

OAK RIDGE CITY COUNCIL MEETING

Municipal Building Courtroom

January 14, 2013—7:00 p.m.

AGENDA

I. INVOCATION

Dr. Tim Borchert of First Baptist Church

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPEARANCE OF CITIZENS

V. PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation designating the month of January 2013 as *Free Medical Clinic of Oak Ridge Month*.

VI. SPECIAL REPORTS

Presentation and public meeting to provide information concerning the City of Oak Ridge's application for a Clean Water State Revolving Loan Fund (SRF).

VII. CONSENT AGENDA

- a. Approval of the December 10, 2012 City Council Meeting minutes.
- b. Approval of the December 17, 2012 City Council Special Meeting minutes.
- c. Adoption of a resolution approving updated Rules and Procedures for the Board of Building and Housing Code Appeals.
- d. Adoption of a resolution authorizing the transfer of the ActFast Public Education Trailer to Morgan County at no cost.
- e. Adoption a resolution to accept a \$91,660.00 Assistance to Firefighter Grant Award from the Federal Emergency Management Agency (FEMA) for safety equipment.
- f. Adoption of a resolution amending the bylaws for the Oak Ridge Municipal Planning Commission to change the regular meetings to the third Thursday of each month and to change the annual meeting to January.

VIII. RESOLUTIONS

- a. Adoption of a resolution authorizing the City to apply for a grant from the Tennessee Department of Environment and Conservation (TDEC), Clean Tennessee Energy Program, in the amount of \$250,000.00 with a sixty percent (60%) local match, and accepting said grant if awarded.
- b. Adoption of a resolution to adopt the *City of Oak Ridge, Tennessee 2013 State and Federal Legislative Agenda* to inform state and federal officials of key projects, policies, and priorities in the City of Oak Ridge, and to help secure funding for agreed upon priorities of the community.

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of an Ordinance

AN ORDINANCE TO AMEND A USE DESIGNATION OF PARCEL 3.01, MAP 100J, GROUP B, IN HENDRIX CREEK PLANNED UNIT DEVELOPMENT, PHASE IV, LOCATED AT THE CORNER OF HENDRIX DRIVE AND HERITAGE 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.

X. FINAL ADOPTION OF ORDINANCES

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

a. Elections/Appointments

- i. YAB Screening Panel
- ii. EPA Committee
- iii. Anderson County Development Corporation
- iv. Anderson County Tourism Council
- v. Oak Ridge Municipal Planning Commission
- vi. Highland View Redevelopment Board
- vii. Oak Ridge Economic Partnership
- viii. City Attorney's Evaluation Committee
- ix. City Manager's Evaluation Committee

b. Announcements

c. Scheduling

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. SUMMARY OF CURRENT EVENTS

a. CITY MANAGER'S REPORT

b. CITY ATTORNEY'S REPORT

XIV. ADJOURNMENT

**PROCLAMATIONS
AND
PUBLIC RECOGNITIONS**

PROCLAMATION

WHEREAS, the *Free Medical Clinic of Oak Ridge* contributes significantly to the good health of the citizens of Anderson County and surrounding areas; and

WHEREAS, the *Free Medical Clinic of Oak Ridge*, is a non-profit primarily volunteer staffed organization offering free medical services to those who live in Anderson, Morgan and Roane Counties, who do not have insurance and cannot afford to pay for medical services due to their income level; and

WHEREAS, the *Free Medical Clinic of Oak Ridge* opened in January 2010 and has served 2423 patients during 8366 visits as the only free clinic in our community; and

WHEREAS, the *Free Medical Clinic of Oak Ridge* physicians, nurses and support staff have volunteered 16,295 hours of time and expertise in providing comprehensive care to patients with compassion, dignity and respect; and

WHEREAS, in fulfilling its mission, the *Free Medical Clinic of Oak Ridge* provides treatment to patients needing care for diabetes, high blood pressure, elevated cholesterol and other serious chronic illnesses.

WHEREAS, in offering citizens classes in smoking cessation, nutrition for individuals with diabetes and other subjects promoting healthier life styles, the *Free Medical Clinic of Oak Ridge* further contributes to the overall wellness of our citizens

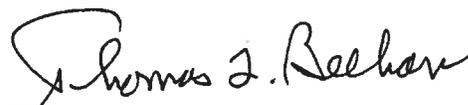
WHEREAS, healthy people create healthy families and are better citizens of the community.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE that the month of January 2013 be proclaimed

FREE MEDICAL CLINIC OF OAK RIDGE

in the City of Oak Ridge, Tennessee, and that all citizens applaud those who helped to establish this asset in the City, as well as those who volunteer their valuable time to helping others.

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 14th day of January in the year 2013.



THOMAS L. BEEHAN
MAYOR

SPECIAL REPORTS

SRF – Public Meeting



WHY ARE WE HERE?

Overflow

DATE: 12-26-12
TIME: 8:30 A.M
ADDRESS: 151 Cairo Ln
MH#: G22-14
EMPLOYEE: David/Richard

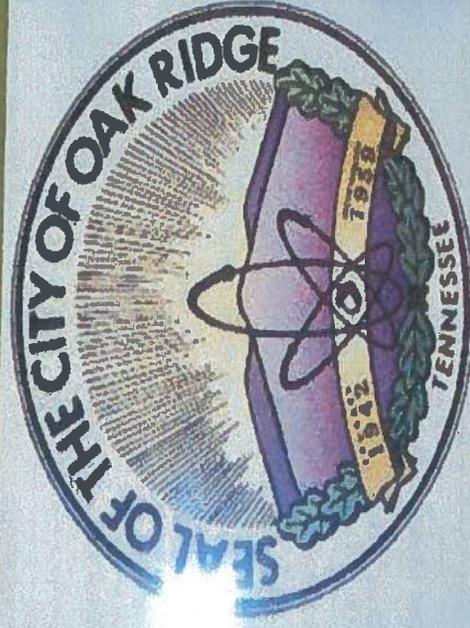




Remediation
Plan
submitted to
and approved
by EPA
October 2012

City of Oak Ridge, Tennessee

WASTEWATER COLLECTION SYSTEM
REMEDICATION PLAN REPORT

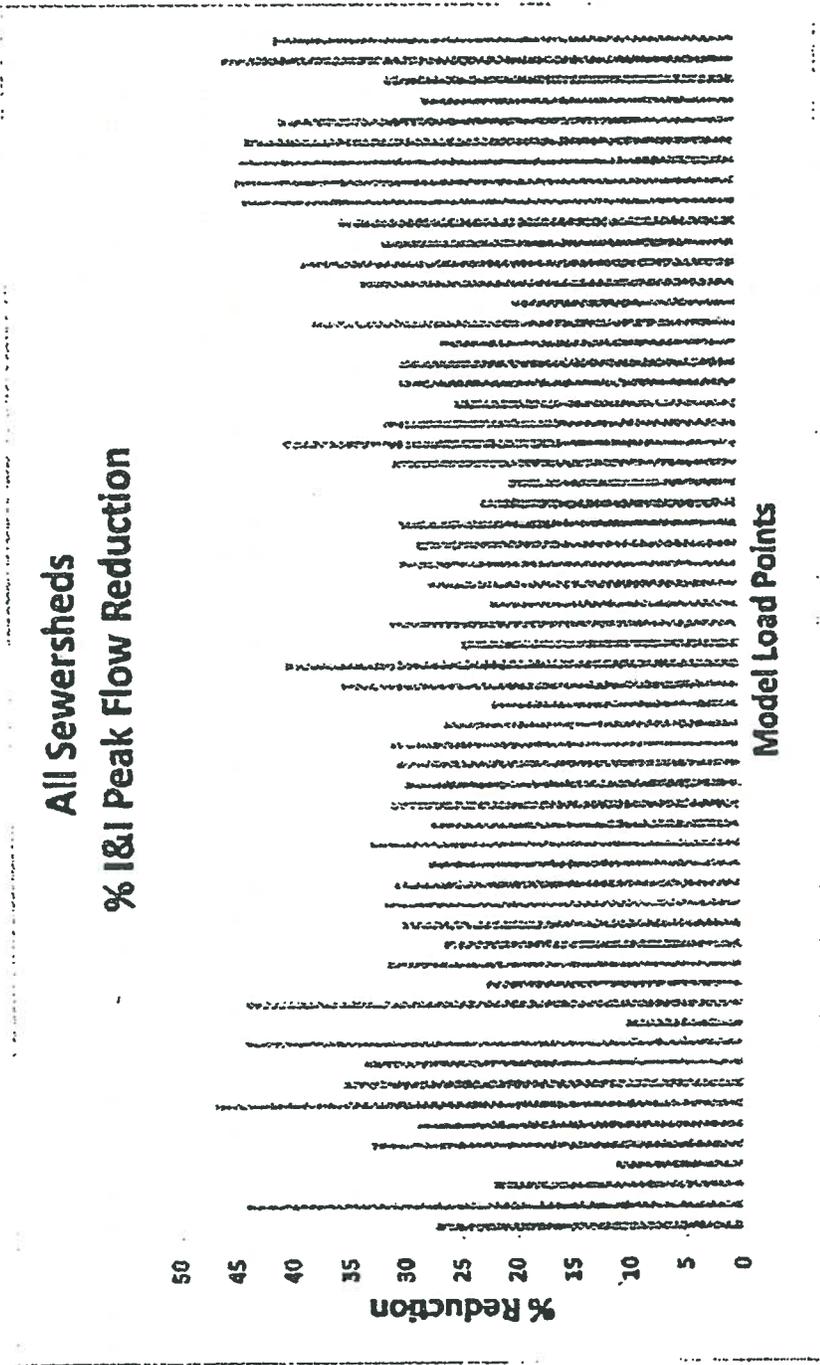


August 2012

**TABLE IX-2
CITY OF OAK RIDGE
WASTEWATER COLLECTION SYSTEM – REMEDIATION PLAN REPORT
PROJECT SCHEDULES AND COSTS**

Round	Project	Design and Pre-Construction	Construction NTP through As-Built Close-Out	Cost
1	East Plant I	3/19/12 – 10/23/12	10/29/2012 – 7/14/13	\$10,621,200
	East Plant II	3/19/12 – 10/23/12	10/29/2012 – 7/14/13	
	East Plant III	3/19/12 – 2/1/13	2/11/2013 – 11/1/13	
	East Plant IV	3/19/12 – 2/1/13	2/11/2013 – 1/1/14	
	East Plant V	3/19/12 – 2/1/13	2/11/2013 – 11/1/13	
	East Plant VI	1/10/13 – 8/18/13	8/22/13 – 5/20/14	
	East Plant VII	2/10/13 – 9/18/13	9/22/13 – 6/20/14	
	East Plant VIII	3/10/13 – 10/18/13	10/22/13 – 7/20/14	
	East Plant IX	4/10/13 – 11/18/13	11/22/13 – 8/20/14	
	East Plant X	5/10/13 – 12/18/13	12/22/13 – 9/20/14	
3	Y-12 I	7/14/13 – 2/22/14	2/26/14 – 11/11/14	\$744,700
	Y-12 II	7/14/13 – 2/22/14	2/26/14 – 11/11/14	
	Central City I	1/14/14 – 8/22/14	8/26/14 – 5/11/15	
	Central City II	1/14/14 – 8/22/14	8/26/14 – 5/11/15	
4	Turtle Park I	6/11/14 – 1/15/15	1/21/15 – 9/6/15	\$2,699,400
	Turtle Park II	6/11/14 – 1/15/15	1/21/15 – 9/6/15	
---	West End I	6/11/14 – 1/15/15	1/21/15 – 9/6/15	\$744,700
	Equalization Basins	9/10/12 – 12/12/13	1/2/14 – 8/18/15	
Total Program				\$23,090,800

FIGURE IV-8
CITY OF OAK RIDGE
WASTEWATER COLLECTION SYSTEM – REMEDIATION PLAN REPORT
REDUCTION IN DESIGN PEAK INFLOW AND INFILTRATION RATE
LOAD POINTS FOR ALL SEWERSHEDS



RESOLUTION

A RESOLUTION ACKNOWLEDGING THE CITY'S SUBMISSION OF THE WASTEWATER COLLECTION SYSTEM REMEDIATION PLAN TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) IN ACCORDANCE WITH THE REQUIREMENTS OF THE ADMINISTRATIVE ORDER.

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

WHEREAS, as part of the Administrative Order, the City is required to submit a Wastewater Collection System Remediation Plan providing details of repairing the sewer system, which plan must be approved by the EPA; and

WHEREAS, the Remediation Plan was submitted to the EPA for approval by the September 3, 2012 deadline.

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

That, as required by the Administrative Order, the City submitted to the U.S. Environmental Protection Agency the City's Wastewater Collection System Remediation Plan by the September 3, 2012 deadline.

This the 10th day of September 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney



Thomas L. Beehan, Mayor

Stop All Overflows By



September 28, 2015

SRF Loan Information and History



- **Low interest loans granted by the Tennessee Department of Environment and Conservation**
- **Loan funds are incurred gradually, project by project**
- **Loan funds can be used for engineering and construction costs**
- **City of Oak Ridge has received two previous loans – 1998 and 2002**
- **The final project utilizing the 2002 loan is currently under construction**

SRF Loan Process



- **Preapplication Meeting with TDEC**
 - Held 8/15/2012 in Nashville with representatives of City staff and LD&A
- **Environmental Review by TDEC**
 - Information submitted to TDEC on 9/13/2012, review in the final stages
- **Planning Document submitted to TDEC**
 - Prepared by LD&A and submitted on 11/2/2012
- **Fiscal Review by TDEC**
 - Completed 12/17/2012

SRF Loan Process, continued



- **Public Meeting – January 14, 2013**
 - **Advertised in The Oak Ridger, city facilities and city website**
 - **Funding from two loan funds totaling \$18,000,000**
 - ✦ **\$4,000,000 subsidized loan including a 10% principal forgiveness**
 - ✦ **\$14,000,000 unsubsidized loan**

- **Receive, Approve and Submit Loan Application**
 - **Documentation of the public meeting will be submitted to and reviewed by TDEC**
 - **TDEC to provide the City with a formal loan application which will be presented to City Council for approval and returned to TDEC**

SRF Loan Process, continued



- **TDEC Loan Application Approval**
 - TDEC staff will review the completed loan application
 - TDEC will present the loan application for approval by the Tennessee Local Development Authority (TLDA)
 - TDEC will notify the City of the loan award
 - Projects can begin to be funded with the loan

Project Description



- **SRF Planning Document details the Rehabilitation Project**
- **Project is required to meet the EPA Administrative Order to eliminate sewer overflows within the City sewer system**
- **SRF Rehabilitation Project Contains**
 - **An estimated 18 sewer and manhole projects which consist of Engineering, Construction and Project Management**
 - **Begins in the East Plant Sewer Shed**
 - ✦ **Two mini basins currently under construction**
 - ✦ **Three mini basins have been designed (engineered) and will become one construction project**
 - ✦ **Remaining mini basins to be designed (engineered), bid and constructed**
 - **Continues throughout the City limits moving east to west**
 - **Engineering and construction of three equalization (EQ) basins**

Project Schedule



- **SRF Planning Document details the schedule for the Rehabilitation Project**
 - Sewer line work began November 2012
 - EQ Basin construction work scheduled to begin January 2014
 - All sewer line and eq basin work to be complete by September 2015 to meet the current deadline of the EPA Administrative Order
- **Project schedule will begin upon loan approval**
 - Costs incurred prior to final loan approval by TDEC are not eligible for reimbursement by the loan

Benefits vs Impacts



- **Long-Term Benefits include:**
 - Compliance with the EPA Administrative Order
 - Rehabilitated sewer lines and addition of EQ Basins
 - Cleaner environment, decreasing potential health risks by eliminating overflows and having a more efficient sewer system
 - Continued relationship with TDEC
- **Short-Term Impacts include:**
 - Numerous projects under construction simultaneously in our neighborhoods
 - Traffic control, short-term street closings
 - Increased construction citywide during the period of the EPA Administrative Order
 - Staff resources in order to comply with loan requirements such as Davis Bacon Wage Rates

Funding



- **Project Cost Estimates:** **\$23,090,800**

- **Funding Sources:**
 - **SRF Loan** **\$14,000,000**
 - **SRF Loan (10% Principal Forgiveness)** **\$ 4,000,000**
 - **Tennessee Municipal Bond Fund Loan** **\$ 2,000,000**
 - **Future Debt or SRF Loan Amendment** **\$ 3,090,800**

Impact on Rates



- **Wastewater User Rate Impact**
 - **Wastewater Rate Ordinance Amended April 16, 2012**
 - ✦ **1st Phase Effective May 1, 2012**
 - ✦ **2nd Phase Effective January 1, 2013**
 - ✦ **90% of Customer Bills Increased \$5 to \$25.80 per Month**
 - ✦ **Large Commercial Bills Increased Approximately 30%**
 - **Rate Study Planned for Summer of 2013**
 - ✦ **Rate Adjustments Delayed to 2014**



CITY OF OAK RIDGE, TENNESSEE

NOTICE OF PUBLIC MEETING

MONDAY JANUARY 14, 2013 AT 7:00 p.m. (local time)
Municipal Building Courtroom

To provide information about the City of Oak Ridge application for a

CLEAN WATER STATE REVOLVING LOAN FUND

consisting of two loans in the total amount of \$18,000,000
to construct the Wastewater Collection System Rehabilitation Project
and the resulting impact on monthly water/sewer bills.

Questions prior to the meeting should be directed to:

Gary M. Cinder, P.E.
Public Works Director
gcinder@oakridgetn.gov
865-425-1875

The City of Oak Ridge, Tennessee, will hold a PUBLIC MEETING during the City Council meeting on January 14, 2013 which begins at 7:00 p.m. (local time) in the Municipal Building Courtroom, 200 S. Tulane Avenue, Oak Ridge, to provide information concerning the application for a Clean Water State Revolving Loan (SRF) Fund.

The City of Oak Ridge received EPA Administrative Order (AO) CWA-04-2010-4772 on September 27, 2010. The Remediation Plan required by the AO and approved by EPA details plans for sewer rehabilitation/replacement projects and the construction of equalization basins for the sewer system at an estimated cost of \$23,090,800. The City of Oak Ridge will request SRF funding of a subsidized \$4,000,000 loan that contains a 10% principal forgiveness and an unsubsidized \$14,000,000 loan. The remaining project costs will be funded by approximately \$2,000,000 from an existing TMBF loan with the balance of \$3,090,800 provided by Local Share funding.

Citizens are encouraged to attend the public meeting. If unable to attend the meeting, please submit written comments, no later than Friday January 11, 2013 to:

Susan Fallon
City of Oak Ridge
Administrative Manager
P.O. Box 1
Oak Ridge, TN 37831-0001
sfallon@oakridgetn.gov

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the public meeting should notify Susan Fallon, City of Oak Ridge, at least three days prior to the meeting.

CONSENT AGENDA

MINUTES OF THE OAK RIDGE CITY COUNCIL

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on December 10, 2012, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

INVOCATION

The Invocation was given by Dr. Curtis McClain, Highland View Church of Christ.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was led by a member of the Methodist Chaplain Troop 328 Boy Scouts.

ROLL CALL

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

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

PROCLAMATIONS AND PUBLIC RECOGNITIONS

Public swearing-in of newly elected Councilmembers Trina Baughn; L. Charles Hensley; and Charles J. Hope, Jr.

The City Clerk performed the ceremonious oaths of office for Councilmember Baughn, Councilmember Hensley, and Councilmember Hope.

(Diverting from Original Order of Agenda)

Election/Appointments--Election of Mayor and Mayor Pro Tem of the City of Oak Ridge.

Mayor Beehan and Councilmember Mosby announced their interest in serving a term as Mayor and provided information to their interest and skills in the position.

Councilmember Baughn, Mayor Pro Tem Miller, Councilmember Garcia Garland, Councilmember Hensley, and Councilmember Hope provided comments regarding the position and support of a Mayor.

The following residents provided comments and expressed their support for Mayor Beehan serving an additional term:

Ms. Angi Agle, 101 West Melbourne Road
Mr. Aditya Savara, 109 Trenton Drive
Ms. Pat Postma, 104 Berea Road
Mr. Joe Lee, 99 East Pasadena Road
Mr. Michael Beehan, 119 Potomac Circle
Mr. Charlie Jernigan, 118 Claymore Lane

The following residents provided comments and expressed their support for Councilmember Mosby in serving a term as Mayor:

Mr. Martin McBride, 954 West Outer Drive
Mr. Jim Holsopple, 128 South Purdue Road
Mr. Steve Fritts, 108 Vernon Road

Mr. Robert Humpries, 500 Michigan Avenue
Mr. Lee Roy Gilliam, 108 Tracy Lane
Mr. Don Carson, 112 Outer Drive

Mr. Chuck Agle, 101 West Melbourne Lane, commented that during Mayor Beehan's term the City's tax rate has remained stable, whereas surrounding areas had not. Mr. Agle noted other cities and county/city combinations where property taxes were higher than the City of Oak Ridge.

Ms. MaKenzie Mosby, 106 Haven Hill Lane, commented that both Mayor Beehan and Councilmember Mosby were both good candidates as Mayor, and requested that the new City Council become greatly involved with the youth of Oak Ridge.

On first ballot for the Mayor for the City of Oak Ridge, Mayor Thomas L. Beehan was elected to serve as Mayor for a two-year (2) term of office receiving the votes of Councilmember Hensley, Mayor Pro Tem Miller, Mayor Beehan, and Councilmember Hope. Councilmember Baughn, Councilmember Garcia Garland, and Councilmember Mosby voted for Councilmember Mosby.

Following conclusion of the ballot for Mayor, Councilmember Baughn nominated Councilmember Mosby to serve as the Mayor Pro Tem for the City of Oak Ridge. City Council and staff discussed the procedures for nomination of the Mayor Pro Tem position.

Mr. Aaron Wells, 107 Bradley Avenue, commented that Councilmember Baughn's nomination needed to be considered based on his understanding of Robert's Rules of Order.

Following additional discussion, Councilmember Mosby accepted the nomination of Councilmember Baughn for Mayor Pro Tem.

On first ballot for the Mayor Pro Tem of the City of Oak Ridge, Mayor Pro Tem Miller was elected to serve as Mayor Pro Tem for a two-year (2) term of office receiving the votes of Councilmember Hensley, Mayor Pro Tem Miller, Mayor Beehan, and Councilmember Hope. Councilmember Baughn, Councilmember Garcia Garland, and Councilmember Mosby voted for Councilmember Mosby.

Public recognition of former Councilmember Ellen D. Smith for her five (5) years of service on the Oak Ridge City Council.

Mayor Pro Tem Miller moved, seconded by Councilmember Hensley to adopt the **Resolution No. 12-95-2012** recognizing Councilmember Ellen D. Smith's years of service and gave public recognition of the former councilmember for her five (5) years of service on the Oak Ridge City Council.

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

(The Mayor called for a brief recess.)

Upon return from recess, Councilmember Hensley moved to amend the agenda to consider the following ordinance immediately following consideration of the Consent Agenda:

AN ORDINANCE TO AMEND A USE DESIGNATION OF PARCEL 3.01, MAP 100J, GROUP B, IN HENDRIX CREEK PLANNED UNIT DEVELOPMENT, PHASE IV, LOCATED AT THE CORNER OF HENDRIX DRIVE AND HERITAGE 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.

The motion was seconded by Councilmember Hope and unanimously approved by voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor

Beehan voting "Aye."

Mayor Pro Tem Miller moved to delay consideration of the following ordinance:

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," ARTICLE XIV, TITLED "SIGN REGULATIONS," SECTION 14.05, TITLED "GENERAL REQUIREMENTS," TO ADD A NEW SUBSECTION 7, AND SECTION 14.16, TITLED "ILLUMINATION OF SIGNS," TO ADD A NEW SUBSECTION 6 FOR THE PURPOSE OF ESTABLISHING CRITERIA FOR OPERATION OF READER BOARD SIGNS (MOVING COPY SIGNS).

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

Councilmember Garcia Garland requested that the following resolution be removed from the Consent Agenda:

A resolution to generally establish monthly regular City Council meetings and monthly work session meetings for calendar year 2013, and to specifically establish additional regular City Council meetings for budget purposes in the month of May 2013 as required by Article II, Section 1, of the City Charter.

(Reverting back to Original Order of Agenda)

APPEARANCE OF CITIZENS

Mr. Parker Hardy, 123 Amanda Lane, President of the Oak Ridge Chamber of Commerce (ORCC), expressed the Chamber's appreciation to city staff for their assistance with the 2012 Christmas Parade.

Mr. Martin McBride, 954 West Outer Drive, provided comments about freezing the payroll gap between the City of Oak Ridge and Knox County by requesting payroll information from the Department of Energy (DOE) through a partnership with the Roane and Anderson County Commissions. Additionally, Mr. McBride suggested that the City focus its attention in tourism efforts to specific countries—China and Great Britain—given the City's history with ending a World War.

SPECIAL REPORTS

(NONE)

CONSENT AGENDA

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

- Approving the November 5, 2012 City Council meeting minutes.
- Adopting **Resolution No. 12-96-2012** awarding a bid in the estimated amount of \$55,950.00 to Water & Waste Equipment, Cleveland, Tennessee, for the furnishing of two (2) replacement pumps for the sewer pump station located on Melton Lake Peninsula.
- Adopting **Resolution No. 12-97-2012** to apply for and accept set-aside Emergency Solutions Grant (ESG) Program funds from the Tennessee Housing Development Agency, through the U.S. Department of Housing and Urban Development Emergency Solutions Grant Program, in the estimated amount of \$62,791.00, to fund ESG activities.

- Adopting **Resolution No. 12-98-2012** approving a Professional Services Agreement with Matt Jinks, DVM, Maryville, Tennessee, to provide veterinary services at the Oak Ridge Animal Shelter.

RESOLUTIONS

(Removed from the Consent Agenda)

Resolution No. 12-99-2012

A RESOLUTION TO GENERALLY ESTABLISH MONTHLY REGULAR CITY COUNCIL MEETINGS AND MONTHLY WORK SESSION MEETINGS FOR CALENDAR YEAR 2013, AND TO SPECIFICALLY ESTABLISH ADDITIONAL REGULAR CITY COUNCIL MEETINGS FOR BUDGET PURPOSES IN THE MONTH OF MAY 2013 AS REQUIRED BY ARTICLE II, SECTION 1, OF THE CITY CHARTER.

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

The City Manager noted that no major scheduling differences had occurred between the 2013 meeting schedule and previous years' schedule. Mr. Watson explained that this resolution would allow more flexibility to change meeting dates, when needed, with advance notification to the City Council and the public.

Following additional discussions, the resolution was unanimously adopted by voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

(The Mayor noted that the resolution titled, "a resolution to apply for a special litter grant from the Tennessee Department of Transportation (TDOT) for an Adopt-a-Plot program establishing sustainable community gardens to revitalize formerly blighted properties in the amount of \$80,000.00, and to accept said grant if the application is approved" was removed from the Consent Agenda. The City Manager explained that on December 10, 2012 the City received information that the City had not received the grant and thus the item was removed for consideration.)

(Agenda Amended)

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

AN ORDINANCE TO AMEND A USE DESIGNATION OF PARCEL 3.01, MAP 100J, GROUP B, IN HENDRIX CREEK PLANNED UNIT DEVELOPMENT, PHASE IV, LOCATED AT THE CORNER OF HENDRIX DRIVE AND HERITAGE 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.

The City Manager noted that a request was submitted by the property owner of the parcel to postpone the public hearing, but due to public notices already announced and advertised by staff, it was best to proceed with the public hearing.

The following residents provided comments during the public hearing:

Mr. Jack Mansfield, 103 Hendrix Drive, explained that he did not believe that the property had ever been restricted to open space designation, and indicated that he had documentation supporting such. Additionally, he provided a brief history of his purchase process of the property and previous rezoning attempts.

Mr. Ken Peters, 100 Hollbrook Lane, expressed his concerns about the rezoning in relation to the property tax and appraised value of his home, and indicated that the Open Space Designation of the

property was that was communicated to him was a buying point when purchasing his home.

Mr. Bill Simpson, 102 Hollbrook Lane, commented that a precedent had been set for the property given its multiple rezoning considerations in the past. Mr. Simpson stated that the issue was well vetted and determined that the property could not be rezoned and that, for him, zoning is a principle issue as protection for owners and buyers of nearby property.

Ms. Shirley Frykman, 125 Marquette Road, does not believe that the rezoning request will affect the parcel, but will have positive impacts on the existing "Prayer Walk" that exists on the parcel.

Mr. Glen Cardwell, 104 Hollbrook Lane, expressed concern regarding draining issues on the property, and inquired about the building requirements for the proposed house that would be located on the property.

Community Development Director Kathryn Baldwin responded to questions and comments of City Council.

Mr. Aditya Savara, 109 Trenton Drive, suggested that the homeowners affected by the rezoning approach the adjacent property owner for purchase and noted that the issue could have been resolved with the past homeowners association upkeep of the property.

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

Following an extensive discussion of City Council and staff, Councilmember Hensley moved to support the Oak Ridge Municipal Planning Commission's recommendation to deny the rezoning request. The motion was not seconded.

Councilmember Garcia Garland moved to postpone consideration of the ordinance until the next council meeting to examine the ordinance cited in support materials and give further consideration to the legal position of the City. The motion was seconded by Councilmember Hensley, and approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

(Reverting back to the original order of the agenda as originally presented)

Resolution No. 12-100-2012

ADOPTION OF A RESOLUTION AWARDED CONTRACTS (COR 12-31 AND 12-32) TO FIRST PLACE FINISH, INC., OAK RIDGE, TENNESSEE, FOR THE DEMOLITION OF TWO CITY-OWNED RESIDENTIAL STRUCTURES; SAID CONTRACTS IN THE ESTIMATED AMOUNT OF \$17,231.00 AND \$17,550.00 RESPECTIVELY.

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

Community Development Department Specialist Matt Widner reviewed photos showing the dilapidated conditions of the two city-owned structures and noted the cost benefits of pursuing demolition as opposed to repairs of the structures. After additional discussions, the resolution was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Resolution No. 12-101-2012

ADOPTION OF A RESOLUTION TO APPROVE A SUBORDINATION AGREEMENT WITH TNBANK TO SUBORDINATE THE CITY'S RIGHT TO REPURCHASE THE ARMORY BUILDING FROM GIRLS, INC. TO THE LOAN BETWEEN TNBANK AND GIRLS, INC., FOR ROOF REPAIRS.

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

After a brief review by City Attorney Kenneth Krushenski of the subordination agreement and discussions among City Council, the resolution was adopted by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Resolution No. 12-102-2012

A RESOLUTION APPROVING THE AMENDMENT AND RESTATEMENT OF THE CITY OF OAK RIDGE'S (A) SERIES VI-M-1 LOAN AGREEMENT WITH THE PUBLIC BUILDING AUTHORITY OF SEVIER COUNTY, TENNESSEE AND (B) THE SERIES VII-E-1 LOAN AGREEMENT WITH THE PUBLIC BUILDING AUTHORITY OF SEVIER COUNTY, TENNESSEE; DIRECTING THE CONVERSION OF THE INTEREST RATE ON THE RELATED LOCAL GOVERNMENT PUBLIC IMPROVEMENT BONDS, SERIES VI-M-1 AND LOCAL GOVERNMENT PUBLIC IMPROVEMENT BONDS, SERIES VII-E-1 TO AN INDEX RATE; AND AUTHORIZING THE EXECUTION AND DELIVERY OF INDEX RATE AGREEMENTS IN CONNECTION THEREWITH.

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

The City Manager noted that City Council will be considering the substitute resolution that was presented to City Council prior to the meeting

Mr. Christopher Bessler, Senior Vice President with Cumberland Securities Company, Inc., 813 S. Northshore Drive, Knoxville, Tennessee provided City Council with a summation of the process and reason for the loan agreements, as well as responded to questions of City Council.

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

Resolution No. 12-103-2012

ADOPTION OF A RESOLUTION TO EXTEND AND MODIFY THE CURRENT WATER SERVICES CONTRACT BETWEEN THE CITY AND THE UNITED STATES DEPARTMENT OF ENERGY (DOE) TO SET FORTH A NEW PRICING STRUCTURE AND OTHER NECESSARY MODIFICATIONS, WITH SAID CONTRACT THROUGH DECEMBER 31, 2015.

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

The City Manager reviewed highlights in the modified water services contract which included stabilization in cost recoveries with a fixed cost and a pro-rata portion split of capital projects related to the water plant with the City and the DOE. Mr. Watson, Public Works Director Gary Cinder, and Finance Director Janice McGinnis responded to questions and comments of City Council.

Following additional discussions, the resolution was adopted by board vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember voting "Nay."

First Reading of an Ordinance

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," ARTICLE XIV, TITLED "SIGN REGULATIONS," SECTION 14.05, TITLED "GENERAL REQUIREMENTS," TO ADD A NEW SUBSECTION 7, AND SECTION 14.16, TITLED "ILLUMINATION OF SIGNS," TO ADD A NEW SUBSECTION 6 FOR THE PURPOSE OF ESTABLISHING CRITERIA FOR OPERATION OF READER BOARD SIGNS (MOVING COPY SIGNS).

(Public hearing to occur during second reading at the January City Council meeting.)

Consideration of the above ordinance was delayed per the motion that was approved earlier in the meeting.

FINAL ADOPTION OF ORDINANCES

Ordinance No. 24-2012

AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF PARCELS 16-37, ANDERSON COUNTY TAX MAP 099K, GROUP B, AND PARCELS 28-57, ANDERSON COUNTY TAX MAP 099K, GROUP C, FROM R, RESIDENTIAL TO B, GENERAL BUSINESS; AND CHANGING THE DESIGNATION OF PARCELS 13-15, ANDERSON COUNTY TAX MAP 099K, GROUP B, FROM O, OFFICE/INSTITUTIONAL TO B, GENERAL BUSINESS.

Mayor Beehan recused himself from participation on this amendment and Mayor Pro Tem Miller assumed chairmanship for this item.

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

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Announcements

Scheduling

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Councilman Hope requested a review of city assets and asked that councilmembers possibly tour all school facilities to get an understanding of conditions and needs to adjust capital improvement plans accordingly.

Councilman Hensley asked for staff to provide better definitions or explanations on the zoning ordinance amendment for signage, specifically regarding the "knits" unit, when it returns to City Council for consideration.

Mayor Beehan requested that City Council meet soon to evaluate their common goals.

Councilwoman Garcia Garland inquired about appointing a new councilmember to the Environmental Protection Agency (EPA) Committee in the future.

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

Information/Updates on appointments/elections for the December 17, 2012 City Council Special Meeting.

The City Manager reminded City Council that the election for boards and commissions was scheduled for December 17, 2012, and that City Council would receive information from the boards regarding the progress of their goals.

CITY ATTORNEY'S REPORT

ADJOURNMENT

The meeting adjourned at 11:00 p.m.

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

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

December 17, 2012

The special meeting of the City Council of the City of Oak Ridge, Tennessee, convened at 7:00 p.m. on December 17, 2012, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was given by Mr. Kelly Callison.

INVOCATION

The Invocation was given by Councilmember David N. Mosby.

ROLL CALL

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

Also present were Mark S. Watson, City Manager; Kenneth R. Krushenski, City Attorney; and Diana R. Stanley, City Clerk.

SPECIAL REPORTS

Progress updates from Board Chairs/Staff Liaisons regarding the 2012 Boards and Commissions Goals approved by Resolution No. 2-10-2012.

The City Manager noted that City Council had requested a progress report on the 2012 Boards and Commissions Goals that were approved earlier in the year which had been included in the agenda packet for Council's review.

No action was taken on this item; informational purposes only.

ELECTIONS

Councilmember Garcia Garland moved that the appointments to the Oak Ridge Housing Authority and the Elder Citizens Advisory Board be postponed until such time as (1) the Housing Authority meet with City Council and the City Manager to discuss the City Manager's expectations of said board; and (2) that the Elder Citizens Advisory Board (ECAB) speak with Council about changes that they would like to propose to the composition and charter of said board. The motion was seconded by Councilmember Baughn.

Following an explanation of Councilmember Garcia Garland for the motion and discussion among councilmembers, the motion failed by board vote with Mayor Beehan, Councilmember Hensley, Councilmember Hope, and Mayor Pro Tem Miller voting "Nay," and Councilmembers Baughn, Garcia Garland, and Mosby voting "Aye."

Elect one (1) to the Anderson County Board of Equalization

Mr. Leonard Abbatiello was elected by acclamation to serve on the Anderson County Board of Equalization for a two (2) year term commencing on January 1, 2013. The motion was made by

Councilmember Hensley, seconded by Mayor Pro Tem Miller, and carried by unanimous voice vote with all Councilmembers present voting "Aye."

There were no other candidates.

Elect one (1) to the Anderson County Community Action Commissions

Mr. Benjamin J. Stephens was reelected by ballot to serve on the Anderson County Community Action Commission for a one (1) year term commencing on January 1, 2013.

Elect one (1) to the Anderson County Economic Development Association

Ms. Karen Crutchfield was elected by acclamation to serve on the Anderson County Economic Development Association for a four (4) year term commencing on January 1, 2013. The motion was made by Mayor Pro Tem Miller, seconded by Councilmember Garcia Garland, and carried by unanimous voice vote with all Councilmembers present voting "Aye."

There were no other candidates.

Elect four (4) to the Beer Permit Board

Mr. William Randy Tedford and Ms. Theresa Scott were reelected by ballot to serve on the Beer Permit Board for a three (3) year term commencing on January 1, 2013. Ms. M. Wendy Williams was elected by ballot to serve a three (3) year term commencing on January 1, 2013, and Mr. Pedro J. Otaduy was elected by ballot to serve the balance of an unexpired term ending on December 31, 2013.

Elect three (3) to the Board of Building and Housing Code of Appeals

Mr. Joseph E. Lee, Hugh B. Ward, and Aaron Wells were elected by acclamation to the Board of Building and Housing Code of Appeals for three (3) year terms beginning January 1, 2013. The motion was made by Councilmember Garcia Garland, seconded by Councilmember Hensley, and carried by unanimous voice vote with all Councilmembers presenting voting "Aye."

There were no other candidates.

Elect two (2) to the Board of Zoning Appeals

Mr. Syd Ball was elected by ballot to the Board of Zoning Appeals for a five (5) year term beginning on January 1, 2013, and Ms. Judith Mason was reelected to serve the balance of an unexpired term ending on December 31, 2014.

Elect six (6) to the Oak Ridge Convention and Visitors Bureau

Hotel Representatives

Ms. Gretchen A. Julius and Misty Williams were reelected by acclamation to serve on the Oak Ridge Convention and Visitors Bureau as hotel representatives for a one (1) year term beginning January 1, 2013. The motion was made by Mayor Pro Tem Miller, seconded by Councilmember Hensley, and carried by unanimous voice vote with all Councilmembers present voting "Aye."

Ms. Mary Anne Damos, Mr. J. Mark Harvey, and Mr. Hugh B. Ward were reelected by ballot to serve on the Oak Ridge Convention and Visitors Bureau for three (3) year terms commencing January 1, 2013. Ms. Cindy Hagemann was elected by ballot to serve on the Board for a three (3) year term commencing January 1, 2013.

Elect three (3) to the Elder Citizens Advisory Board

The City Attorney explained that the Coalition of Oak Ridge Retired Employees (CORRE) letter that City Council had received prior to the December 17, 2012 meeting advising that the organization no longer wishes to have representation on the Elder Citizens Advisory Board would need to be considered by the Board prior to any changes in composition; therefore, the three candidates listed on the ballot could be considered for membership.

Councilmember Garcia Garland moved to elect the three (3) candidates by acclamation. The motion was seconded by Councilmember Baughn. Councilmember Hensley stated that he did not intend to vote "Aye" for the acclamation, and Councilmember Garcia Garland withdrew her motion.

Mr. Lee Roy Gilliam was elected by ballot to the Elder Citizens Advisory Board as a member of Coalition of Oak Ridge Retired Employees (CORRE). There were no other candidates for this designated seat.

Mr. Hugh B. Ward was reelected by ballot to the Elder Citizens Advisory Board as a member of the National Association of Retired Federal Employees. There were no other candidates for this designated seat.

Mr. Robert Smallridge was reelected by ballot to the Elder Citizens Advisory Board as a member of the Oak Ridge Retired Teachers' Association. There were no other candidates for this designated seat.

The terms of office for the three aforementioned board members is three (3) years commencing on January 1, 2013.

Elect three (3) to the Environmental Quality Advisory Board

Mr. Paige R. Z. Russell, Mr. Aditya Savara, and Ms. Ellen D. Smith were elected by ballot to serve on the Environmental Quality Advisory Board for three (3) year terms of office commencing January 1, 2013.

Elect two (2) to the Highland View Redevelopment Board

Ms. Karen Goforth Crutchfield and Ms. Ida Farrar were elected by acclamation to serve on the Highland View Redevelopment Board to serve three (3) year terms of office commencing January 1, 2013. The motion was made by Mayor Pro Tem Miller, seconded by Councilmember Hope, and carried by unanimous voice vote with all Councilmembers present voting "Aye."

There were no other candidates.

Elect three (3) to the Industrial Development Board

Mr. David L. Mason and Mr. Harold D. Osucha were reelected by ballot to serve on the Industrial Development Board for six (6) years terms of office beginning January 1, 2013, and Ms. Melissa Freiderich was elected by ballot to serve a six (6) year term of office commencing on January 1, 2013.

Elect one (1) to the Oak Ridge Housing Authority

Ms. Judith L. Osucha was reelected by ballot to the Oak Ridge Housing Authority for a five (5) year term of office commencing on January 1, 2013.

Elect three (3) to the Oak Ridge Municipal Planning Commission

Mr. Jack Mansfield, 103 Hendrix Drive, raised his concerns regarding Councilmember Hensley's membership on the Oak Ridge Municipal Planning Commission and his participation during a November meeting given that, at that time, he had not official taken an oath of office following the November 6, 2012 General Elections.

Councilmember Hensley responded that he had received permission from the Chair of the Planning Commission to participate in the November Planning Commission meeting. Councilmember Hensley noted that his vote during the meeting would not have affected the outcome.

City Council Representative

Councilmember L. Charles Hensley was elected by ballot to serve on the Oak Ridge Municipal Planning Commission as a City Council representative for a two (2) year term of office or until his term on Council expires.

Councilmembers Baugh and Garcia Garland abstained on their ballots.

No other councilmembers expressed an interest in serving.

At-Large Positions

Mr. Patrick McMillan and Ms. Jane Shelton were reelected by ballot to serve on the Oak Ridge Municipal Planning Commission for four (4) year terms of office commencing January 1, 2013.

Elect two (2) to the Personnel Advisory Board

Ms. Ella H. DuBose was reelected and Ms. Martha Wallus were elected by acclamation to serve on the Personnel Advisory Board. The motion was made by Councilmember Garcia Garland, seconded by Mayor Pro Tem Miller, and carried by unanimous voice vote with all Councilmembers present voting "Aye." The terms of office were determined by ballot with Ms. DuBose elected to serve a three (3) year term of office commencing on January 1, 2013, and Ms. Wallus elected to serve the balance of an unexpired term ending on December 31, 2014.

There were no other candidates.

Elect three (3) to the Recreation and Parks Advisory Board

Ms. Bridgette Ellis and Mr. William Eubanks were reelected and Mr. B. Alan Tatum was elected by ballot to serve on the Recreation and Parks Advisory Board for three (3) year terms of office beginning on January 1, 2013.

Elect two (2) to the Trade Licensing Board

Mr. F. Wayne Garber was reelected and Mr. Mike Maddux elected by acclamation to serve on the Trade Licensing Board. The motion was made by Councilmember Hensley, seconded by Mayor Pro Tem Miller, and carried by unanimous voice vote with all Councilmembers present voting "Aye." The terms of office were determined by ballot with Mr. Garber elected to serve a term of office expiring on December 31, 2015, and Mr. Maddux elected to serve the balance of an unexpired term ending on December 31, 2013.

There were no other candidates.

Elect three (3) to the Traffic Safety Advisory Board

Ms. Gene R. Dunaway and Mr. Aditya Savara were elected, and Jana F. Humphrey was reelected by acclamation to the Traffic Safety Advisory Board for three (3) year terms of office beginning January 1, 2013. The motion was made by Mayor Pro Tem Miller, seconded by Councilmember Hensley, and carried by unanimous voice vote with all Councilmembers present "Aye."

There were no other candidates.

ELECTIONS/APPOINTMENTS

Listing of appointments that will be determined at the January City Council Meeting.

The appointment list was for informational purposes only; no action taken.

ADJOURNMENT

The meeting adjourned at 8:55 p.m.

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

COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM
12-53

DATE: December 28, 2012
TO: Mark S. Watson, City Manager
THROUGH: Kathryn G. Baldwin, Community Development Director *KGB*
FROM: Matthew W. Widner, Housing Specialist *MW*
SUBJECT: PROPOSED CHANGES TO THE CURRENT BOARD OF BUILDING AND HOUSING
CODE APPEALS "RULES AND PROCEDURES" AS ADOPTED ON NOVEMBER 13,
1997.

An item for the agenda is a resolution to approve the proposed amendments and changes to the current Rules and Procedures of the Board of Building and Housing Code Appeals (BBHCA).

In an effort to update the Board's current Rules and Procedures to be more in line with today's ethics and case demand, the attached amendments and changes have been proposed, drafted by staff, reviewed and approved by a unanimous vote at the October 11, 2012 BBHCA meeting.

Approval of the attached resolution is recommended.

Attachments: Rules and Procedures Proposed Changes Comparison and Complete Proposed Rules

City Manager's Comments:

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

Mark S Watson *1/8/13*
Mark S. Watson Date

City of Oak Ridge - Board of Building and Housing Code Appeals (BBHCA)
Rules and Procedures Proposed Changes Comparison
December, 2012

The BBHCA established its current set of rules in November, 1997. Since that time, functions have evolved and times have changed thus requiring the board to review and update current Rules and Procedures to be more in line with today's ethics and demands. Listed below are the December, 2012 proposed changes as endorsed by a unanimous BBHCA vote.

1. Article I, Section 1 – has changed terminology from "Chairman, Vice-Chairman..." to "Chairperson, Vice-Chairperson..." *NOTE: For the sake of convenience, the entire document that references these positions has been changed accordingly.*
2. Article II, Section 3 – has now added an additional duty to the Building Official/Staff Liaison to "maintain a visitor sign-in or log"... as needed.
3. Article III, Section 2 – has allowed electronic delivery of agendas and case information to board members instead of regular mail only.
4. Article III, Section 7 – changes agenda order of business and allows public comment to be an official part of the meeting. See below:

CURRENT

PROPOSED

- | | |
|---|---|
| <ol style="list-style-type: none">a. Roll Callb. Reading of minutes of previous meetingc. Unfinished Businessd. Hearing of Casese. New Businessf. Communication & Miscellaneous Business | <ol style="list-style-type: none">a. Roll Callb. Approval of minutes from previousc. Hearing of Casesd. Unfinished Businesse. New Businessf. Public Comment & Communications |
|---|---|
5. Article IV, Section 5 – changes the reference of "his" to "his/her". *NOTE: For the sake of convenience, the entire document that references this single gender has been changed accordingly.*
 6. Article IV – adds a new "Section 13" that specifically includes the BBHCA in new code change or adoption process as needed for codes it is charged with to render decisions on.
 7. Article IV – adds a new "Section 14" that specifically allows the board to adopt or change hearing procedures as needed.
 8. Creates a new "Article V. Hearing of Cases and/or Appeals from Blighted Property Notices or Orders" This section addresses specific cases of Unfit for Human Occupation and Use.
 9. The current Article "V, VI, VII and VIII" has been changed to the new Articles "VI, VII, VIII and IX" respectively. Titles and contents of these articles mostly remaining unchanged.
 10. The current Article VIII, Section 1 – references "Bylaws" has re-titled to the new Article IX, Section 1 – now referencing "Rules and Procedures" instead of Bylaws.

NUMBER _____

RESOLUTION

A RESOLUTION APPROVING UPDATED RULES AND PROCEDURES FOR THE BOARD OF BUILDING AND HOUSING CODE APPEALS.

WHEREAS, the Rules and Procedures for the Board of Building and Housing Code Appeals were last updated on November 13, 1997; and

WHEREAS, on October 11, 2012, the Board unanimously approved updated Rules and Procedures; and

WHEREAS, the Board of Building and Housing Code Appeals requests City Council's approval of the updated Rules and Procedures.

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

That the attached Rules and Procedures for the Board of Building and Housing Code Appeals are hereby approved.

This the 14th day of January 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

**RULES AND PROCEDURES OF
THE OAK RIDGE BOARD OF BUILDING AND HOUSING CODE APPEALS**

Revised: December, 2012

ARTICLE I. OFFICERS

Section 1. A Chairperson, Vice-Chairperson and Secretary shall be elected annually by a majority vote of the Board. They shall serve for the calendar year.

ARTICLE II. DUTIES

Section 1. The Chairperson, or in his/her absence the Vice-Chair, shall preside at all meetings and hearings of the Board, decide all points of order or procedure and perform any duty required by law, ordinance, these rules or the Board.

Section 2. In the absence or disqualification of the Chairperson, the Vice-Chair shall assume all the duties of the Chairperson.

Section 3. The Building Code official, working with the Board Secretary, shall conduct, at the discretion of the Board, all official correspondence of the Board, send out all notices required by law and these rules of procedure, keep a record of each hearing or any official action of the Board, maintain a visitor sign-in or log and perform all other duties required by law, ordinance, these rules, or the Board.

ARTICLE III. MEETINGS

Section 1. A regular meeting of the Board of Building and Housing Code Appeals for the hearing of cases shall be held on the second Thursday of each month at 3:00 p.m. in the Municipal Building Training Room, unless no cases are pending, in which no meeting shall be held.

Section 2. The agenda and supporting materials will be provided to the Board via regular mail or electronic mail no later than the first Thursday of the month, one week before the meeting. If there are any changes to the time of the meeting or the location of the meeting, the changes shall be noted on the agenda. If there is no meeting scheduled, such a notice will be provided to the Board one week before the meeting date.

Section 3. All applications and supporting materials must be received by the Code Enforcement Department no later than 5:00 p.m. on the first Tuesday of the month.

Section 4. The Board shall meet within five (5) days of an appeal where the City Manager or his designee has found that a dangerous and unsafe building constitutes a serious and immediate threat of danger to the health, safety, and general welfare of persons on the property or of the general public. At such hearings, the Board shall hear and receive such testimony and evidence relevant to the notice or order to any extension of time presented by the City Manager or his designee or by the Appellant.

Section 5. Special meetings may be held upon call of the Chairperson and at such other times as the Board may determine, provided that at least twenty-four (24) hours notice of the meeting is given to each member.

Section 6. A quorum shall consist of four (4) members of the Board.

Section 7. The order of business of all regular meetings of the Board shall be as follows:

- (a) Roll call
- (b) Approval of minutes from previous meeting
- (c) Hearing of cases
- (d) Unfinished business
- (e) New business
- (f) Public Comment & Communications

Section 8. The Building Code Official and the Secretary shall keep minutes of the proceedings of each meeting of the Board, showing the vote of each member upon each question, or if the absent of failing to vote, indicating such fact.

Section 9. All meetings and hearings of the Board shall be open to the public. Any action calling for a formal vote shall take place only at a public meeting.

Section 10. Public Comment shall be at the discretion of the Board Chairperson.

Section 11. Roberts Rules of Procedure shall govern with respect to all questions of a parliamentary nature.

ARTICLE IV. PROCEDURE FOR HEARING VARIATIONS AND MODIFICATIONS

Section 1. Appeals for the variations and modifications of the Housing Code may be taken to the Board by any person aggrieved or affected by any decision of the Building Inspector. An appeal for variation or modification shall be made in writing within fifteen (15) days after the decision is rendered by the Division of Code Enforcement.

Section 2. The appellant shall file the request for the appeal or review on the appropriate form which shall be transmitted by the Division of Code Enforcement. The appellant shall perform all actions required by the forum and shall all information requested on the form, together with any information and data that may be required to advise the Board with reference to the appeal, whether such information is called for by the official form or not.

Section 3. Upon receipt of an appeal, the Division of Code Enforcement shall transmit to the Board all papers constituting the record upon which the action is being taken together with a statement setting forth briefly the reasons for the action.

Section 4. Each appeal, when filed on the proper form with the required data, shall be numbered serially, and be placed upon the agenda of the Board by the Office of Code Enforcement to be set for a hearing. Appeals shall be assigned for hearing in the order in which they appear on the agenda, except that any appeal may be advanced for hearing by order of the Board upon reasons being shown which affect public health, safety or welfare.

Section 5. At the time of the hearing, the appellant may appear in his/her own behalf, or be represented by counsel or agent. The appellant shall be heard first. Thereafter, the Division of Code Enforcement shall be heard. Any private citizen also may be heard either for or against the proposal. The appellant shall be given an opportunity for rebuttal.

Section 6. The Board, on its own motion, may provide for the recording of testimony in a stenographic report. If the Board so provides, a copy of the report shall be made available to any person interested in the appeal, upon payment of a fee of \$1.00 per page. All requests for copies of such report shall be made to the Secretary no later than forty-eight (48) hours after the date on which the hearing was held.

Section 7. Whenever the Board imposes any condition with the respect to the granting of the

appeal, such condition shall be set forth in the resolution stating the decision.

Section 8. All actions of the Board shall have the concurrence of at least four (4) members of the Board.

Section 9. The Board must render its decision without unreasonable or unnecessary delay.

Section 10. The final decision shall be a statement of findings, statement of modification asked for, reason for action reversing, affirming or modifying the action of the Division of Code Enforcement.

Section 11. A copy of the action taken by the board, certified and signed by the Chairperson for the Board, shall be forwarded to the appellant and the Division of Code Enforcement.

Section 12. The Board may, in appropriate cases, grant a reasonable extension of time. However, no extension of time shall be granted for more than eight (8) months from the date of the notice.

Section 13. Review, comment and/or make recommendations as needed on proposed code/ordinance changes that the Board is charged with the duty to interpret or render decisions on.

Section 14. The Board may adopt its own rules setting hearing procedures as needed. Any procedure that is in direct conflict with State law shall be deemed null and void.

ARTICLE V. HEARING OF CASES AND/OR APPEALS FROM BLIGHTED PROPERTY NOTICES OR ORDERS

Section 1. The Board also hears cases and/or appeals from notices or orders of the City Manager or his designee to repair, vacate, or demolish residential or commercial buildings deemed unsafe for occupancy or use pursuant to the Oak Ridge Housing Code.

Section 2. The Board may dismiss or modify the notice to the extent the Board determines the order was improper, and/or the Board may grant or deny additional time for compliance with the Property Maintenance Code, or grant or deny a waiver from certain specific requirements.

ARTICLE VI. REQUEST FOR HEARING OF HOUSING DISCRIMINATION COMPLAINTS

Section 1. Persons desiring a hearing on a housing discrimination complaint before the Board shall make a formal request in writing on a form provided by the office of Code Enforcement. Copies of the form are available at the office of Code Enforcement.

ARTICLE VII. FINAL DISPOSITION OF APPEALS

Section 1. The decision of the Board shall be final, except where the applicant appeals the order to a court having jurisdiction or makes a written request for a rehearing.

Section 2. When a request for a rehearing is granted by an affirmative vote of four (4) members of the Board, all interested parties and the applicant shall be notified of the date and time of the rehearing by the office of Code Enforcement.

ARTICLE VIII. RECORDS

Section 1. A file of all materials and decisions relating to each case shall be kept by the Division of Code Enforcement as part of the records of the Board.

Section 2. All records of the Board shall be public records.

ARTICLE IX. AMENDMENTS

Section 1. These Rules and Procedures may be amended on the affirmative vote of four (4) members at any regular meeting.

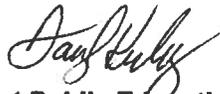
This the 11th day of October 2012.

Chairman, Board of Building and Housing Code Appeals

Secretary, Board of Building and Housing Code Appeals

Approved by Council by Resolution _____
Effective Date:

**INTER-DEPARTMENTAL MEMORANDUM
FIRE DEPARTMENT HEADQUARTERS
HQ-13-02**

DATE: January 7, 2013
TO: Mark Watson, City Manager
FROM: Darryl Kerley, Fire Chief 
SUBJECT: **Fire Department ActFast Public Education Trailer - MOA with Morgan County**

The Fire Department is requesting City Council approval to enter into a Memorandum of Agreement (MOA) with Morgan County to allow the transfer of a City asset described as the ACTFAST Public Education Trailer to Morgan County to be used by area fire departments.

Approximately 10 years ago, the fire department received a FEMA grant to purchase an ActFast public education trailer. The Trailer cost approximately \$45,000.00 to build and equip to teach fire and storm safety to the public.

Over the last 5 years, the trailer has been used mostly for the Secret City Festival and during dedicated standby for specialized rescue operations. The Fire Department has made several repairs to the trailer; however, the trailer has been stored outside for the last 10 years and has developed water leaks that now need extensive repairs. The manufacture estimated the cost of fully repairing the trailer at \$18,000.00. The fire department management has determined we want to surplus this piece of equipment.

Over the last 10 years the City of Oak Ridge has shared this equipment with the Morgan County Fire Rescue Association (MCFRA) for their public education programs. When MCFRA found out we were going to surplus the trailer, they made an offer to enter into an MOA with the trailer.

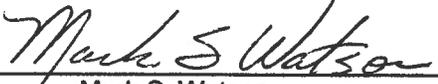
Staff recommends that the City enter into a MOA to transfer ownership of the trailer to Morgan County and through the MOA share this asset whenever it is needed by the Oak Ridge Fire Department. This would allow the trailer to be repaired at no cost to the City, but would make the trailer available to the City when needed.

Staff recommends approval of the resolution.

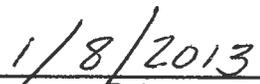
Attachments

City Manager's Comments:

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



Mark S. Watson



Date

RESOLUTION

A RESOLUTION AUTHORIZING THE TRANSFER OF THE ACTFAST PUBLIC EDUCATION TRAILER TO MORGAN COUNTY AT NO COST.

WHEREAS, approximately ten years ago, the City's Fire Department purchased the ActFast Public Education Trailer with grant funds received from the Federal Emergency Management Association (FEMA); and

WHEREAS, the trailer is in need of extensive repair; and

WHEREAS, the trailer is now surplus to the needs of the City due to the \$18,000.00 estimated cost of repair; and

WHEREAS, the Morgan County Fire Rescue Association, which has used the trailer in the past with permission of the City, has offered to accept the trailer as is, own and repair it, but allow the City to use it when needed; and

WHEREAS, Tennessee Code Annotated §12-3-1005 allows governmental entities to purchase, trade, or gift personal property to each other without public advertisement and competitive bidding; and

WHEREAS, the City Manager recommends the trailer be donated to Morgan County for their use under the authority of Tennessee Code Annotated §12-3-1005.

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 donation of the ActFast Public Education Trailer to Morgan County, as authorized by Tennessee Code Annotated §12-3-1005, is hereby approved.

This the 14th day of January 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

INTER-DEPARTMENTAL MEMORANDUM
FIRE DEPARTMENT HEADQUARTERS
13-01

DATE: January 7, 2013
TO: Mark S. Watson, City Manager
FROM: Darryl Kerley, Fire Chief 
SUBJECT: **ASSISTANCE TO FIREFIGHTER GRANT AWARD**

The accompanying resolution authorizes the City to accept the Assistance to Firefighter Grant (AFG) Award in the amount of 91,660.00 (Exhibit A).

In 2012, the fire department submitted a grant application request to the Assistance to Firefighter Grant Program for safety equipment totaling \$91,660.00. This grant will provide NFPA approved Self-Contained Breathing Apparatus (SCBA) Packs on all of the fire departments engines, including reserve apparatus. It also allows for the purchase of one rechargeable intrinsically safe flashlight to be issued to each firefighter. The request meets the goals of the AFG program for firefighter safety.

The grant is broken into 3 categories:

- | | |
|--|---------------------|
| 1. 12 new NFPA compliant SCBA with face piece and one (1) spare bottle | est. \$6,120.00 ea. |
| 2. 10 Replacement SCBA bottles to replace DOT out-of-date bottles | est. \$1,160.00 ea. |
| 3. 66 Personal issued flashlights for fire suppression activities | est. \$6,270.00 ea. |

The grant is a 90/10 matching fund grant. The City will be responsible for \$9,166.00 of the total amount and FEMA will provide to the City \$82,494.00 for the purchase. The equipment will go out for sealed bid and will take approximately 6 months to acquire after the award of bid. Due to the length of time for acquisition after award, it is requested at this time that City Council approve the purchases under the grant as well.

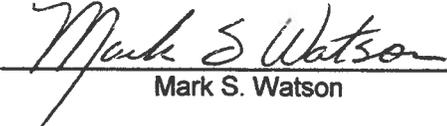
Funds for the matching 10% are available and will be charged to the Fire Department's PPE Account.

Staff recommends approval of the attached resolution.

Attachments

City Manager's Comments:

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



Mark S. Watson

1-9-2013
Date

RESOLUTION

A RESOLUTION TO ACCEPT A \$91,660.00 ASSISTANCE TO FIREFIGHTER GRANT AWARD FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR SAFETY EQUIPMENT.

WHEREAS, the United States Department of Homeland Security Federal Emergency Management Agency (FEMA) makes grant funds available to local jurisdictions through the Assistance to Firefighters Grant Program; and

WHEREAS, the City is eligible for and has been approved by FEMA to receive \$91,660.00 in grant funds for safety equipment; and

WHEREAS, said grant requires a ten percent (10%) local match and the required \$9,166.00 local match is available in the Fire Department's budget; and

WHEREAS, the City Manager recommends acceptance of said grant and authorization to purchase the safety equipment with grant funds.

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

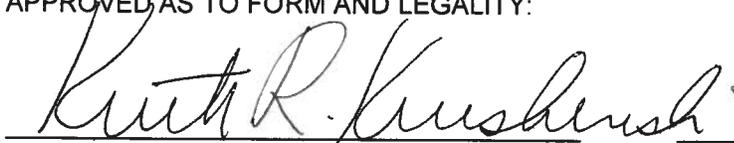
That the recommendations of the City Manager are approved and an Assistance to Firefighter grant from the United States Department of Homeland Security Federal Emergency Management Agency in the amount of \$91,660.00, with a local match of ten percent (10%), is hereby accepted.

BE IT FURTHER RESOLVED that the City is authorized to purchase the safety equipment with grant funds; said equipment being purchased under the City's bidding requirements.

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

This the 14th day of January 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM
13-1

DATE: January 4, 2013
TO: Mark S. Watson, City Manager
THROUGH: Kathryn Baldwin, Community Development Director *KEB*
FROM: Kahla Gentry, Senior Planner
SUBJECT: **Amendment of Planning Commission By-laws**

The Planning Commission has voted to amend Article III of the Planning Commission By-laws regarding the time of the Planning Commission's annual meeting and the time of their regular meetings. The Planning Commission is changing the time of the annual meeting from September to the third Thursday in January, to coincide with the beginning of terms of office. In addition, the regular meeting date is being changed from the fourth Thursday of the month to the third Thursday of the month. This change will allow sufficient time to publish the required public notice for the City Council meeting when the Planning Commission has recommended a rezoning or amendment to the Zoning Ordinance.

Staff recommends approval of these by-law amendments.

Kahla Gentry

Kahla Gentry

City Manager's Comments:

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

Mark S. Watson 1/8/2013

Mark S. Watson, City Manager Date

RESOLUTION

A RESOLUTION AMENDING THE BYLAWS FOR THE OAK RIDGE MUNICIPAL PLANNING COMMISSION TO CHANGE THE REGULAR MEETINGS TO THE THIRD THURSDAY OF EACH MONTH AND TO CHANGE THE ANNUAL MEETING TO JANUARY.

WHEREAS, the Bylaws for the Oak Ridge Municipal Planning Commission were last updated on May 3, 2004; and

WHEREAS, in order to provide sufficient time for Planning Commission items to be placed on the next available City Council meeting and give ample time for publication of legal notices for re-zonings and code amendments, Planning Commission has proposed to rearrange the voting meeting schedule; and

WHEREAS, on December 20, 2012, the Planning Commission unanimously voted to amend Article III, Paragraph B, of the Bylaws to change the regular monthly meeting from the fourth Monday to the third Monday; and

WHEREAS, on January 26, 2012, the Planning Commission unanimously voted to amend Article III, Paragraph B, of the Bylaws to change the annual meeting from September to January to coincide with Resolution 2-8-11 which established calendar year terms for boards and commissions and required elections of officers to take place in January each year; and

WHEREAS, the Planning Commission requests City Council's approval of the amendments to the Bylaws.

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

That Article III, Paragraph B, of the Bylaws for the Oak Ridge Municipal Planning Commission is hereby amended by changing the regular meeting to the third Thursday of each month and establishing the annual meeting to be in January.

This the 14th day of January 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

RESOLUTIONS

PUBLIC WORKS DEPARTMENT MEMORANDUM
13-01

DATE: January 7, 2013
TO: Mark S. Watson, City Manager
FROM: Gary M. Cinder, P.E., Public Works Director

SUBJECT: CLEAN TENNESSEE ENERGY GRANT PROGRAM APPLICATION

The accompanying resolution authorizes the City of Oak Ridge, Public Works Department, to apply for and accept grant funds in the requested amount of \$250,000 from the State of Tennessee, Department of Environment and Conservation (TDEC), Clean Tennessee Energy Grant Program, to assist with funding for building maintenance projects that will result in an increase of energy efficiency.

The implementation of newer technologies using this grant will serve as a model for future renovation projects. The cost savings that will result from the increased energy efficiency and reduction of emissions from reduced power consumption will be a long-term public benefit to the city's citizens.

The purpose of the Clean Tennessee Energy Grant Program is to fund projects that result in a reduction of emissions and pollutants. The eligible categories include cleaner alternative energy, energy conservation and air quality improvement. Funding for the Clean Tennessee Energy Grant Program is from a consent decree with the Tennessee Valley Authority (TVA) from a federal court settlement of an enforcement action under the federal Clean Air Act. A part of the consent decree requires TVA to provide Tennessee \$26.4 million to fund environmental mitigation projects, to be paid over five years or longer. The grant being applied for will be from the second round of funding from the consent decree.

Each grant application requires matching funds. During the grant application evaluation process, points are awarded based on the match level, with a larger match percentage receiving higher points. The minimum match level is 50 percent grant / 50 percent match. In order to receive greater consideration, the Public Works Department recommends applying for a 60 percent match / 40 percent grant, allowing for \$625,000 as the total project cost, with \$375,000 from the City and \$250,000 from the grant.

Grant awards will be selected using the following criteria:

- Energy Efficiency – 25 possible points
- Air Quality – 30 possible points
- General Public Benefit – 15 possible points
- Protection of Environment – 15 possible points
- Creative / New Technology – 15 possible points

The Public Works Department recommends utilizing the Clean Tennessee Energy Grant Funds for lighting projects at the Recreation Building and Municipal Building to reduce energy consumption and comply with the federal mandate that has stopped the manufacture of the type of T12 fluorescent tubes currently used in the buildings. Using an industry standard calculator, the lighting changes are predicted to:

- increase energy savings by 43%
- increase the amount of light by 4%
- increase the life of the tube by 66%

The recommended project for the grant represents an opportunity to achieve a reduction in both energy usage and energy costs to the citizens of Oak Ridge. Actual dollar savings cannot be accurately predicted, since the amount of electricity utilized for lighting only is not known. In addition to changing out inefficient lighting, the newer technology equipment will include the installation of sensors that will turn off lights when the buildings are unoccupied, increasing the savings of both energy and monthly operational costs for years to come. The long term benefit of the project will not only be of a monetary value to the citizens, but also reduce the need for energy production from coal-fired power plants that supply the majority of the power to Oak Ridge.

The recommended grant application will be the second attempt by the City of Oak Ridge to secure funding from this grant program. The 2012 application, which was not funded contained lighting, HVAC and insulation projects, whereas this application will focus on the lighting project only.

The match funding for the project will be requested from the capital maintenance fund in the FY 2014 budget. The application deadline for this grant is January 31, 2013. Staff recommends approval of the accompanying resolution.



Gary M. Cinder

City Manager's Comments:

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



Mark S. Watson

1-8-2013
Date

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR A GRANT FROM THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC), CLEAN TENNESSEE ENERGY PROGRAM, IN THE AMOUNT OF \$250,000.00 WITH A SIXTY PERCENT (60%) LOCAL MATCH, AND ACCEPTING SAID GRANT IF AWARDED.

WHEREAS, grant monies are available through the State of Tennessee, Department of Environment and Conservation (TDEC), Clean Energy Program, to assist with funding building maintenance projects resulting in increased energy efficiency; and

WHEREAS, the City desires to apply for a \$250,000.00 grant with a sixty percent (60%) local match to increase the City's chances of receiving grant funds since during the evaluation process higher points are awarded for applications with higher local match percentages; and

WHEREAS, if awarded, funds will be used for lighting projects at the Recreation Building and Municipal Building to reduce energy consumption and comply with the federal mandate that has stopped the manufacture of the type of florescent bulbs used in the buildings; and

WHEREAS, matching funds would be requested from the capital maintenance fund in the FY2014 budget; and

WHEREAS, the City Manager recommends that the City submit a grant application for this project.

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

That the recommendation of the City Manager is approved and the City is hereby authorized to submit a grant application to the Tennessee Department of Environment and Conversation for a \$250,000.00 Clean Tennessee Energy Program grant with a sixty percent (60%) local match requirement which funding, if awarded, would be utilized to improve energy efficiency and reduce energy consumption at various city facilities.

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 and/or Mayor is hereby authorized to execute the appropriate legal documents to accomplish the same.

This the 14th day of January 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

INFORMATION SERVICES MEMORANDUM
13-01

DATE: January 6, 2013

TO: Mark S. Watson
City Manager

FROM: Amy Fitzgerald, Ph.D.
Government Affairs & Information Services Director

SUBJECT: ***City of Oak Ridge, Tennessee***
2013 State and Federal Legislative Agenda

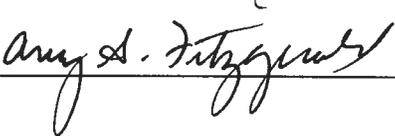
An item for the January 14th City Council agenda is the approval of the *City of Oak Ridge 2013 State and Federal Legislative Agenda*.

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

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

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

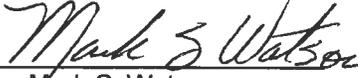
Staff recommends approval of the resolution.



Attachments

City Manager's Comments:

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



Mark S. Watson 1-8-13 Date

RESOLUTION

A RESOLUTION TO ADOPT THE *CITY OF OAK RIDGE, TENNESSEE 2013 STATE AND FEDERAL LEGISLATIVE AGENDA* TO INFORM STATE AND FEDERAL OFFICIALS OF KEY PROJECTS, POLICIES, AND PRIORITIES IN THE CITY OF OAK RIDGE, AND TO HELP SECURE FUNDING FOR AGREED UPON PRIORITIES OF THE COMMUNITY.

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

WHEREAS, the City Manager recommends the approval of the *City of Oak Ridge, Tennessee 2013 State and Federal Legislative Agenda* to inform state and federal officials of key projects, policies, and priorities in the city of Oak Ridge, and to help secure funding for agreed upon priorities of the community; and

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

WHEREAS, while the *City of Oak Ridge, Tennessee 2013 State and Federal Legislative Agenda* is intended to be comprehensive, issues may arise during the course of the year that require further action.

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

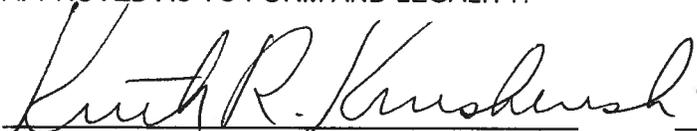
That the recommendation of the City Manager is approved and the attached *City of Oak Ridge, Tennessee 2013 State and Federal Legislative Agenda* is hereby adopted to inform state and federal officials of key projects, policies, and priorities in the city of Oak Ridge, and to help secure funding for agreed upon priorities of the community.

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

BE IT FURTHER RESOLVED that the *City of Oak Ridge, Tennessee 2013 State and Federal Legislative Agenda* be transmitted to members of the Tennessee General Assembly and the Tennessee Congressional Delegation as the official 2013 state and federal legislative agenda for the City of Oak Ridge.

This the 14th day of January 2013.

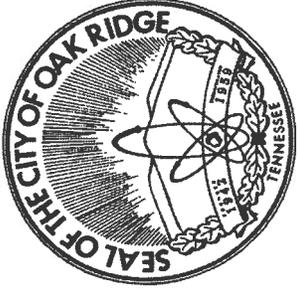
APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk



City of Oak Ridge, Tennessee
2013 State and Federal
Legislative Agenda

2013 City of Oak Ridge, Tennessee State Legislative Agenda

Legislative Priorities

Project/Issue	Responsible Agency/Organization	Benefits/Action Needed
Manhattan Project National Historical Park	General Assembly, Tennessee Historical Commission, and Tennessee Department of Tourism	Support federal legislation to establish the Manhattan Project National Historical Park in conjunction with the National Park Service, Los Alamos, NM, and Hanford, WA (three sites, one park concept). In 2012, State House Adopted Resolution of Support. Benefits include: Historical preservation and interpretation of one of most significant events in Tennessee and American history. Action needed: Urge State Senate to Adopt Companion Resolution or Joint Resolution.

Projects, Positions, Activities

Project/Issue	Responsible Agency/Organization	Benefits/Action Needed
Oak Ridge General Aviation Airport	Tennessee Department of Transportation (TDOT) Aeronautics Division	Complete comprehensive planning for development of a general aviation airport at the East Tennessee Technology Park in Oak Ridge. Benefits include: Enhanced aviation opportunity will support regional growth and economic and community development in Oak Ridge; reduce congestion at general aviation airports in the region. Action needed: Support funding through TDOT all for phases of study and planning; provide support to Metropolitan Knoxville Airport Authority.
Edgemoor Road (SR 170) improvements—(Exclusive of Bridge)	Tennessee Department of Transportation (TDOT)	Need to widen and improve highway. With the cancellation of the Knoxville beltway project, congestion along this major thoroughfare continues to worsen with additional traffic load. TDOT Average Daily Traffic counts

Project/Issue	Responsible Agency/Organization	Benefits/Action Needed
		<p>at the nexus of SR170, SR62 and SR162 are among the highest in the region. In 2012, the City of Oak Ridge was added as a member of the Knoxville Regional Transportation Planning Organization (TPO). Benefits include: improve safety, significant congestion mitigation, improve access to major employment sectors, and enhance commercial development. Action needed: Urge TPO and TDOT to formally integrate project into regional planning and funding profile; work with parties on interpretation of cost sharing rules; begin coordination or rights-of-way inventory.</p>
<p>Uranium Processing Facility (UPF)</p>	<p>General Assembly</p>	<p>Complete design and start of construction on the Uranium Processing Facility at the Y-12 site in Oak Ridge. In 2012 the City of Oak Ridge provided testimony in support of the project at a public hearing in Knoxville. Benefits include: supports future mission of the Y-12 National Security Complex, one of the state's largest employers; significant risk reduction to workforce and community; enhances Y-12 efficiencies; and reduces long-term costs. Action needed: Support funding through National Nuclear Security Administration (NNSA); participate in federal and state planning efforts to facilitate project development and implementation.</p>
<p>Not in Our City Land Bank Program</p>	<p>General Assembly</p>	<p>Legislation was approved by General Assembly in 2012 for a City of Oak Ridge pilot program, which was featured in a recent Tennessee Advisory Commission on Intergovernmental Relations report on blight. Benefits include: allows the City to assemble, temporarily manage, and dispose of vacant land for the purpose of stabilizing neighborhoods and encouraging reuse or redevelopment of urban property. Such programs are used in several states as a progressive way for cities to reclaim unused, vacant, or undesirable land for potential housing</p>

Project/Issue	Responsible Agency/Organization	Benefits/Action Needed
Brownfield and Vacant Blighted Properties	General Assembly	opportunities or public use. Action needed: Obtain 501 status; define housing goals; develop guidelines and implementation opportunities. The City of Oak Ridge continues to experience challenges associated with modernizing WWII-era properties and infrastructure. The East Tennessee Technology Park (ETTP) in Oak Ridge is affected by regulations and policies governing Brownfield development. Likewise, Oak Ridge experiences significant problems associated with vacant, blighted properties. Local governments need assistance in developing financial solutions that return these properties to beneficial reuse. Benefits include: potential for private sector investment, stable property values, crime reduction, and reduction in development costs. Action needed: Examine tax and fiscal policies that could enhance opportunities for private sector investment and redevelopment of brownfields and vacant, blighted properties. Examine applicable policies in surrounding states that could have potential to assist Oak Ridge and make Oak Ridge properties more competitive.
Enhancement Grant to Revitalize Historic Jackson Square	Tennessee Department of Transportation (TDOT)	The City was awarded an enhancement grant in 2012 to support the revitalization of Jackson Square. Benefits include: parking and sidewalk improvements, landscaping and green space enhancement, and construction of accessibility ramps. The improvements will support economic and sustainable development at one of Oak Ridge's historic town sites. Action needed: select consultant, continue to engage community, develop additional private sector investment, and advocate programmatic funding to TDOT.
Penalties and Fees for DOE Non-Compliance Should Restore Oak Ridge	Tennessee Department of Environment and Conservation (TDEC) in conjunction with DOE	The Federal Facility Agreement (FFA) between TDEC and DOE lacks a provision requiring that penalties imposed on DOE by the State of TN for violations, such as missing

Project/Issue	Responsible Agency/Organization	Benefits/Action Needed
		<p>cleanup milestones on the Oak Ridge Reservation, are used in the Oak Ridge area. Benefits include: Avoids penalizing the City of Oak Ridge, Anderson and Roane counties by redistributing environmental management resources from Oak Ridge Reservation projects so that remediation is not delayed. Action needed: Modification to FFA and other relevant policies to require that penalties, fees, and mitigation associated with CERCLA activities on the Oak Ridge Reservation are invested in environmental restoration in the affected jurisdiction(s).</p>
<p>Oak Ridge Reservation Communities Alliance (ORRCA)</p>	<p>Tennessee Department of Environment and Conservation (TDEC) and Tennessee Emergency Management Agency (TEMA) in conjunction with DOE</p>	<p>The City and area county governments adopted the Tennessee Oversight Interlocal Agreement and formed the Oak Ridge Reservation Communities Alliance (ORRCA) in 2012. Benefits: the new agreement and associated grant facilitates involvement of the affected local governments and public in decisions about DOE environmental management. Action needed: Continued cooperation and engagement to ensure local government involvement in federal and state cleanup decisions and emergency response planning.</p>
<p>Economic Development Incentives</p>	<p>General Assembly and Tennessee Department of Economic and Community Development</p>	<p>Action needed: Maintain the Economic Development Grant, Loan, and Incentive Programs that support economic diversification for the City of Oak Ridge, including "Fast Track" job assistance training and infrastructure programs. Incentivize Brownfield development.</p>
<p>Funding for Oak Ridge School System</p>	<p>General Assembly and Tennessee Department of Education</p>	<p>The Oak Ridge educational system is a key asset to the State of Tennessee and to the Oak Ridge community. The City and School administrations continue to collaborate to achieve greater efficiency and effectiveness. However, unfunded mandates imposed by the federal and state governments are having adverse financial impacts at the local level. Action needed: The Basic Education Program</p>

Project/Issue	Responsible Agency/Organization	Benefits/Action Needed
Recognize Local Decision Making Authority	General Assembly	<p>(BEP) must be fully funded using a local capacity model that recognizes the Oak Ridge community's investment in education. Provide funding to implement the Tennessee Diploma Project, First to the Top requirements, mandates and for capital improvements. Oppose efforts to authorize election of school superintendents.</p> <p>Action needed: Eliminate unfunded mandates and mandates that impose non-discretionary requirements on local governments.</p>

2013 City of Oak Ridge, Tennessee Federal Legislative Agenda

Legislative Priorities

Project/Issue	Responsible Agency/Organization	Benefits/Action Needed
Manhattan Project National Historical Park	Congress and National Park Service	<p>Support federal legislation to establish the Manhattan Project National Historical Park in conjunction with the National Park Service, Los Alamos, NM, and Hanford, WA (three sites, one park concept). In 2012, the City, the Energy Communities Alliance and community representatives testified at House and Senate Committee hearings. Benefits include: Historical preservation and interpretation of one of most significant events in Tennessee and American history. Action needed: Urge congressional delegation to pass legislation to establish the park and authorize development of management plan.</p>
Uranium Processing Facility (UPF)	Congress and the National Nuclear Security Administration	<p>Complete design and start of construction on the Uranium Processing Facility at the Y-12 site in Oak Ridge. In 2012 the City of Oak Ridge provided testimony in support of the project at a public hearing in Knoxville. Benefits include: supports future mission of the Y-12 National Security</p>

<p>Complex, one of the state's largest employers; significant risk reduction to workforce and community; enhances Y-12 efficiencies; and reduces long-term costs. Action needed: Urge congressional delegation to support funding through National Nuclear Security Administration (NNSA); participate in federal and state planning efforts to facilitate project development and implementation.</p>		
<p>Significant progress has been made in addressing environmental problems associated with ORR legacy waste. However, the trend over the past several years to reduce funding has resulted in a longer time horizon to complete environmental management projects, many times with negative results. The postponement of projects at the ETP site, for example, is detrimental to the reindustrialization and economic diversification goals of the City and region. The City has invested significant resources in reindustrialization, with the anticipated return diminished because of a reduction in cleanup funds has stalled economic development efforts. "Mortgage" costs absorb resources that should be applied to additional cleanup. Benefits of increased funding include: risk reduction to nearby population, reduction in life cycle costs, enhanced safety for workers, retention of environmental professionals; supports regional economic diversification, facilitates Y-12 and ORNL modernization, reduces stigma associated with environmental legacy. Action needed: Urge DOE and OMB to request funding at levels needed to complete timely cleanup of the Oak Ridge Reservation. Urge congressional delegation to support appropriations at the level needed to complete site cleanup. Cleanup solutions should minimize risk to Oak Ridge and avoid long-term institutional controls that stigmatize community.</p>	<p>Congress and NNSA/Environmental Management office, with support from Office of Science, OMB</p>	<p>Finish Cleanup of the Oak Ridge Reservation</p>

Administrative Priorities

Project/Issue	Agency/ Program Office	Benefits/Action Needed
Rebuild Water/Wastewater Infrastructure to Support City Compliance with EPA Administrative Order	U.S. Environmental Protection Agency (EPA), U.S. Department of Energy (DOE)	<p>The City of Oak Ridge is under an EPA Administrative Order to correct violations of the Clean Water Act for inflow and infiltration. DOE is the City's largest customer, and needs to continue to budget and set aside funding to repair its systems on the Oak Ridge Reservation. Action needed: Continued cooperation with DOE on financing needed projects such as storm water retention basins and raw water pumping stations. EPA to agree to a more flexible timeline for implementation of the Order, avoiding significant financial impacts to citizens.</p>
Small Modular Reactor	DOE Office of Nuclear Energy	<p>Action needed: Coordination with DOE, Oak Ridge, the Tennessee Valley Authority, and Nuclear Regulatory Commission to ensure proper implementation of grant funding and project development.</p>
Partnership with Oak Ridge Library	DOE and National Park Service	<p>Action needed: Secure support for joint project with Oak Ridge Library. Project would include mutual support, mutual benefits, and shared responsibilities.</p>
ETTP Site Interpretation	DOE EM, NNSA	<p>Action needed: Begin implementation of Section 106 commitment from DOE for dual use of Oak Ridge Fire Station #4, with building use for normal Fire Department operations and needs and space dedicated for site historical interpretation.</p>
Timely, Cost Effective Land Transfers	DOE EM, Science, NNSA, and OMB	<p>The Economic Development process requires fast response at the local level to transfer and acquire real property. In some cases, transfer of DOE property has taken in excess of 400 days or has not occurred. Action needed: Resolve problems in order to expedite transfer of surplus land and brownfields to the City for the purposes of economic development, at no, or extremely low cost, and with necessary indemnification.</p>

Project/Issue	Agency/ Program Office	Benefits/Action Needed
Penalties and Fees for Non-Compliance Should Restore Oak Ridge	DOE in conjunction with State of TN	Action needed: Need to modify Federal Facility Agreement to require that penalties, fees, and mitigation associated with CERCLA activities in the City of Oak Ridge be invested in environmental restoration in the City of Oak Ridge. Current requirements penalize the City of Oak Ridge.
Contract Renewals and Rebids	DOE and NNSA, Small Business Administration	Action needed: Incentivize contractors to invest in Oak Ridge community. Benefits include live where you work, expansion of local tax base to support municipal services, quality of life, and enhance economic diversification. Work with SBA to identify resources for training and support for local workforce needed for UPF and other DOE projects.
DOE Reorganization	Headquarters and OR Site Office	Action needed: Ensure access and accountability for Oak Ridge Site Office to protect investment and missions. Enhance communications among DOE offices and with Oak Ridge community.

Projects and Potential Funding Sources

Project Name	Description	Need	Primary Funding Source
Information Technology Infrastructure (Fiber-based Broadband Network)	Increased capacity to accommodate consolidation of school system/city IT infrastructure, and increase education opportunities for students and community (citywide)	\$2.2 million	<ul style="list-style-type: none"> • NTIA's Broadband Technology Opportunities Program (BTOP) • Dept. of Education's 21st Century Community Learning Centers • USDA's Community Connect program for rural areas
Oak Ridge General Aviation Airport	Comprehensive use planning for development of a general aviation airport at K-25/ETTP	TBD	<ul style="list-style-type: none"> • Federal Aviation Administration, Airport Improvement Program
Public Safety Training	Investments in Information Technology Infrastructure to	TBD	<ul style="list-style-type: none"> • FEMA's Assistance to Fire Fighters Grant Program • FEMA's Fire Prevention and Safety Grant Program

	facilitate multisite training of Police, Fire, and EMS. Special needs for school system emergency training			
Not in Our City Conceptual Plan	Focused anti-crime strategy	TBD		<ul style="list-style-type: none"> • Department of Justice, COPS Hiring Program • Department of Justice, COPS Technology Program • Department of Justice, Secure Our Schools Program • Department of Justice, Second Chance Program (Adult and Juvenile) • Department of Justice, Project Safe Neighborhoods
Not in Our City Conceptual Plan	Focused Housing strategy	TBD		<ul style="list-style-type: none"> • HUD's, Neighborhood Initiatives account • HUD's Neighborhood Stabilization Program Round IV • HUD's Choice Neighborhoods Program • Additional resources for Oak Ridge Housing Authority for redevelopment of units under its authority • Engagement with HUD's College of Experts to access cutting edge community-wide solutions
Region-wide Security	Enhance regional security planning and implementation to protect the DOE's Oak Ridge Complex. Address vulnerabilities presented by City's role in protecting infrastructure	TBD		<ul style="list-style-type: none"> • Investments in securing City facilities, with priority on Municipal Building • Structured commitment to collaborate between DOE's security apparatus and protocols and City's Police, Fire, and Public Safety Departments
Climate Action Plan	Resources to implement recommendations and targets for Oak Ridge Climate Action Plan	TBD		<ul style="list-style-type: none"> • U.S. Department of Energy, Energy Efficiency Community Block Grant Competitive Program
Melton Lake Redevelopment Initiative	Capital infrastructure to transform venue into major tourist and recreational area	TBD		<ul style="list-style-type: none"> • U.S. Department of Housing and Urban Development, EDI program • TVA ; Army Corps of Engineers
Smart Grid	"Smart" meters installed at premises to educate ratepayers on energy conservation measures	TBD		<ul style="list-style-type: none"> • U.S. Department of Energy, Energy Efficiency Smart Grid Program
Fire Department Equipment	Updated personal protective equipment	TBD		<ul style="list-style-type: none"> • FEMA's Assistance to Fire Fighters Grant Program (AFG)

Traffic Light Signalization	Coordination on traffic lights to address air quality attainment issue	TBD	<ul style="list-style-type: none"> • USDOT's Congestion Mitigation and Air Quality (CMAQ) Program
Community Infrastructure	Wastewater and sewer needs for increased commercial and residential development	TBD	<ul style="list-style-type: none"> • Funding from Army Corps of Engineers under 2007 WRDA Authorization for wastewater infrastructure • U.S. Environmental Protection Agency, State and Tribal Assistance Grants (STAG) discretionary grants • Alignment of implementation schedule set by EPA for sewer discharges with City resources
Economic Development Planning	Enhance Oak Ridge's marketability to major employers. Recruit, incentivize, and retain quality retail commercial businesses	TBD	<ul style="list-style-type: none"> • Economic Development Administration, Planning and Technical Assistance Program

**PUBLIC HEARING
AND
FIRST READING
OF
ORDINANCES**

COMMUNITY DEVELOPMENT MEMORANDM
13-2

DATE: January 9, 2013
TO: Mark S. Watson, City Manager
FROM: Kathryn G. Baldwin, Community Development Director *KGB*
SUBJECT: Hendrix Creek Amendment

An item for the City Council Agenda for January 14th is consideration of an amendment to the PUD Plan for Hendrix Creek Phase IV. This item was deferred from the December Council Meeting. The proposed amendment is to remove the "Open Space" designation from Map 100J, Group B, Parcel 3.01. The request has been considered by both the Planning Commission and City Council on two previous occasions, and on both occasions the request was denied. The question addressed on both previous requests was the legitimacy of the Open Space designation.

Following the discussion held during the December Council meeting, City staff felt that it was prudent to examine the feasibility of actual construction of a residential structure on Parcel 3.01 and infrastructure necessary to support a change in use. It should be pointed out that this is a cursory determination. Detailed design or engineering considerations and any associated costs are performed by the developer, in this case Mr. and Mrs. Jack Mansfield.

Process: To legally remove the "Open Space" designation and create a buildable "Lot of Record," a final plat sealed by a licensed surveyor must be recorded in the Anderson County Register of Deeds office. Due to the complexity of this request, City staff would refer approval of the plat to the Oak Ridge Planning Commission. Concurrent with review of the final plat, engineered drawings for all infrastructure utility improvements must be designed and sealed by a licensed engineer and approved by appropriate City staff. In addition, survey work for easement descriptions and physical locations must be included on the final plat. Due to the fact that a new buildable lot will be created in Hendrix Creek Subdivision, which is close to total residential "build out," staff will recommend all infrastructure improvements be installed, inspected, and operational prior to recording the final plat in the Register of Deeds office. Once again, the costs for all design drawings, formal documents and installation of utility infrastructure improvements are the responsibility of the property owner/developer.

Electrical Service: A primary electrical extension is necessary to provide electric service to Map 100J, Group B, Parcel 3.01. The extension can originate in the primary vault that lies in the right of way at Map 100J, Group B, Parcel 3.01, Hendrix Drive at Heritage Drive. The customer will be required to trench, install conduit, and install a transformer vault with grounding. CORED will inspect the installation. CORED will pull the conductor, supply and install a transformer and make the necessary terminations. The cost of the City's investment is limited to the justified investment. Reference CORED's "Standard Construction Drawings" and "Development Policies (2005)".

Potable Water: Potable water is available from an 8" diameter City owned waterline located on the north side of Hendrix Drive.

Fire Protection: Water for fire protection is available to the northeast from hydrant # 1814 located at 155 Hendrix Drive or to the south from hydrant #1813 located at 103/105 Hendrix Drive. Either of these hydrants appears to be close enough to the location to provide service.

Sewer Service: Currently there is no sewer service available. The nearest gravity sewer available appears to be approximately 275' to the north via a City owned main that runs from west to east. This line runs perpendicular across the newly created Map 100J, Group B, Parcel 3.00. Crossing the adjoining parcel would require a private sewer lateral easement be dedicated by the owner of Map 100J, Group B,

Parcel 3.00 in favor of the subject parcel. There is a stream that runs south of and parallel to the City owned sewer line. The stream is located between the City owned sewer and the subject parcel. Constructing the lateral would require crossing the stream, which most likely will require a TDEC ARAP permit. The permit will have to be prepared and submitted to TDEC by a professional engineer. Erosion control would be required along with best management construction practices.

A City owned sewer manhole is located on the south side of Hendrix Drive; however, the invert of this manhole is higher than the subject parcel. Access to this manhole would require a pump. This pump would serve only the subject parcel and would therefore be privately owned and maintained. Installation of the pressure piping would require open cutting and then resurfacing a portion of Hendrix Drive.

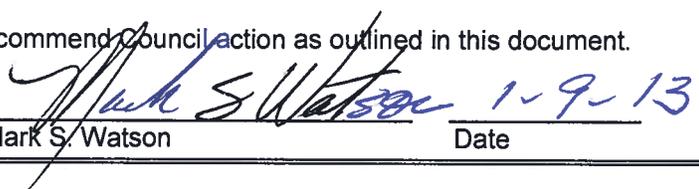
Access: Driveway access to Heritage Drive is not possible. The frontage is not adequate to satisfy the design criteria regarding minimum distance from intersection, as stated in Article 11 of the COR Zoning Ordinance.

Storm Water: A 30" diameter corrugated metal culvert pipe deposits water from catch basins in the curb line on Heritage and Hendrix Drives into a drainage ditch that runs from south to north across the subject parcel. The discharge end of the pipe is located approximately 15' from the southwest property corner. This is basically in the center of the Heritage Drive frontage. The water from this pipe and ditch drains to the stream located on new Map 100J, Group B, Parcel 3.00. The ditch would have to be relocated, if possible, or the pipe would have to be extended 200 to 250 ft. toward the rear of the property. Plans and specifications for construction of the pipe would have to be prepared by a professional engineer and submitted to the City for review. A 15' wide easement granted by the owner in favor of the City would be required, and no portion of the structure including decks and overhangs may be constructed in the easement. At its narrowest point, this lot appears to be approximately 30' wide, indicating construction of the drainage piping and the associated drainage easement along with the sewer lateral will basically require the entire width of the property.

In conclusion, creation of a buildable lot is far more complex than simple removal of the "Open Space" designation. If Council elects to support this change in land use designation the issue must return to the Planning Commission with review by City staff. Approval of a Final Plat by Commission members will insure the open space designation is properly removed and all utility infrastructure is in place to support construction of a residential structure.

City Manager's Comments:

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


Mark S. Watson

1-9-13
Date

Requested PUD Amendment Location Map



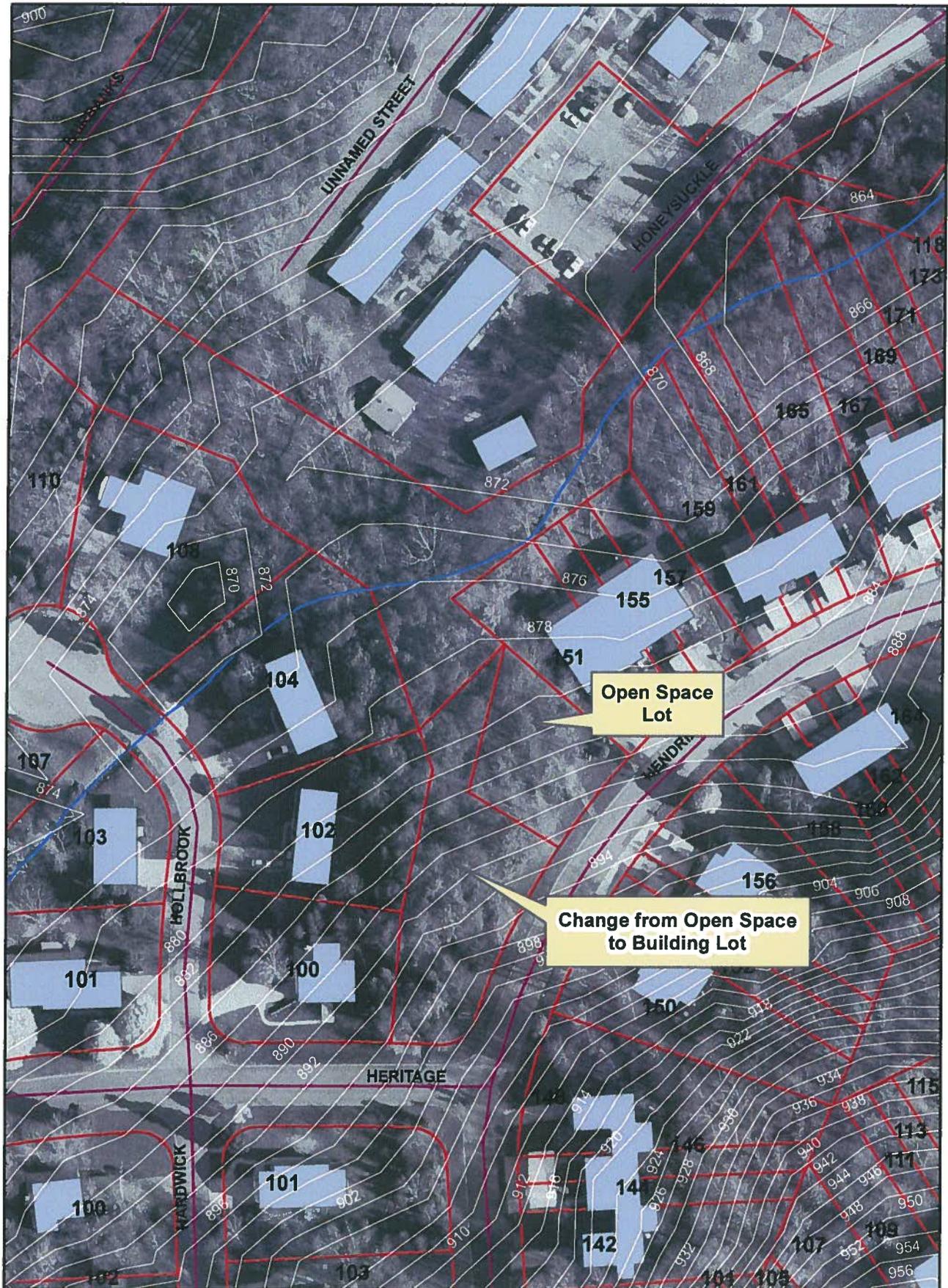
1 inch = 150 feet

Requested PUD Amendment Location Map



1 inch = 50 feet

Requested PUD Amendment Topo Map



1 inch = 100 feet

TITLE

AN ORDINANCE TO AMEND ORDINANCE 9-78, TITLED "AN ORDINANCE APPROVING A PLANNED UNIT DEVELOPMENT ON PARCEL 572-D AND PORTION OF 573-L, INCLUDING 371 DWELLING UNITS ON 108.7 ACRES" BY AMENDING SECTION 1 REGARDING THE SCHEMATIC PLANNED UNIT DEVELOPMENT PLAN.

WHEREAS, the Hendrix Creek Homeowners Association has asked that the City accept three open spaces in the Hendrix Creek Planned Unit Development, with remaining open spaces to be divided among the adjoining property owners, with restrictions to preserve such areas as wooded buffer zones, and retaining public access to the John Hendrix grave site; and

WHEREAS, the Oak Ridge Regional Planning Commission has endorsed that request; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCILMEN OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. Section 1 of Ordinance 9-78, titled "An Ordinance Approving a Planned Unit Development on Parcel 572-D and Portion of 573-L, Including 371 Dwelling Units on 108.7 Acres" is hereby amended to read as follows:

Section 1. That the Schematic Planned Unit Development Plan originally submitted by Land Systems, Inc., owners, as presented and recommended by the Oak Ridge Regional Planning Commission, and approved in Ordinance 9-78, is amended in that following the effective date of this ordinance, the open space referenced in the original Planning Commission recommendation dated December 15, 1977 may be subdivided for transfer to adjacent property owners and to the City of Oak Ridge, as proposed by the Hendrix Creek Homeowners Association and the owners, Sonja Development, Incorporated, and as recommended by the Oak Ridge Regional Planning Commission on August 27, 1987, provided that all of such lands shall be so divided and added to the lots of adjacent landowners, that all such transfers be subject to deed restrictions prohibiting the erection of new structures within the parcels so transferred, and no remnant parcels shall be left.

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.

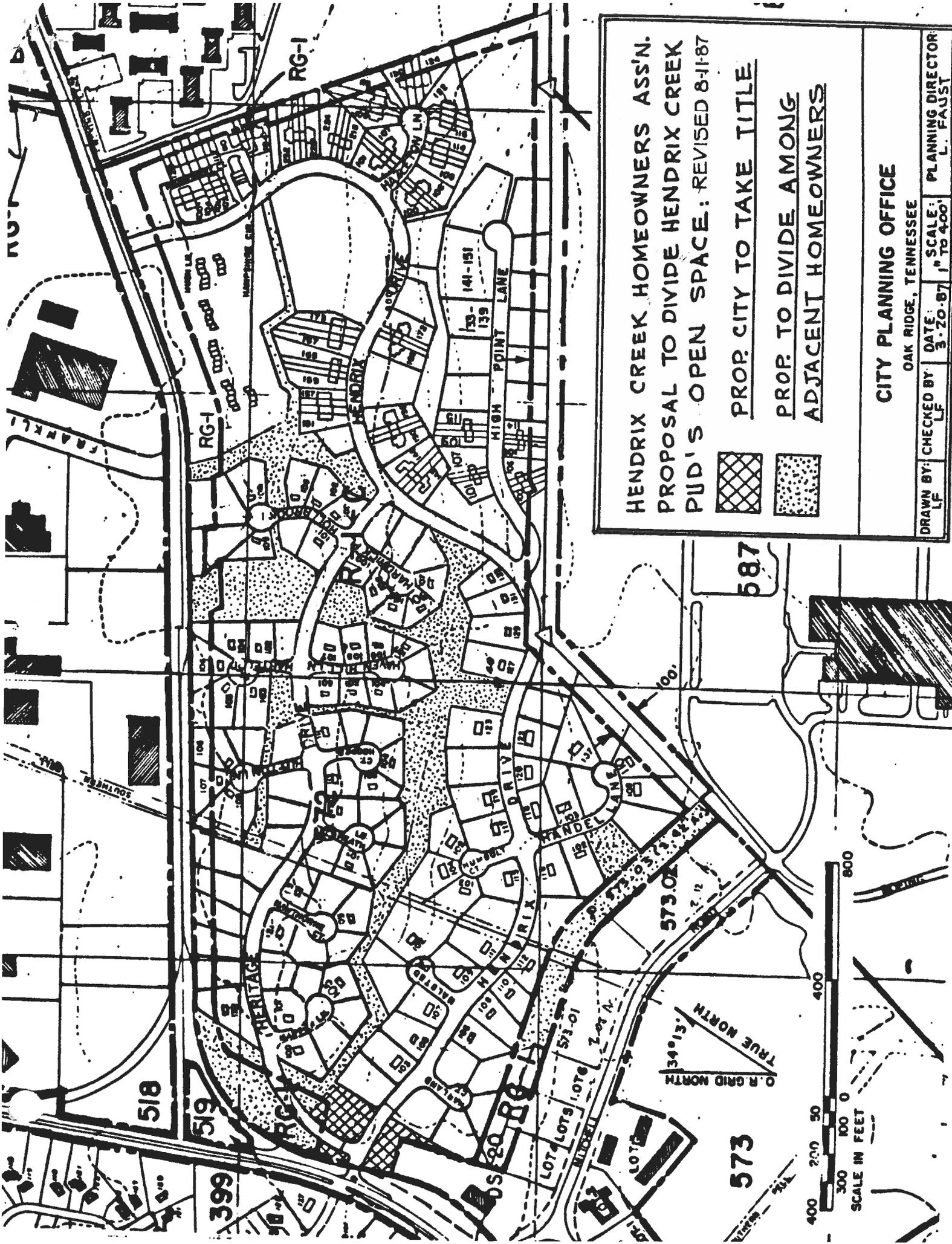
APPROVED AS TO FORM
AND LEGALITY:

William E. Santip
City Attorney

Ray J. Pruitt
Mayor

Jacquelyn J. Bernard
City Clerk

Distributed to Council: 9/17/87
Public Hearing: 9/21/87
First Reading: 9/21/87
Publication Date: 9/28/87
Second Reading: 10/5/87
Publication Date: 10/12/87
Effective Date: 10/15/87



HENDRIX CREEK HOMEOWNERS ASS'N.
 PROPOSAL TO DIVIDE HENDRIX CREEK
 PUD'S OPEN SPACE: REVISED 8-11-87



PROP. CITY TO TAKE TITLE
PROP. TO DIVIDE AMONG
ADJACENT HOMEOWNERS

CITY PLANNING OFFICE

OAK RIDGE, TENNESSEE

DRAWN BY: LF	CHECKED BY: LF	DATE: 3-20-87	SCALE: 1" TO 400'	PLANNING DIRECTOR: L. FAUST
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TRUE NORTH
 34° 13'
 O.R. GRID NORTH



COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM
12-48

DATE: November 28, 2012

TO: Mark S. Watson, City Manager

THROUGH: Kathryn Baldwin, Community Development Director 

FROM: Kahla Gentry, Senior Planner 

SUBJECT: **Request to Amend Hendrix Creek PUD to Allow an Open Space Lot to be used as a Single-Family Residential Lot**

An item for the City Council agenda is a request to amend the Hendrix Creek PUD, Phase IV, by changing the designation of an Open Space lot to a single-family residential lot. The Anderson County tax parcel identification number for the subject property is Map 100J, Group B, Parcel 3.00. Mr. and Mrs. Jack Mansfield, who are the owners of the property, are requesting the amendment in order to build a single-family detached dwelling at the intersection of Heritage Drive and Hendrix Drive. At their regular meeting on November 15, 2012 the Planning Commission failed to approve a motion to recommend approval by a vote of 1-7. This request was previously denied by City Council in 2008.

The final plat for Hendrix Creek PUD, Phase IV was recorded on October 1, 1981. On the plat the subject property is identified as Parcel 572.05, is zoned R-1-C within a PUD overlay and is labeled as Open Space. At the time the original plat was filed the subject property had an area of approximately 2.07 acres. There have been three resubdivisions since 1981, reducing the current area to 0.37 acres. The first resubdivision was in 1983, when a separate 0.20 acre open space lot was divided out. The second resubdivision was in 1988 when a 0.24 acre portion of the subject property was combined with a residential lot on Hollbrook Lane. The third resubdivision was recently done in March 2012 when the subject property was divided into two portions. The original configuration of the subject property clearly indicates that the intended function was as an open space buffer. The majority of the original property is long and narrow, primarily providing a division from the Housing Authority parcel and the other Hendrix Creek lots around the Housing Authority development and separating the different residential types of development occurring in this area of Hendrix Creek.

Other "Open Space" lots in the Hendrix Creek PUD have been converted to residential property by combination with existing lots, but not as new lots for construction. In 1987, at the request of Sonja Development and the Hendrix Creek Homeowners Association, a proposal to dedicate three open space lots to the City and to divide other open space lots among the adjacent homeowners was approved by City Council as Ordinance 34-87. The ordinance states "...all of such lands shall be so divided and added to the lots of adjacent landowners, that all such transfers be subject to deed restrictions prohibiting the erection of new structures within the parcels so transferred, and no remnant parcels shall be left. Parcel 572.05 was included as a parcel to be divided among the adjacent homeowners. When resubdivision plats were approved by the Planning Commission in April 1988, which divided the open space among the Hendrix Creek homeowners, Parcel 572.05 was not included, except for the 0.24 acre portion that was combined with a residential lot on Hollbrook Lane. Open space lots in Phase I, II, and III of Hendrix Creek were divided among homeowners, but Parcel 572.05 in Phase IV, remained as a separate lot. Any action other than resubdividing Parcel 572.05 among the adjacent homeowners as approved in Ordinance 34-87 requires City Council approval.

The shape of the subject property is very irregular because it was not intended as a residential building site; therefore any residential building plan would likely require a setback reduction. Typically corner lots such as this one provide sufficient area to meet the front setback requirement from each street as well as providing sufficient area for side and rear setbacks. The lot has a small building envelope and that building envelope has a drainage ditch running through it. The Subdivision Regulations require that all building lots meet the minimum standards for the zone in which they are located. "The area, depth and width of lots must be appropriate for the size of proposed principal structures, without violation of building setback

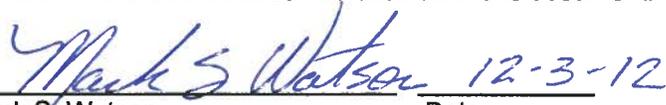
distances." Due to the configuration of the lot, staff does not believe the subject property complies with the aforementioned Subdivision Regulation requirement. The drainage ditch running through the lot is a reason it was set aside as open space and this makes it undesirable as a building lot. The drainage would have to be relocated in a manner that would not cause future drainage problems for this lot and the neighboring properties. Mr. Mansfield has indicated that he plans to install a buried drainage pipe to handle the drainage.

In 2011 Mr. Bobby Ledford requested approval to amend the Hendrix Creek PUD to allow him to divide a portion of his lot that was formerly an open space lot for a building lot. This lot is located at 123 Hendrix Drive and the former open space designation was applied because of the location of the John Hendrix grave site. The request was approved based upon a finding that the property had adequate area and was suitable for building based upon size, and shape, without impediments within the building area such as utility easements or drainage-ways. In addition, Mr. Ledford presented a document signed by the majority of property owners within Hendrix Creek, Phase One approving the requested PUD amendment. City Council approved the amendment subject to a permanent access easement being provided to the Hendrix grave site at the time the lot was replatted.

Staff does not recommend approval of amending the PUD to allow the lot requested by the Mansfields for use as a building lot because the lot is not configured as a building lot and as a corner lot a variance from the setback requirements would likely be required in order to build a house. The lot drops down from the roadway into a drainage swale. Any building will require changing the drainage in such a way that the area continues to drain effectively without causing negative impacts to the subject property or other nearby properties. Using an odd shaped lot on which there is difficulty fitting a house would likely result in construction that does not fit the context and character of the existing development. In addition, as a designated Open Space parcel on the final plat, adjoining property owners would have an expectation that the open space designation would be a permanent aspect of the Hendrix Creek development. The other Hendrix Creek PUD lot at 123 Hendrix Drive previously approved as a building lot is more suitable for such use because it has a greater buildable area not impacted by being on a street corner and bisected by a drainage swale.

City Manager's Comments:

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


Mark S. Watson

12-3-12
Date

TITLE

AN ORDINANCE TO AMEND A USE DESIGNATION OF PARCEL 3.01, MAP 100J, GROUP B, IN HENDRIX CREEK PLANNED UNIT DEVELOPMENT, PHASE IV, LOCATED AT THE CORNER OF HENDRIX DRIVE AND HERITAGE 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.

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

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

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

Section 1. That Hendrix Creek Planned Unit Development, Phase IV, is hereby amended to change the use designation of Parcel 3.01, Map 100J, Group B, from open space to residential, with the overall zoning district remaining R-1-C/PUD, One-Family Residential with a Planned Unit Development Overlay.

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

Mayor

Diana R. Stanley, City Clerk

Public Hearing: _____
First Reading: _____
Publication Date: _____
Second Reading: _____
Publication Date: _____
Effective Date: _____

ELECTIONS

&

APPOINTMENTS

ANNOUNCEMENTS

SCHEDULING

CITY CLERK MEMORANDUM
13-02

DATE: January 7, 2013

TO: Honorable Mayor and Members of City Council

FROM: Diana R. Stanley, City Clerk

SUBJECT: APPOINTMENTS TO THE COMMITTEES AND BOARDS THAT REQUIRE COUNCIL REPRESENTATION

As part of the packet for the December 17, 2012 City Council Special Meeting, City Council was provided with a list of board/committees, a brief description, and the City's affiliation to information City Council of upcoming appointments that would need to be determined either by the Mayor or City Council. The City Clerk requested that City Council submit letters of interest to her office to have the Mayor review and for the City Clerk to include in the agenda packet for Council's consideration. On Monday, January 7, 2012, the Mayor and I met so that he could review the letters that I had received alongside the list of board/committees list that was provided to City Council as part of the December 17, 2012 City Council Special Meeting. The Mayor's appointments have been included via a memorandum as a separate memo in the agenda packet.

YAB Screening Panel

City staff will soon be preparing for the planning of the YAB application process to elect new members for the 2013-2014 school year.

Resolution No. 6-54-08, Section 2 states that the "members of the Youth Advisory Board (YAB) shall be appointed by the Oak Ridge City Council upon recommendation by a YAB Screening Panel which shall be composed of one member of City Council, one member of the faculty of the Oak Ridge Schools, and the City staff member assigned to work with the Board."

Last year, Councilman Charles J. Hope served as Council's representative and has expressed an interest in serving once more. In accordance with the abovementioned resolution, City Council will need to appoint a Council representative to this panel.

EPA Committee

The Committee was formed around late April of 2012 to discuss with staff efforts and initiatives related to the City's compliance with the Environmental Protection Agency (EPA) Administrative Order (AO). The Committee consists of Councilmember Chuck Hope with a vacancy left by former Councilmember Ellen Smith. Based on Council's interests in the Committee, the membership could be expanded to three (3) members.

Councilmembers Garcia Garland, Hensley, and Mosby have all expressed an interest in serving on this committee with Councilman Hope noting that he would like to continue his service. If Council wishes, they could expand this committee's membership.


Diana R. Stanley

Attachments

E-mail received from Councilmember Baughn on December 28, 2012:

Please consider this as my letter of interest for the Anderson County Development Corporation.

Trina

E-mail received from Councilmember Hope on December 27, 2012:

Diana, here is my letter of interest in continuing my involvement on both the YAB screening board, and on the EPA subcommittee, with the consent of my fellow city council members, I would like to continue working in both of these areas.

Thanks,

Chuck

E-mail received from Councilmember Garcia Garland on December 27, 2012:

To the City Council and Mark Watson, Manager
City of Oak Ridge

Fellow council members and Mr. Manager:

I would like to be among the committee to engage with the Department of Environmental Protection with respect to the order Oak Ridge is under to upgrade our sewer system. I am committed to both the city of Oak Ridge's needs and to the missions of the EPA. I understand that the DOE and the EPA are separate and largely do not communicate with or accommodate each other so I have no unrealistic expectations about engaging them simultaneously as has been suggested by some citizens. I believe the process has been handled well so far by Oak Ridge staff and the resources we have asked to assist us.

Sincerely:

Anne Garcia Garland

E-mail received from Councilmember Hensley on December 30, 2012:

Honorable Mayor and Members of Council:

Please note my interest in the following positions for the discussion of Council at the January 14th meeting. Also, please note that I am fully retired and treat my Council duties as my first priority. Being retired, I have adequate time available for several additional duties to benefit our City and sincerely appreciate your consideration.

ACDC:

I respectfully request renewal of my appointment to the Anderson County Development Corporation. I have an ongoing and cordial relationship with Mr. Tim Thompson and members of this board, and also enjoy working with Ms. Jackie Nichols and the Anderson County Chamber. I urge anyone to contact them for an opinion on my continuing service. Also although not a member, I routinely attend the Anderson County Economic Development Association executive directors meetings and also the meetings of the full Association to stay abreast of ongoing matters of interest in Anderson County and how Oak Ridge might team in these efforts.

Oak Ridge Economic Partnership Board:

I would like to be considered for the Council appointed member of the Oak Ridge Economic Partnership. I have a very good relationship with the current members of this board and feel that they would also support my appointment. I also have worked with Ms. Leslie Henderson of the Roane Alliance and would like the opportunity to bring closer economic ties between our Counties and the City of Oak Ridge.

EPA Committee

I have been the most outspoken member of Council concerning the EPA mandate and strongly wish to address the impact on the City directly with EPA officials. I also have maintained contact with Ms. Ellen Smith, former Council appointee to this committee, and feel that she can provide a great deal of insight to this Committee. I plan to seek her advice and guidance if my appointment is supported by Council.

Planning Commission

Thank you for my recent re-appointment to the Planning Commission. I wish to urge support for the re-appointment of Mr. Terry Domm to the Planning Commission. Mr. Domm is extremely knowledgeable and skilled at following and implementing the Council directions to the Planning Commission, working with Community Development staff, and in guiding us in addressing the mandated duties of the Planning Commission.

Thank you for your consideration, and have a great week.

Charlie Hensley

**MAYOR'S MEMORANDUM
13-01**

DATE: January 7, 2013
TO: Fellow Members of City Council
FROM: Mayor Thomas L. Beehan
SUBJECT: BOARD, COMMISSION, AND COMMITTEE APPOINTMENTS

This memorandum requests the confirmation of several Mayor appointments and/or designees and informs City Council of the Mayor's membership on various boards. The ordinances, resolutions, bylaws, and charters of several boards and commissions permits the Mayor to serve as a designated member, choose a designee to serve in place of the Mayor, or make appointments to the boards.

According to Article II, Section 6 of the Oak Ridge City Charter, the position of Mayor is elected by the members of City Council at the first regular meeting following a regular city election and after all newly-elected members have been duly qualified for a term of two (2) years. Accordingly, the election of the Mayor took place at the December 10, 2012 City Council meeting, and the Mayor's appointments will need to be addressed at the first regular meeting following the election of Mayor. The City Clerk and I met on January 7, 2012 so that I could review the letters of interest and the listing of appointments.

Anderson County Development Corporation

The Charter of the Anderson County Development Corporation provides that the Mayor of Oak Ridge is a designated member of the Board of Directors and further that two (2) additional members of the Board of Directors shall be appointed by the Mayor, subject to the approval of City Council.

Former Councilwoman Louise B. Dunlap, who was appointed in 2009, and current Councilman L. Charles Hensley who was appointed in 2012, have agreed and/or requested to serve another term on the Anderson County Development Corporation Board of Directors.

Your confirmation of the reappointment of Councilman L. Charles Hensley and Ms. Louise B. Dunlap to serve as City of Oak Ridge representatives on the Board of Directors of the Anderson County Development Corporation will be appreciated. In accordance with the Charter of the Anderson County Development Corporation, their terms of office will be concurrent with the Mayor's current term.

Anderson County Tourism Council

The by-laws of the Anderson County Tourism Council require that its Advisory Board include a representative of the municipalities within the county, including the cities of Clinton, Lake City, Oak Ridge, Norris, and Oliver Springs. The by-laws further provide that this representative shall be the Mayor, the City Manager, or an appointee decided upon by the Mayor or City Manager. The term of office is one year.

Both the City Manager and I would like to nominate Councilmember Trina Baughn to this board, and believe that her experience in serving as a member of the Oak Ridge Convention and Visitors Bureau will be of great benefit to the Anderson County Tourism Council.

Oak Ridge Municipal Planning Commission

The Oak Ridge Municipal Planning Commission's bylaws provide that "the Mayor of the Oak Ridge City Council or the Mayor's designated representative" shall be one of the commission's ten (10) members. The term of office is concurrent with the Mayor's current term.

My duties as Mayor are such that I do not believe I have the time to give to the Planning Commission that would be required to do the job well. Mr. Terry C. Domm has been a member of the Commission for some time and currently serves as the Mayor's designated representative and has served as the Commission's chair. The City Clerk has confirmed that Mr. Domm is willing to continue his service on the commission as my designee.

Mr. Domm's resume that is on file with the City Clerk's office has been attached to this memo, as well as his attendance record.

Your confirmation of the reappointment of Mr. Terry C. Domm to serve as the Mayor's designee on the Oak Ridge Municipal Planning Commission is appreciated.

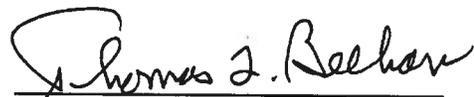
Highland View Redevelopment Board

The Highland View Redevelopment Board's bylaws note that one (1) member shall consist of the Mayor or the Mayor's designee. I have served as a member since 2005 and currently serve as the Board's Chair. In accordance with these bylaws, I would like to retain my seat on the Highland View Redevelopment Board for the duration of my term of office. No further action by City Council is required for this appointment.

Oak Ridge Economic Partnership

According to the Bylaws of the Economic Partnership, the Mayor or the Mayor's designee serves as a permanent director to serve for a two (2) year term of office or the remainder of his or her elected City Council positions, whichever is the shortest duration.

I would like for Mayor Pro Tem D. Jane Miller to serve as my designee on the Economic Partnership Board. Your confirmation of this appointment is appreciated.


Thomas L. Beehan

Attachments

CITY OF OAK RIDGE, TENNESSEE
BOARDS AND COMMISSIONS

TIME IN OFFICE AND ATTENDANCE RECORD

NAME: Terry Domm

BOARD OR COMMISSION: Oak Ridge Municipal Planning Commission

TIME IN OFFICE: Term of Office Serves as Mayor's designee concurrent with
his term as Mayor

Date Appointed 2/02/04

Number of Terms Served 5

ATTENDANCE RECORD (MOST RECENT TERM OF OFFICE):

Number of Meetings Held 13

Number of Absences 1

Date Prepared 1/08/13

PERSONAL DATA SHEET
TERRY C. DOMM
May 26, 2001

PERSONAL

Address: 148 Whippoorwill Drive, Oak Ridge, TN 37830
Home Telephone: (865) 482-3211
Work Telephone: (865) 574-9747
Age: 57

COMMUNITY INVOLVEMENT

Girls Incorporated

1999 – Present	Director
1986 – 1991	
1997 – 1999	President, Board of Directors
1989 – 1990	
1991 – 1994	Led efforts to acquire property and construct softball facility
1990 – 1991	Volunteer of the Year
1979 – 1993	Coach

Scouts

1981 – 1992, 1996	Assistant Scoutmaster, Boy Scouts of America
1992 – 1993	Member, Troop Committee
1985 – 1986	Troop Leader, Girl Scouts of America
1978 – 1981	Treasurer, Cub Scout Pack

Church

1998 – 1999	Chairman, Facility Expansion Design Committee
1995-1997	Chairman, Facilities Planning Task Force
2001 – Present	Administering Commission
1992 – 1998	
1992 – 1994	Long Range Planning Task Force
1979 – 1986	Building Committee

**PERSONAL DATA SHEET
TERRY C. DOMM**

COMMUNITY INVOLVEMENT (Continued)

1975 – 1976	Church Council
1975 – 1976	Sunday School Superintendent

CIVIC INVOLVEMENT

1990 – Present	Chairman, Oak Ridge Regional Planning Commission
2000 – 2001	Oak Ridge Representative, Roane County Growth Committee
1987 – Present	Member, Oak Ridge Regional Planning Commission
1987 – 1990	Member, Environmental Quality Advisory Board (EQAB)
1991	Leadership Oak Ridge

PROFESSIONAL INVOLVEMENT

Registration:	Registered Professional Engineer, Tennessee
Awards:	Outstanding Engineer of the Year, Tennessee Society of Professional Engineers, 1990
	Young Engineer of the Year, Tennessee Society of Professional Engineers, Oak Ridge Chapter, 1979

Memberships:

Tennessee Society of Professional Engineers

1989 – 1991	Chairman, State Membership Committee
1987 – 1989	Chairman, State Awards Committee
1986 – 1987	State Director
1985 – 1986	President, Oak Ridge Chapter
1984	Chairman of Annual State Meeting
1981	Chairman, WATTec/Engineer's Week Banquet Committee
1980 – 1981	Vice President, Oak Ridge Chapter
1979 - 1980	Treasurer, Oak Ridge Chapter

**PERSONAL DATA SHEET
TERRY C. DOMM**

PROFESSIONAL INVOLVEMENT (Continued)

1979	Chairman, Engineer's Week Committee Instrumental in organizing the 1 st Annual Paper Airplane Contest
	National Society of Professional Engineers
1979	Member, NSPE Annual Meeting Publications Committee
	American Planning Association
1987 – Present	Member

ACADEMIC INVOLVEMENT

Industrial Advisory Board, Computer Integrated Manufacturing Systems Program,
Georgia Institute of Technology

1989 – 1990	Chairman
1988 – 1989	Vice Chairman
1986 – 1992	Member

EXPERIENCE

BWXT Y-12; Lockheed Martin Energy Systems; Martin Marietta Energy Systems; Union Carbide Corporation

1992 – Present	Manager, Engineering Technology Applications, responsible for providing planning, implementation, development and support for computer aided engineering and manufacturing tools.
1985 – 1992	Department Head, Applications Support, responsible for development and implementation of computer aided engineering tools.
1982 – 1985	Department Head, Development Engineering, responsible for providing mechanical design services in support of centrifuge programs.
1980 – 1982	Section Head, Centrifuge Design Section and Development Equipment Support Section, Development Engineering, responsible for mechanical design services to centrifuge programs.

- 1978 – 1981 Principal Engineer, Technology Test Facilities, responsible for design integration of a \$20 million project to provide new centrifuge development facilities. Coordinated the efforts of 11 engineering disciplines and an architect-engineering firm.
- 1972-1976 Lead Engineer, Sample Transport System providing remote handling equipment in an ultra high vacuum environment for the Fusion Program and Converter vessel and mounts for the Portsmouth Gaseous Diffusion Add-On Plant.
- 1972 – 1976 Design Engineer, Machine Design Engineering
- Prior Experience
- 1969 – 1971 Lieutenant, U.S. Army, Redstone Arsenal and Korea
- 1967 –1969 Engineer, Heavy Equipment Design Section, Tennessee Valley Authority

EDUCATION

- 1972 MS, Mechanical Engineering, Georgia Institute of Technology
- 1967 – 1968 Graduate course work in Mechanical Engineering, 36 credit hours, University of Tennessee
- 1967 BSME, Mechanical Engineering, Georgia Institute of Technology

**CITY CLERK MEMORANDUM
13-01**

DATE: January 7, 2013
TO: Honorable Mayor and Members of City Council
FROM: Diana R. Stanley, City Clerk
SUBJECT: ESTABLISHING CITY MANAGER'S EVALUATION COMMITTEE AND CITY ATTORNEY'S EVALUATION COMMITTEE

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

The City Attorney's Evaluation should be completed by May 30th of each year, and the City Manager's Evaluation should be completed by July 31st of each year.

Historically, the selection of councilmembers for the Evaluation Committees for the City Attorney and City Manager has been based on a rotation schedule among councilmembers that is coordinated by the City Clerk. Upon review of the previous year's rotation schedule, the below committee composition is recommended:

City Attorney's Evaluation

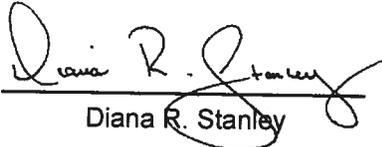
Anne Garcia Garland, Chair
Thomas L. Beehan
David N. Mosby

City Manager's Evaluation

Charles J. Hope, Jr., Chair
D. Jane Miller
L. Charles Hensley

These recommended appointments are in keeping with the policy which provides that each member of Council will be given the opportunity to serve on all of our regular committees, moving upward until all have served as chair.

Following the established membership of the Committees, the City Clerk will begin working with the Committees to develop a procedure and a timeline that will be sent by the respective committees and members of City Council.



Diana R. Stanley