Fund)	8,655,000
State Street Aid Fund	1,383,000
Streets and Public Transportation Fund	260,000
Drug Enforcement Program Fund	363,000
Grant Fund	4,500,000
General Purpose School Fund	55,150,932
Golf Course Fund	1,335,000
Capital Projects Fund	4,750,000
Solid Waste Fund	2,460,300
Economic Diversification Fund	2,837,000
West End Fund	2,750,000
Special Programs Fund	900,000

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:

  
 Kenneth R. Krushenski, City Attorney

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

\_\_\_\_\_  
 Donna L. Patterson, City Clerk

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

COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM  
11-33

DATE: April 29, 2011  
TO: Mark S. Watson, City Manager  
THROUGH: Kathryn G. Baldwin, Community Development Director   
FROM: Denny J. Boss, Code Enforcement Supervisor   
SUBJECT: Sewer Use Ordinance – Amendment to City Code Section 18-307 (12)

An item for the City Council agenda is an ordinance to amend City Code Section 18-307(12) for compliance with the fats, oils, and grease (FOG) program requirements set forth by the State of Tennessee Department of Environment and Conservation.

Unmanaged fats, oils, and grease, when released into the sewer, can generally result in unwanted blockage and sewer overflow.

The Environmental Protection Agency (EPA) guidelines for the development of a Management, Operation, and Maintenance (MOM) Program states:

**“Fats, Oils, and Grease Control Program.** This program prevents fats, oils, and grease from entering the utility infrastructure, therefore preserving sewer capacity, prolonging the infrastructure life, reducing overflow events, and saving the utility maintenance costs. The program includes a grease control ordinance, grease trap and interceptor design standards, permitting and inspecting commercial grease traps and interceptors, a credible enforcement component, a public education component for residential sources, performance measures, and a mechanism for including program information in the Information Management Systems (IMS).”

The FOG program is part of the comprehensive Management, Operation and Maintenance (MOM) Program for the City sewerage infrastructure (sewer system and wastewater treatment plant) which it owns and operates. The City has been given direction from the Environmental Protection Agency (EPA) to implement a MOM program.

The City will be using Monitoring and Management Services, LLC (MMS) to establish the FOG program. MMS is an established company with many years of experience in various communities including Metro Nashville/Davidson County, TN; Chattanooga, TN; and Louisville and Jefferson County, KY. Some of the tasks they will be assisting City staff with are listed below.

MMS will provide the City with a FOG Management Policy and Food Service Establishment (FSE) Enforcement Response Guide that provides details of grease control equipment sizing, installation and maintenance requirements, and enforcement action to be taken when

deficiencies are identified during FSE inspections. In addition, MMS will provide an electronic version of the following FOG inspection, certification, enforcement and educational materials.

- a. FSE FOG Management Policy for Oak Ridge, TN
- b. FSE Enforcement Response Guide for Oak Ridge, TN
- c. FSE Grease Interceptor Maintenance Handout
- d. FSE Grease Trap Maintenance Handout
- e. New FSEs and upgrades to existing FSEs requirements brochure
- f. Noncompliance Notification: 3 part
- g. FSE Inspection Form: 2 part
- h. FSE Stormwater Pollution Prevention hand-out
- i. Residential FOG notification mail-out
- j. FSE Grease Interceptor and Trap Maintenance Record form
- k. Grease Interceptor Certification form
- l. Grease Trap Certification form

MMS will also be conducting training classes on Grease Control Equipment (GCE) Certification and Grease Waste Hauler Agreement for area grease waste haulers and licensed plumbers.

Staff recommends approval of the attached ordinance.

  
Kathryn G. Baldwin

**City Manager's Comments:**

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

  
Mark S. Watson

5/2/2011  
Date

TITLE

AN ORDINANCE TO AMEND TITLE 18, TITLED "WATER AND SEWERS," CHAPTER 3, TITLED "SEWER USE ORDINANCE," SECTION 18-307, TITLED "BUILDING SEWERS AND CONNECTIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SUBSECTION (12), TITLED "GREASE TRAPS," IN ITS ENTIRETY AND SUBSTITUTING THEREFORE A NEW SUBSECTION (12), TITLED "GREASE CONTROL EQUIPMENT," TO ESTABLISH A FATS, OILS AND GREASE (FOG) MANAGEMENT POLICY FOR THE CITY IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH BY THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION.

WHEREAS, the City of Oak Ridge has a need to update its Sewer Use Ordinance to establish a fats, oils and grease (FOG) management policy for compliance with the requirements set forth by the State of Tennessee Department of Environment and Conservation.

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

Section 1. Title 18, titled "Water and Sewers," Chapter 3, titled "Sewer Use Ordinance," Section 18-307, titled "Building Sewers and Connections," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Subsection (12), titled "Grease Traps," in its entirety and substituting therefor a new Subsection (12), titled "Grease Control Equipment," which new subsection shall read as follows:

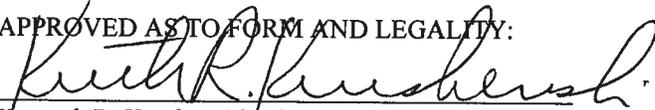
**Sec. 18-307. Building Sewers and Connections.**

(12) Grease Control Equipment.

All food service establishments, including but not limited to cafes, restaurants, motels, hotels, grocery stores, retirement centers, hospitals, mobile food units, prisons, or other commercial food preparation establishments that cook or prepare food are required to comply with the City's Fats, Oils and Grease (FOG) Management Policy (FOG Management Policy). Food service establishments shall be required to install a grease interceptor, at the owner's expense within ninety (90) days after notification by the City, if and when the City determines that a grease problem exists which is capable of causing damage or operational problems to structures or equipment in the City sewer system, or if such is otherwise required by City ordinance, the FOG Management Policy, state law, or federal law. The City shall retain the right to inspect and approve installation of the grease interceptor. The grease interceptor must precede the septic tank on the kitchen waste line if a septic tank is used. The grease interceptor must be designed and installed in accordance with the FOG Management Policy and shall be easily accessible for cleaning. Grease interceptors and grease traps shall be maintained by the owner or operator of the facility as designated in the FOG Management Policy requirements. If City employees are required to clean out the City sewer lines as a result of a stoppage resulting from a clogged grease trap, the property owner or operator shall be required to pay the costs of the City's labor and materials required to clean out the sewer lines. The installation of grease interceptors and grease traps shall be in accordance with the FOG Management Policy and this ordinance. All grease waste haulers are required to comply with the FOG Management Policy requirements.

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

APPROVED AS TO FORM AND LEGALITY:

  
Kenneth R. Krushenski, City Attorney

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

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Donna L. Patterson, City Clerk

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

**ELECTIONS**

**&**

**APPOINTMENTS**

**ANNOUNCEMENTS**

**SCHEDULING**

# **Elections**

**ENVIRONMENTAL  
QUALITY ADVISORY  
BOARD**

**(ORHS STUDENT)**



RECEIVED  
2011 APR 29 AM 9:17

OFFICE OF THE CITY CLERK

**APPLICATION FORM  
FOR A CITY BOARD, COMMISSION, OR COMMITTEE**

Please return completed application to Donna L. Patterson, City Clerk, P.O. Box 1, Oak Ridge, TN 37831-0001  
Fax: 865-425-3409 or email: [dpatterson@corn.org](mailto:dpatterson@corn.org)

**BOARD, COMMISSION, OR COMMITTEE DESIRED:**

Environmental Quality Advisory Board  
( Use a separate application for each appointment desired)

Name: *Ms. Mrs. Mr.* Austin Morgan

Address: 104 Dixie In. Oak Ridge, TN 37830

Telephone: 865-441-6733 Email: honker@comcast.net

Occupation: Student at ORHS Retired: \_\_\_\_\_

Position: Student Representative

Do you currently serve on any other City board, commission or committee? If so, please list:

Education, Professional and/or Community Activity (*Present*): Environmental Club, Clinch River ~~Club~~

Chapter of trouts unlimited

Explain why you are interested in being appointed to this board, commission, or committee: \_\_\_\_\_

I have already served the city for one term on EQAB and I wish to serve for the remainder *of my*

*high school.* I would like to serve as a senior as a mentor to the up and coming EQAB student member

Any special knowledge or past experience qualifying you for this appointment: \_\_\_\_\_

Clinch river environmental studies organization, leader of environmental club at ORHS.

**All information provided is public pursuant to the Tennessee Public Information Act.**

Applicant Statement: I understand that I am applying for appointment to a Board, Commission or Committee of the City of Oak Ridge; that I will be required to provide proof of my Oak Ridge residency; that I will be required to take an oath of office to uphold the United States and Tennessee Constitutions and the laws of the same if appointed. I agree to comply at all times with all requirements of the office for which I am applying and to which I may be appointed. All statements and information provided in the application are true to the best of my knowledge.

Signature of Applicant: *Austin Morgan* Date: 4/26/11

*If you wish to provide a résumé or additional information, please attach to this form.*

**TRAFFIC SAFETY  
ADVISORY BOARD  
ORHS STUDENT**



RECEIVED  
2011 APR 20 AM 10:34  
OFFICE OF THE CITY CLERK

**APPLICATION FORM  
FOR A CITY BOARD, COMMISSION, OR COMMITTEE**

Please return completed application to Donna L. Patterson, City Clerk, P.O. Box 1, Oak Ridge, TN 37831-0001  
Fax: 865-425-3409 or email: [dpatterson@corn.org](mailto:dpatterson@corn.org)

**BOARD, COMMISSION, OR COMMITTEE DESIRED:**

Traffic Safety Advisory Board  
(Use a separate application for each appointment desired)

Name: Ms. Mrs. Mr. Vanessa Frye

Address: 103 Bridgewater Lane

Telephone: 865-776-0682 Email: vrf21@yahoo.com

Occupation: Student (rising senior) Retired: N/A

Position: \_\_\_\_\_

Do you currently serve on any other City board, commission or committee? If so, please list:  
NO

Education, Professional and/or Community Activity (Present): Cheerleading, YLLDCUP (volunteer class at highschool), Young Life

Explain why you are interested in being appointed to this board, commission, or committee: To further my involvement with the community

Any special knowledge or past experience qualifying you for this appointment: Mother works at ORNL center for Transportation Analysis

**All information provided is public pursuant to the Tennessee Public Information Act.**

Applicant Statement: I understand that I am applying for appointment to a Board, Commission or Committee of the City of Oak Ridge; that I will be required to provide proof of my Oak Ridge residency; that I will be required to take an oath of office to uphold the United States and Tennessee Constitutions and the laws of the same if appointed. I agree to comply at all times with all requirements of the office for which I am applying and to which I may be appointed. All statements and information provided in the application are true to the best of my knowledge.

Signature of Applicant: Vanessa Frye Date: 4/19/2011

*If you wish to provide a résumé or additional information, please attach to this form.*

**Patterson, Donna**

---

**From:** David B Hughes <reallyboringbusinessman@gmail.com>  
**Sent:** Wednesday, April 20, 2011 2:19 PM  
**To:** Patterson, Donna  
**Subject:** Re: Traffic Safety Advisory Board

I would like to serve an additional term.

On Wed, Apr 20, 2011 at 10:30 AM, Patterson, Donna <[dpatterson@cortn.org](mailto:dpatterson@cortn.org)> wrote:

I need you to send me an email IMMEDIATELY stating that you want to reapply for the position that you just got elected to serve on. That seat expires May 31, 2011. I send out the agenda TODAY for the next elections. Just reply to this email and say that you want to serve an additional term. That is all that I need.

Thanks!

*Donna L. Patterson, City Clerk*

*City of Oak Ridge*

*P.O. Box 1*

*Oak Ridge, Tennessee 37831*

*(865) 425-3411 phone*

*(865) 425-3409 fax*

*[dpatterson@cortn.org](mailto:dpatterson@cortn.org)*

This message has been sent by an employee or official of the City of Oak Ridge, Tennessee. While e-mail that is created by any City staff member or official may be a public record, this message may also contain information deemed confidential or privileged by state or federal law and, therefore, exempt from disclosure. DO NOT COPY OR FORWARD TO UNAUTHORIZED PERSONS. If the reader of this message is not the intended recipient or the employee/agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, copying or forwarding of this communication is strictly prohibited. Unauthorized interception of this message may be in violation of the Electronic Communications Privacy Act, 18 U.S.C. §2510 et seq. If you have received this communication in error, please notify us immediately at [helpdesk@cortn.org](mailto:helpdesk@cortn.org).

David Hughes  
128 Tabor Rd.  
Oak Ridge, TN 37830  
(865)-482-9491  
[reallyboringbusinessman@gmail.com](mailto:reallyboringbusinessman@gmail.com)

RECEIVED  
2011 MAR 17 PM 12:43  
OFFICE OF THE CITY CLERK

March 16, 2011

The Honorable Mayor Tom Beehan and Members of the Oak Ridge City Council

Dear Mayor Beehan and Members of the City Council:

My name is David Hughes and I am a Sophomore at Oak Ridge High School. It has come to my attention that there is an opening for a student representative on Oak Ridge's Traffic Safety Advisory Board. As a student of ORHS, and a user of Oak Ridge's roads, I take a keen interest in traffic safety. It is something with which Oak Ridge residents, particularly high schoolers, interact with very closely on an almost daily basis. Navigating malfunction junction (both as a pedestrian and a driver) and dealing with the technicalities associated with the speed cameras on our streets come to mind. Additionally, given my interests in law and public policy, service on the board would be an ideal opportunity for me.

As a member of student council and chair of the recycling committee, I have some experience working both in community service and in a sort of a government. Additionally, having dedicated a substantial amount of my time to volunteering at Legal Aid (Rural Legal Services) in Jackson square, as well as having volunteered at the Earth Day festival (2010) and Lavender festival (2010), Unitarian Church (ORUUC) rummage sales, and the Children's Museum (2 weeks, summer 2010), and having contributed time to building a garden at Chapel on the Hill (UCCOTH), I believe that I demonstrate the community spirit desirable in a candidate for serving on this board.

Thank you for considering me for service on this board. If it is inconvenient to contact me within a week, I'll be in touch via email.

Respectfully yours,

David Hughes

NOTICE  
OF  
ELECTIONS

**CITY CLERK MEMORANDUM**

11-22

DATE: May 2, 2011  
TO: Honorable Mayor and Members of City Council  
FROM: Donna L. Patterson, City Clerk  
SUBJECT: ELECTIONS – June 13, 2011

The following elections are scheduled for the June 13, 2011 City Council meeting:

Environmental Quality Advisory Board

On May 31, 2011, one (1) seat will become vacant on the Environmental Quality Advisory Board. This seat is designated for an Oak Ridge High School student. The incumbent, Benjamin Terpstra, will graduate this year and, thus, is unable to serve again. The seat occupied by Mr. Terpstra was for a two year term, therefore the student elected to this seat will be completing an unexpired term of office ending May 31, 2012.

Deadline for Filing

The deadline for filing is 5:00 p.m. on Friday, June 3, 2011.

  
Donna L. Patterson, City Clerk

**SUMMARY  
OF  
CURRENT EVENTS**

**CITY COUNCIL MEMORANDUM  
11-23**

DATE: May 2, 2011  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: CITY MANAGER'S REPORT

EPA Sustainable Communities Building Blocks Program

Council Action Recommended: None, for information only.

The City received a technical assistance award from EPA's Sustainable Communities Building Blocks Program. The program provides assistance on the *Smart Growth Guidelines for Sustainable Design and Development*. An EPA-led team of experts will spend two days, May 11-12, 2011, in Oak Ridge. The EPA team will arrive on May 11 and spend the day touring the city, specifically three sites selected for sustainability challenges and redevelopment opportunities.

The first public meeting will be held on May 11, 2011 from 6:30-8:00 p.m. in the Amphitheater at Oak Ridge High School. This will be an educational presentation followed by facilitated discussions. The educational presentation will address the following:

- o What is "Smart Growth" and "sustainable development?" What does sustainable development actually look like at building, neighborhood and communitywide scales?
- o What aspects of daily life does sustainable development affect (pocketbook, safety, recreation, sense of place, social interactions, etc.)?
- o Smart Growth Guidelines overview with case studies.

The facilitated discussion will be about the strengths and challenges of sustainable development in our community.

On May 12, 2011, the EPA team will spend the day with invited stakeholders in a day-long work session to be held at the Chamber of Commerce. The purpose of the meeting is to develop detailed conceptual plans for redevelopment of one of the selected sites, which is Jackson Square and the adjacent commercial/residential area.

The second public meeting will be held on May 12, 2011 from 4:00–5:00 p.m., again in the Oak Ridge High School Amphitheater. The community will be invited to review results from the day and evaluate site concepts using a sustainable development checklist.

Objectives of the Building Blocks Technical Assistance Opportunity:

1. Improve the community's understanding of sustainable development, why it matters, and how it can be beneficial.
2. Help the community create a "sustainable vision" for one opportunity site through site selection and design concept exercises.
3. Identify necessary short- and long-term action items for implementation of the sustainable vision for the chosen opportunity site.

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