



OAK RIDGE CITY COUNCIL REGULAR MEETING

Municipal Building Courtroom

April 11, 2022 - 7:00 PM

AGENDA

I. INVOCATION

- a. Pastor Drew Moorehead, LifeHouse Church, Oak Ridge

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. PROCLAMATIONS AND PUBLIC RECOGNITIONS

- a. A Proclamation Recognizing Oak Ridge Native Matt McMahon for his Selection as Coach of the LSU Men's Basketball Team
[Proclamation - Matt McMahon.pdf](#)
- b. A Proclamation Designating April 24, 2022 as Holocaust Remembrance Day
[2022 Holocaust Remembrance Day Proclamation.pdf](#)
- c. A Proclamation Designating April, 2022 as Child Abuse Prevention Month
[2022ChildAbusePreventionProclamation.pdf](#)
- d. A Proclamation Designating April, 2022 as Fair Housing Month
[2022 Fair Housing Month Proclamation.pdf](#)
- e. A Proclamation Designating April, 2022 as National Library Month
[2022 National Library Month Proclamation.pdf](#)

V. SPECIAL REPORTS

- a. [City Attorney Evaluation Committee Report - Councilmember Derrick Hammond, Chair](#)
[City Attorney Evaluation Summary 2022.pdf](#)
[City Attorney Evaluation Committee Report.pdf](#)
[Resolution - City Attorney Evaluation.docx](#)

VI. CONSENT AGENDA

- a. February 28, 2022 City Council Meeting Minutes
[February 28, 2022 Minutes.pdf](#)
- b. March 28, 2022 City Council Special Meeting Minutes

March 28, 2022 Special Meeting Minutes.pdf

- c. Approval of Bylaws and Rules and Procedures for the Traffic Safety Advisory Board
TSAB Bylaws - Board Approved.pdf
Resolution - TSAB Rules Bylaws.docx
Resolution Attachments - TSAB Rules and Bylaws.pdf
- d. Approval of Bylaws and Rules and Procedures for the Youth Advisory Board
Resolution - YAB Rules Bylaws.docx
Youth Advisory Board Bylaws.pdf
YAB Rules and Procedures.pdf
- e. General Services Contract with Jacobs Engineering
Oak Ridge General Services Tasks 1 and 2 Scope and Fee.pdf
Resolution - Jacobs Engineering.docx
- f. Grant Contract Amendment for Time Extension
Resolution - TDOT Multimodal Grant Amendment.docx
TDOT Grant Contract Amendment.pdf
- g. Purchase of Polymer Insulators for Transmission Line Upgrades
RFQ175906 Abstract.pdf
Resolution - Polymer Insulators.docx

VII. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

- a. City Code Amendment; Creation of a Twenty Mile Per Hour (20 MPH) Speed Limit
TSAB 20MPH (3-8-22).pdf
Ordinance - 20 MPH Zone.docx

VIII. FINAL ADOPTION OF ORDINANCES

- a. Rezoning Request: 100 Tulsa Road O-2 Office District to B-2 General Business District
100 Tulsa Rezoning Map Council.pdf
PLZMA20220017 Rezoning Request Letter.pdf
PLZMA20220017 Rezoning Request Owner Authorization.pdf
PLZMA20220017 Rezoning Request Site Plan.pdf
Ordinance_-_Rezoning_100_Tulsa_Road.docx
- b. Infrastructure Acceptance - The Preserve at Clinch River, Remaining Portion of Broadberry Avenue Phase 1, - Formerly a Portion of Parcel 2.01, Tax Map 39, Roane County
Infrastructure Acceptance - The Preserve at Clinch River Broadberry Road.pdf
Ordinance_-_Preserve_at_Clinch_River_-_Infrastructure_Acceptance_for_Broadberry_Avenue.docx
- c. City Code Amendment - Removal of EQAB and Tree Board by Reference from City Code
Ordinance_-_EQAB_and_Tree_Board_-_Remove_from_City_Code.docx

IX. RESOLUTIONS

- a. Resolution Re-establishing the Environmental Quality Advisory Board (EQAB) and Designating EQAB as the City's Tree Board
Resolution - EQAB Creation.docx
- b. Approval of Bylaws and Rules and Procedures for the Environmental Quality Advisory Board

Resolution - EQAB Rules Bylaws.docx
EQAB_Bylaws - Board Approved.docx
EQAB Rules and Procedures.docx

- c. Street Resurfacing Contract FY2022-122
2022-122 abstract & list.pdf
Resolution - Street Resurfacing Contract - Rogers Group.docx
- d. Amendment of Resolution Number 7-78-2021 for Poles and Cable purchase
07-0078-2021_Resolution.PDF
Resolution - Amend Resolution 7-78-2021 - Poles and Cable.docx
- e. Purchase of Transclosures for new Underground Subdivisions
Resolution - Transclosures.docx
- f. Purchase of Steel Pole Structures for Transmission Line Upgrades
Line 644 & 664 69kV Steel Poles.pdf
Resolution - Steel Poles.docx
- g. Creation of a Disability Advisory Board for the City of Oak Ridge
Bylaws Template AsAdopted.doc
Rules and Procedures TemplateAsAdopted.docx
Resolution - Disability Advisory Board Creation.docx
- h. Resolution Transmitting Comments to the Tennessee Valley Authority on the Agency's
Clinch River Nuclear Site Advanced Nuclear Reactor Technology Park Draft Programmatic
Environmental Impact Statement
07-0066-2018_Resolution.pdf
5-41-2017.pdf
Resolution - Authorize CM to Transmit Comments to TVA. docx.docx
Comment Letter on the CRN PEIS April 2022.docx

X. APPEARANCE OF CITIZENS

ALL CITIZENS ARE GIVEN 3 MINUTES

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

- a. Mayoral Appointments to the Anderson County Development Corporation Board of
Directors Operating Committee

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

PROCLAMATION

WHEREAS, on March 21, 2022, Oak Ridge native Matt McMahon was announced as the twenty-fifth head coach of the LSU Men's Basketball team; and

WHEREAS, Coach McMahon joined LSU after a 154-67 record in seven seasons as the coach of the Murray State Racers, where he led the team to the first 18-0 season in Ohio Valley Conference history in 2021-22; and

WHEREAS, during Coach McMahon's tenure, the Racers won four OVC regular season titles, three conference tournament championships, three NCAA Tournament appearances, two NCAA Tournament wins, and a 121-36 record since 2017-18; and

WHEREAS, this season, Coach McMahon was named the Ohio Valley Conference Coach of the Year and a Naismith National Coach of the Year semi-finalist while leading the Racers to the second round of the NCAA Tournament; and

WHEREAS, prior to accepting the head coaching position at Murray State, Coach McMahon spent four seasons as an assistant under Steve Prohm, helping the Racers to four twenty-win seasons, including a 2012 NCAA Tournament appearance and the 2014 CollegeInsider.com Championship; and

WHEREAS, Coach McMahon arrived at Murray State after one season as an Assistant Coach at UNC-Wilmington and eight seasons at his alma mater, Appalachian State, as an Assistant Coach from 2022-2010; and

WHEREAS, as a four-year letterman at Appalachian State, Coach McMahon finished his playing career with a Southern Conference championship and an NCAA Tournament appearance in his senior season and hit 135 three-pointers in 117 games; and

WHEREAS, Coach McMahon and his wife, Mary – a former basketball standout for Furman – have three children, Maris, Mabry and Mason; and

WHEREAS, throughout his career, Coach McMahon has been recognized for his winning standard of performance, consistency of character, and values as a leader, and he has never forgotten his hometown of Oak Ridge.

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

That in recognition of his distinguished accomplishments and his commitment to integrity and excellence, the Oak Ridge City Council congratulates

COACH MATT MCMAHON

on his selection as Head Coach of the LSU Men's Basketball team and wish him all the best for many successful seasons to come.

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 13th day of December in the year 2021.

WARREN L. GOOCH, MAYOR

PROCLAMATION

WHEREAS, the United States Congress established the Days of Remembrance as the Nation's annual commemoration of the Holocaust, which this year is observed from Sunday, April 24th to Sunday, May 1, 2022; and

WHEREAS, six million Jews, including 1.5 million children, were murdered during the Holocaust; and

WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments to ensure that lessons of tolerance, acceptance, and respect for all people are taught into perpetuity; and

WHEREAS, we the people of the city of Oak Ridge should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, injustice, and tyranny; and

WHEREAS, it is our collective responsibility to counter the passage of time with education so that we can illuminate the factors that led so quickly from isolation and separation to extermination; and

WHEREAS, the Jewish Congregation of Oak Ridge (JCOR) and the Oak Ridge Unitarian Universalist Church have partnered together for an interfaith study now named the Mira Kimmelman Holocaust Education Study Group, led by teachers Julie Kinder-McMillan and Steve Reddick, using the memoir by Mira Kimmelman, entitled "Echoes of the Holocaust;" and

WHEREAS, we therefore declare the observance of the Days of Remembrance with a Holocaust Remembrance Program for the city of Oak Ridge on Sunday, April 24, 2022 in honor of those who died and those who survived, and in appreciation to those who teach the lessons of the Holocaust.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that April 24, 2022 be proclaimed

HOLOCAUST REMEMBRANCE DAY

in the City of Oak Ridge, Tennessee, and that all citizens be encouraged to participate in this event in remembrance of those whose lives were lost or forever affected during this time in our world's history.

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 11th day of April in the year 2022.

WARREN L. GOOCH, MAYOR

PROCLAMATION

WHEREAS, Tennessee's future prosperity depends on nurturing the healthy development of the children currently living, growing, and learning within our many diverse communities; and

WHEREAS, approximately 4 million children are reported abused and neglected in this country each year; and

WHEREAS, research shows that safe and nurturing relationships and stimulating and stable environments improve brain development and child well-being, while neglectful or abusive experiences and unstable or stressful environments increase the odds of poor childhood outcomes; and

WHEREAS, the abuse and neglect of children can cause severe, costly, and lifelong problems affecting all of society, including physical and mental health problems, school failure, and criminal behavior; and

WHEREAS, Court Appointed Special Advocates of the Tennessee Heartland, Inc. (CASA) is a non-profit agency serving Anderson County for over three decades; and

WHEREAS, CASA provides volunteer advocates to abused and neglected children in juvenile court free of charge; and

WHEREAS, each year, more than 600,000 children experience foster care in the United States; and

WHEREAS, it has been shown that foster children with a CASA volunteer spend half the amount of time in foster care than their peers without a CASA volunteer; and

WHEREAS, CASA coordinates with various organizations, foster parents, teachers, and others to ensure that children in our community have a safe, happy future and provide them with a voice so that they may be heard.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE that April, 2022 be proclaimed

CHILD ABUSE PREVENTION MONTH

in the City of Oak Ridge, Tennessee, and that all residents engage in activities that heighten awareness of the negative effects of child abuse within the community and provide a safe and nurturing environment to raise children.

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 11th day of April in the year 2022.

WARREN L. GOOCH, MAYOR

PROCLAMATION

WHEREAS, each year since the enactment of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, the Federal Government designates April, the anniversary month of said law, as “Fair Housing Month”; and

WHEREAS, because fair housing is consistent with the principle of equality and justice for all – a principle upon which our nation was founded – all of us should share in the fight to ensure that fair housing is a reality for all Americans; and

WHEREAS, fair housing is the policy of the City of Oak Ridge. On April 21, 1969, the Oak Ridge City Council adopted a Fair Housing Ordinance, which was one of the first of its kind in the State of Tennessee; and

WHEREAS, implementation of that policy requires the continuing positive commitment, involvement, and support of each one of our citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that the month of April, 2022 be proclaimed

FAIR HOUSING MONTH

in the City of Oak Ridge, Tennessee, and that all Oak Ridgers be urged to join in reaffirming the obligation and commitment to fair housing opportunities for all.

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 11th day of April in the year 2022.

WARREN L. GOOCH, MAYOR

PROCLAMATION

WHEREAS, April 3-9, 2022 has been designated as National Library Week; and

WHEREAS, public libraries play a critical role in the happiness of Americans; and

WHEREAS, in the United States, there are more public libraries than there are Starbucks; and

WHEREAS, Americans go to the library more often than they go to the movies; and

WHEREAS, more people attend library programs than go to all Major League Baseball, National Football League, and National Basketball Association games combined; and

WHEREAS, libraries in Oak Ridge connect people to technology, providing broadband internet, computers, and technology training; and

WHEREAS, libraries in Oak Ridge provide the freedom to explore a world of ideas, skills and experiences; and

WHEREAS, libraries in Oak Ridge do far more than just provide the right books to the right person at the right time; and

WHEREAS, libraries provide programs, events, and classes to enrich, inform, and entertain; and

WHEREAS, libraries are cornerstones of democracy, promoting the free exchange of information and ideas for all; and

WHEREAS, libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate all libraries.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that the month of April, 2022 be proclaimed

NATIONAL LIBRARY MONTH

in the City of Oak Ridge, Tennessee, and all residents are encouraged to visit their library to access the many resources and services that are available.

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 11th day of April in the year 2022.

WARREN L. GOOCH, MAYOR

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Beth Hickman , City Clerk

SUBJECT: City Attorney Evaluation Committee Report - Councilmember Derrick Hammond, Chair

Introduction

As stated in the City Attorney's employment agreement, City Council shall complete a performance evaluation of the City Attorney on an annual basis. Membership on the City Attorney Evaluation Committee is rotated among Councilmembers as specified by Resolution 11-106-07. This year's City Attorney Evaluation Committee is comprised of Councilmember Derrick Hammond (Chair), Mayor Pro Tem Rick Chinn, and Councilmember Kelly Callison.

Funding

N/A

Background

The City Attorney Evaluation Committee met on March 1, 2022 to establish the protocol and timeline for the evaluations, and again on March 23, 2022 to review the evaluations and make a recommendation as to the City Attorney's compensation and contract extension. Councilmember Hammond submitted the attached report, which outlines the Committee's recommendations. A summary of the evaluations is also attached. City Council will be voting on the attached resolution, which includes the committee's recommendations.

Recommendation

Approval of the attached resolution is recommended.

Attachments:

[City Attorney Evaluation Summary 2022.pdf](#)

[City Attorney Evaluation Committee Report.pdf](#)

[Resolution - City Attorney Evaluation.docx](#)

CITY ATTORNEY EVALUATION SUMMARY

COURTESY AND COMMUNICATION SKILLS

Is accessible, responsive, considerate and courteous in interactions with Council

Exceeds Expectations – 4

Fully Meets Expectations – 3

Needs Improvement –

No Observation –

Comments:

Always available to discuss any issues.

Provides legal opinions and/or advice in a timely manner

Exceeds Expectations – 4

Fully Meets Expectations – 3

Needs Improvement –

No Observation –

Comments:

Provides very timely advice. Her long-time service to the city provides an excellent basis for her opinions.

Creates a sense of trustworthiness

Exceeds Expectations - 5

Fully Meets Expectations – 2

Needs Improvement –

No Observation –

Comments:

Never any question about her opinions or trustworthiness.

Keeps the Council informed about current issues, legal activities, decisions, and goals

Exceeds Expectations – 3

Fully Meets Expectations – 4

Needs Improvement – 0

No Observation – 0

Comments:

Always keeps us informed

I appreciate the City Attorney's practice of giving Council members real-time notification about new developments related to litigation.

Communicates well with a wide range of persons, including Councilmembers, citizens, staff, and other attorneys

Exceeds Expectations – 3

Fully Meets Expectations – 4

Needs Improvement –

No Observation –

Comments:

Never shies away from providing an opinion.

List notes or comments that support the overall rating on courtesy and communication skills

As a resident of the city, she is very aware of the issues facing the council. Always willing to provide good advice.

KNOWLEDGE AND ADAPTABILITY

Demonstrates a thorough knowledge and understanding of municipal law

Exceeds Expectations – 5

Fully Meets Expectations – 2

Needs Improvement –

No Observation –

Comments:

Very up to date with things that might impact legal decisions

Is knowledgeable about City issues and about legal trends that may impact the City

Exceeds Expectations – 2

Fully Meets Expectations - 5

Needs Improvement –

No Observation –

Comments:

Long history working for the city so well aware of past issues

Provides advice on ordinance changes, drafting of new ordinances and amendments

Exceeds Expectations – 5

Fully Meets Expectations – 1

Needs Improvement – 1

No Observation –

Comments:

Never shies away from telling us if we are going outside the legal lines

I am concerned that we have not yet been provided with a [revised] draft recommendation for amending the ordinance on trash collection. Residents are annoyed about neighbors who leave their blue cards on the street nearly all week. We need to be able to point people to an ordinance that says trash carts should come off the street, but at the moment we can't do that.

Provides concise, understandable, and helpful legal options and/or advice

Exceeds Expectations – 2

Fully Meets Expectations – 5

Needs Improvement –

No Observation –

Comments:

Provides immediate feedback that helps guide our final decisions

Demonstrates openness to alternative approaches

Exceeds Expectations – 3

Fully Meets Expectations – 4

Needs Improvement –

No Observation –

Comments:

Always willing to listen to alternative approaches

Adjusts rapidly to changes in plans or procedures

Exceeds Expectations – 2

Fully Meets Expectations – 5

Needs Improvement –

No Observation –

Comments:

Willing to listen to alternative approaches

List notes or comments that support the overall rating on courtesy and communication skills

Has shown flexibility and willingness to listen

ADMINISTRATIVE SKILLS AND EFFECTIVENESS

Functions effectively under pressure

Exceeds Expectations – 1

Fully Meets Expectations – 5

Needs Improvement –

No Observation – 1

Comments:

Never appears to be rattled

I really haven't observed her response to pressure situations.

Demonstrates leadership that contributes to achieving the City's goals and objectives

Exceeds Expectations – 2

Fully Meets Expectations – 5

Needs Improvement –

No Observation –

Comments:

Always willing to step up and do whatever is required to meet city's goals

Effectively evaluates legal problems and alternatives

Exceeds Expectations – 2

Fully Meets Expectations – 5

Needs Improvement –

No Observation –

Comments:

Never at a loss for words when it comes to solving a problem

Demonstrates effectiveness in avoiding unnecessary legal controversy

Exceeds Expectations – 2

Fully Meets Expectations – 5

Needs Improvement –

No Observation –

Comments:

She has kept the city out of legal trouble for years.

List notes or comments that support the overall rating on courtesy and communication skills

PERSONAL AND PROFESSIONAL QUALITIES

Maintains high standards of ethics, honesty, and integrity in all personal and professional relationships

Exceeds Expectations – 5

Fully Meets Expectations – 2

Needs Improvement –

No Observation –

Comments:

Never had any question about her ethics

Retains your confidence when informing you of risks associated with proposed actions or decisions

Exceeds Expectations – 4

Fully Meets Expectations – 3

Needs Improvement –

No Observation –

Comments:

Feel like she is our attorney looking out for the city

Works toward gaining and maintaining the respect and support of staff

Exceeds Expectations – 4

Fully Meets Expectations – 3

Needs Improvement –

No Observation –

Comments:

I believe she is relied upon and trusted by the city staff.

List notes or comments that support the overall rating on courtesy and communication skills

ADDITIONAL NARRATIVE – LOOKING AHEAD

What would you identify as the City Attorney's strength(s), expressed in terms of the principal results achieved during the rating period?

She has been able to either settle or have dismissed several cases facing the city.

Her consistently calm demeanor is an asset for defusing difficult situations.

Attorney Dunn does an excellent job of putting a particular case or decision in context. For example, updates involve potential impacts to the city or council in ways that enable us to readily ascertain risks and exposure.

Very responsive

Ms. Dunn is extremely attentive and knowledgeable concerning areas of law and city government. She is also an effective communicator.

What performance area(s) would you identify as most critical for improvement?

None

Nothing that I have observed at this time.

Stay up to date on performance bonds.

What constructive suggestions or assistance can you offer the City Attorney to enhance performance?

Continue to keep the Council informed of events that might lead to a lawsuit.

Nothing to suggest at this time.

Make sure inquiries from public are addressed in a timely manner even if answer is no or nothing we can do.

Keep working hard to protect the City's legal interests and to promote a sense of urgency in finalizing negotiations, contracts, and review of grant applications.

What other comments do you have for the City Attorney, e.g. priorities, expectations, goals, or objectives for the new rating period?

None at this time.

Transition into new position has been seamless from my perspective. Goal to improve relations with public and developers in community that may have had prior bad experiences with the Legal Department.

Please provide recommendations and comments on a possible change in compensation (currently \$130,187.20) and a contract extension beyond the current expiration date of January 4, 2023.

Strongly support a contract extension

An extension of one year would be appropriate. As for compensation, I would endorse a percentage increase consistent with the inflation-type adjustments that we expect to be given to general employees.

Recommend standard staffing increase and contract extension that is greater than one year in length.

Same increase as City Manager and other department heads.

3% raise and a one year contract extension to 1/4/2024

I would recommend a two-year contract extension and a three percent salary increase

**CITY ATTORNEY EVALUATION COMMITTEE
MEMORANDUM**

DATE: April 4, 2022

TO: Fellow Members of City Council

FROM: City Attorney Evaluation Committee
Councilmember Derrick Hammond, Chair
Councilmember Kelly Callison
Mayor Pro Tem Rick Chinn

SUBJECT: CITY ATTORNEY EVALUATION COMMITTEE REPORT AND RECOMMENDATIONS
FOR FY2022

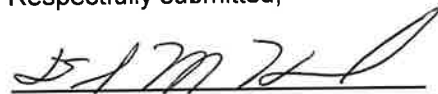
The City Attorney Evaluation Committee met on March 23, 2022, to review the Council's completed performance evaluations of the City Attorney and develop its recommendations to the Council regarding a possible change in compensation and contract extension. The three committee members were present along with City Attorney Tammy Dunn and City Clerk Mary Beth Hickman.

The Committee reviewed the evaluation forms and discussed the Council's ratings and comments with the City Attorney. A summary of the evaluations is attached. The Committee noted that the overall ratings were very positive and no significant issues or areas for improvement were identified. It was discussed that, given this is the City Attorney's first year of service to the City, her compensation should be adjusted as consistent with standard salary increase practice for the city. The Committee also discussed extending the term to more than one year, the current term, as well as the need to ensure the City Attorney's evaluation is on a schedule commensurate with the expiration of her contract.

Councilmember Chinn moved that the City Attorney's salary be increased by 3%, and that her contract be extended by three years to January 23, 2026, with the increase being retroactive to the pay period that includes January 4, 2022. Councilmember Hammond seconded, and the motion passed unanimously.

The attached resolution amends the City Attorney's Employment agreement to provide for the recommended salary increase, contract extension, and term adjustment. The Committee recommends its approval as a measure of compensation for the City Attorney's performance as indicated by the evaluations completed by the councilmembers and in line with the City's classification and compensation plan.

Respectfully submitted,



Councilmember Derrick Hammond, Chair
City Attorney Evaluation Committee, 2022

Attachments:
Evaluation Summary
Resolution

NUMBER _____

RESOLUTION

A RESOLUTION TO AMEND THE CITY ATTORNEY'S EMPLOYMENT AGREEMENT TO EXTEND THE TERM BY THREE YEARS AND TO PROVIDE FOR A NEW ANNUAL BASE SALARY AMOUNT OF \$134,097.60.

WHEREAS, Article III, Section 13, of the City Charter provides that City Council shall appoint a City Attorney; and,

WHEREAS, by Resolution 12-102-2020, City Council authorized an employment agreement with Tammy M. Dunn effective January 4, 2021; and,

WHEREAS, said employment agreement provides that formal evaluations of the City Attorney shall be conducted on an annual basis by March 1 of each year, and to this end City Council appointed a City Attorney Evaluation Committee (the Committee) to develop an evaluation procedure; and,

WHEREAS, the Committee has completed its work and based upon the evaluation results recommends the following: a three (3) year contract extension and a three percent (3.00%) salary increase.

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

That the Employment Agreement between the City of Oak Ridge and Tammy M. Dunn as City Attorney is hereby amended as follows:

- Section 3, Term, be amended to provide that the Employment Agreement shall continue in effect until January 3, 2026; and,
- Section 6, Salary, Subsection A, be amended to provide for a new base salary amount of \$134,097.60, which is the equivalent of a three percent (3%) salary increase and shall be effective retroactive to the pay period beginning December 26, 2021 which is the pay period in which January 4, 2022 falls.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute all necessary legal documents to accomplish the same.

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

February 28, 2022

Minutes

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on February 28, 2022 in the Municipal Building Courtroom with Mayor Warren Gooch presiding. This meeting replaced the March 14, 2022 regular meeting.

INVOCATION

The invocation was given by Oak Ridge Police Department Chaplain Rev. Tandy Scheffler.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Chuck Hope.

ROLL CALL

Upon roll call the following Councilmembers were present: Councilmember Kelly Callison; Mayor Pro Tem Rick Chinn; Councilmember Jim Dodson; Mayor Warren Gooch; Councilmember Derrick Hammond; Councilmember Charles J. Hope, Jr. and Councilmember Ellen Smith.

Also present were Mark S. Watson, City Manager; Alex Cramer, Senior Staff Attorney; Janice McGinnis, Finance Director; and Mary Beth Hickman, City Clerk.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation designating March 4, 2022 as Arbor Day

Mayor Gooch moved for approval of the proclamation, and Mayor Pro Tem Chinn seconded. The proclamation was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

SPECIAL REPORTS

Transmittal of the Capital Improvements Program for Fiscal Years 2023-2028 – Chairman Steve Whitson – Oak Ridge Municipal Planning Commission

Councilmember Hope moved to receive the report for the record, and Councilmember Hammond seconded. The motion was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

CONSENT AGENDA

Councilmember Hope moved for approval of the Consent Agenda, and Mayor Pro Tem Chinn seconded.

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

Approval of the February 14, 2022 City Council regular meeting minutes

Resolution No. 2-11-2022

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE GLENWOOD ELEMENTARY SCHOOL ROOF REPLACEMENT CONTRACT (FY2021-087) WITH AAR OF NORTH CAROLINA, INC., IN THE

AMOUNT OF \$54,786.66 FOR UNFORESEEN COSTS RELATED TO THE PROJECT, AS WELL AS AUTHORIZING AN ADDITIONAL \$5,000.00 IN CONTINGENCY FUNDS.

Resolution No. 2-12-2022

A RESOLUTION MAKING AN AWARD TO EMERGENCY VEHICLE SPECIALISTS, KNOXVILLE, TENNESSEE, THROUGH THE HOUSTON-GALVESTON AREA COUNCIL PURCHASING COOPERATIVE FOR THE PURCHASE OF VEHICLE EXTRICATION EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$103,270.00.

Resolution No. 2-13-2022

A RESOLUTION AWARDDING A CONTRACT (FY2022-107) TO KNOXVILLE EXCAVATING, LLC, KNOXVILLE, TENNESSEE, FOR THE REPLACEMENT OF FOURTEEN (14) FIRE HYDRANTS THROUGHOUT THE CITY IN AN AMOUNT NOT TO EXCEED \$50,000.00.

Resolution No. 2-14-2022

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LDA ENGINEERING, ALCOA, TENNESSEE, FOR THE DESIGN AND CONSTRUCTION OF THE SECOND PHASE OF A NEW MAIN WATER LINE, APPURTENANCE, AND RESURFACING ALONG WEST OUTER DRIVE IN AN AMOUNT NOT TO EXCEED \$105,000.00.

Resolution No. 2-15-2022

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO HEXAGON EAM HOLDINGS, LLC, FORMERLY INFOR (US), INC., FOR A ONE-YEAR RENEWAL OF SOFTWARE MAINTENANCE FOR THE ASSET MANAGEMENT SYSTEM IN THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2023 IN THE AMOUNT OF \$33,865.64.

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

AN ORDINANCE ACCEPTING CERTAIN INFRASTRUCTURE AT THE PRESERVE AT CLINCH RIVER (FORMERLY RARITY RIDGE) FOR PERPETUAL MAINTENANCE BY THE CITY.

Councilmember Dodson moved for approval of the ordinance, and Mayor Pro Tem Chinn seconded.

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

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF ANDERSON COUNTY TAX MAP 105C, GROUP A, PARCEL 002.00, LOCATED AT 100 TULSA ROAD, CONTAINING APPROXIMATELY 1.4 ACRES, FROM O-2, OFFICE DISTRICT, TO B-2, GENERAL BUSINESS DISTRICT.

Councilmember Dodson moved to approve the ordinance, and Councilmember Callison seconded. Planning and Development Director Wayne Blasius provided an overview of the ordinance and answered questions from Council.

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

FINAL ADOPTION OF ORDINANCES

Ordinance No. 5-2022

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF ANDERSON COUNTY TAX MAP 106G, GROUP B, PARCEL 007.00, LOCATED AT 114 UNION VALLEY ROAD, CONTAINING

APPROXIMATELY 5 ACRES, FROM IND-2, INDUSTRIAL DISTRICT, TO UB-2, UNIFIED GENERAL BUSINESS DISTRICT.

Councilmember Hammond moved for adoption of the ordinance, and Councilmember Hope seconded.

The ordinance was adopted unanimously by board vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.”

RESOLUTIONS

Resolution No. 2-16-2022

A RESOLUTION AWARDDING A CONTRACT (FY2022-119) TO EAST TN TECHNICAL SERVICES, INC., KNOXVILLE, TENNESSEE, FOR THE REPLACEMENT OF THE ROBERTSVILLE ROAD BOOSTER PUMP STATION GENERATOR IN AN AMOUNT NOT TO EXCEED \$300,000.00.

Councilmember Smith moved for approval of the resolution, and Councilmember Callison seconded. Public Works Director Patrick Berge provided an overview of the resolution and answered questions from Council.

The resolution was approved unanimously by board vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.”

Resolution No. 2-17-2022

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE AUDIT CONTRACT (FY2014-114) WITH COULTER AND JUSTUS, P.C., KNOXVILLE, TENNESSEE, TO PROVIDE FOR A THREE-YEAR EXTENSION IN THE AMOUNT OF \$75,000.00 FOR FISCAL YEAR 2022.

Mayor Pro Tem Chinn moved for approval of the resolution, and Councilmember Smith seconded. The resolution was approved unanimously by board vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.”

APPEARANCE OF CITIZENS

Marian Wildgruber, 122 Connors Drive, Oak Ridge, addressed Council regarding the need for a Disability Advisory Board in Oak Ridge.

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Announcements and Scheduling

City Manager Mark Watson reminded Council about the work session the next evening on March 1, 2022 at 6:00 p.m.

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

CITY MANAGER’S REPORT

(NONE)

CITY ATTORNEY’S REPORT

(NONE)

ADJOURNMENT: 7:23 p.m.

OAK RIDGE CITY COUNCIL SPECIAL MEETING
Municipal Building Courtroom

March 28, 2022

Minutes

A special meeting of the City Council of the City of Oak Ridge, Tennessee convened at 6:00 p.m. on March 28, 2022 with Mayor Warren Gooch presiding.

ROLL CALL

Upon roll call the following Councilmembers were present: Councilmember Kelly Callison; Mayor Pro Tem Rick Chinn, Jr.; Councilmember Jim Dodson; Mayor Warren Gooch; Councilmember Derrick Hammond; and Councilmember Charles J. Hope, Jr. and Councilmember Ellen Smith.

Also present were Mark S. Watson, City Manager; Tammy Dunn, City Attorney; Janice McGinnis, Finance Director; and Mary Beth Hickman, City Clerk.

ITEMS FOR CONSIDERATION

Resolution No. 3-18-2022

A RESOLUTION REGARDING THE SISTER CITY RELATIONSHIP BETWEEN THE CITY OF OAK RIDGE, TENNESSEE, AND OBNINSK, RUSSIA.

Mayor Gooch moved for approval of the resolution, and Councilmember Hope seconded.

Jerryalyn Luckmann, 103 Clayton Way, Oak Ridge, addressed Council in support of not terminating the Sister City relationship with Obninsk, Russia.

Syd Ball, 100 Greywood Place, Oak Ridge, addressed Council in support of not terminating the Sister City relationship with Obninsk, Russia.

Councilmember Ellen Smith moved to amend the proposed resolution with a substitute resolution she had prepared that would not terminate the Sister City relationship but pause it during the ongoing conflict. Mayor Pro Tem Chinn seconded.

After discussion, the amendment was approved by voice vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, and Mayor Pro Tem Chinn voting "Aye," and Mayor Gooch voting "No."

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

Election of one (1) representative to the Anderson County Board of Equalization

Mayor Pro Tem Chinn moved to elect Kathy Edwards by acclamation, and Councilmember Hammond seconded. Ms. Edwards was elected by acclamation.

Election of one (1) representative to the Anderson County Community Action Commission

William Slover was elected on the first ballot.

Election of two (2) representative to the Anderson County Economic Development Association Board of Directors

Jonathan Black and George Cleveland were elected on the first ballot.

Elect one (1) representative to the Oak Ridge Beer Permit Board

Raynauld Cherry was elected on the second ballot.

Elect two (2) representatives to the Oak Ridge Land Bank Corporation Board of Directors

Tamara Gunter and Cindy Johnson were elected on the first ballot.

Elect one (1) representative to the Personnel Advisory Board

McLean Johnson was elected on the first ballot.

Resolution No. 3-19-2022

A RESOLUTION AWARDDING A CONTRACT (FY2022-023) TO HOLSTON CONSTRUCTION SERVICES, LLC, KNOXVILLE, TENNESSEE, FOR RENOVATIONS TO THE CENTRAL SERVICES COMPLEX TO CONSTRUCT A SCADA LAB AND TO EXPAND OFFICE SPACE FOR THE FINANCE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$698,000.00.

Councilmember Dodson moved for approval of the resolution, and Councilmember Callison seconded.

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

Resolution No. 3-20-2022

A RESOLUTION AUTHORIZING THE EXPENDITURE OF UP TO \$40,000.00 FROM THE EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE OF ONE (1) VEHICLE FOR THE FIRE DEPARTMENT FROM WILSON COUNTY MOTORS, LEBANON, TENNESSEE, UTILIZING STATE CONTRACT PRICING.

Councilmember Smith moved for approval of the resolution, and Councilmember Callison seconded.

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

Resolution No. 3-21-2022

A RESOLUTION AUTHORIZING THE PURCHASE OF SINGLE-PHASE PAD MOUNTED TRANSFORMERS FROM WESCO DISTRIBUTION INC., KNOXVILLE, TENNESSEE, IN THE AMOUNT OF \$608,899.25 FOR USE BY THE ELECTRIC DEPARTMENT.

Councilmember Dodson moved for approval of the resolution, and Councilmember Hope seconded.

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

Resolution No. 3-22-2022

A RESOLUTION AUTHORIZING THE PURCHASE OF UNDERGROUND DISTRIBUTION CABLE 15KV 350 MCM COPPER WIRE FROM IRBY UTILITIES, JOHNSON CITY, TENNESSEE, IN THE AMOUNT NOT TO EXCEED \$137,031.93 FOR USE BY THE ELECTRIC DEPARTMENT.

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

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

Resolution No. 3-23-2022

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT (CONTRACT #FY2021-094) FOR DESIGN OF THE OAK RIDGE CONFERENCE CENTER WITH CLARK NEXSEN, JOHNSON CITY, TENNESSEE, TO INCREASE THE TOTAL COMPENSATION TO \$416,768.00 AND TO EXTEND THE TERM TO DECEMBER 31, 2023.

Councilmember Dodson moved for approval of the resolution, and Councilmember Hammond seconded.

City Attorney Tammy Dunn stated that a substitute resolution needed to be brought to the floor to clarify language that the Civic Center site had not already been approved by City Council. Councilmember Dodson moved to bring the substitute resolution to the floor, and Councilmember Smith seconded.

Deputy City Manager Jack Suggs provided an overview of the resolution, and Ray Evans, Economic Development Consultant, answered questions from Council.

The substitute resolution was approved by board vote with Councilmembers Callison, Dodson, Hammond, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye,” and Councilmember Hope voting “No.”

The resolution was approved as amended by board vote with Councilmembers Callison, Dodson, Hammond, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye,” and Councilmember Hope voting “No.”

Update on Progress of Horizon Center Industrial Park Questions from March 1, 2022 Work Session
Electric Department Director Ardo Ba provided an update regarding power line delivery to Horizon Center and answered questions that were posed by Council members at the work session. No action was taken on this item.

ADJOURNMENT: 8:18 p.m.

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Beth Hickman , City Clerk

SUBJECT: Approval of Bylaws and Rules and Procedures for the Traffic Safety Advisory Board

SUPPORTING DEPARTMENT: Public Works

Introduction

An item for City Council's consideration is a resolution to approve the Bylaws and the Rules and Procedures for the Traffic Safety Advisory Board.

Funding

No funding is associated with this item.

Background

At the July 12, 2021 meeting, City Council approved two resolutions to establish consistency in operations among the various city boards and commissions. Resolution 7-80-2021 approved a standardized template for all boards and commissions to establish Bylaws. Resolution 7-81-2021 approved a standardized template for all boards and commissions to establish Rules and Procedures.

The Traffic Safety Advisory Board did not have an existing set of bylaws. This Board was created on a temporary basis by the Oak Ridge City Council through Resolution 8-112-85, and its existence was continued until further action of City Council by Resolution 11-149-88 made the Board permanent. Language from those resolutions was incorporated into the template. The Board also did not have a separate Rules and Procedures document; therefore the template was used to create the attached Rules and Procedures. There were no changes proposed by the Board to the Rules and Procedures template. The Board did request minor language changes in Article V(B) pertaining to "Duties of the Vice-Chairperson," but those changes were not substantive. Those change are reflected in the attached Bylaws document.

At the March 8, 2022 meeting, the Board approved the updated Bylaws and Rules and Procedures by a vote of 5-2. These documents are being brought to City Council for final adoption. The new Bylaws and Rules and Procedures will become effective upon City Council's approval.

Recommendation

Approval of the attached resolution is recommended.

Attachments:

[TSAB Bylaws - Board Approved.pdf](#)

[Resolution - TSAB Rules Bylaws.docx](#)

[Resolution Attachments - TSAB Rules and Bylaws.pdf](#)

Last Amended: _____

Last Adopted: _____

**BYLAWS OF THE
TRAFFIC SAFETY ADVISORY BOARD
OAK RIDGE, TENNESSEE**

ARTICLE I - NAME

The name of this board shall be the "Traffic Safety Advisory Board," which, for convenience, shall hereafter be referred to as the "Board" in these bylaws.

ARTICLE II – PURPOSE AND GENERAL POWERS

A. Purpose.

The purpose of the Traffic Safety Advisory Board is to serve as an advisory body to City Council upon request on matters concerning traffic safety and review any traffic safety issue requiring Council approval. The purpose and general powers of the Board shall also encompass those purposes and powers specified in:

(1) Applicable sections of the Oak Ridge City Charter and the Oak Ridge Municipal Code, and any amendments and supplements thereto; and

(2) Regulations, rules, bylaws and policies adopted by the Oak Ridge City Council

B. Creation of the Board. The Board was created on a temporary basis by the Oak Ridge City Council through Resolution Number 8-112-85, and its existence was continued until further action of City Council by Resolution Number 11-149-88.

ARTICLE III – MEMBERS

A. Size. The Board shall consist of ten (10) voting members appointed by City Council, one (1) member of which shall be a high school student and one (1) member of which shall be nominated by the Oak Ridge Municipal Planning Commission from the membership of said commission.

B. Membership. Members must reside within the city limits of Oak Ridge. Pursuant to Article 13, Section 3(e), no active City employee may serve on a City Council appointed board, commission or committee unless they are serving as staff representatives without voting privileges.

C. Attendance Requirement

- (1) Expectation of Attendance. Members of the Board are expected to attend all scheduled meetings and are responsible for communicating their inability to attend in a timely fashion to the Chairperson and Staff Liaison along with a reason for the anticipated absence.
- (2) Attendance Record. The Secretary shall record the full names of those members present and absent in the minutes of each scheduled meeting and shall provide the City Clerk with a signed copy of the minutes upon their approval by the Board. The Secretary shall also maintain a separate attendance record, which shall be provided to the Chairperson of the Board and the City Clerk within seven (7) days after each meeting. If the Board has no Secretary, the person responsible for recording the minutes shall perform this function.
- (3) Absence from Meetings. When a member of the Board is absent from three (3) regularly-scheduled or regularly-called meetings during the Board term-year, which is a one-year period beginning on the date of term commencement, the Chairperson shall request that the member provide a written explanation of the absences. The Board shall determine whether to accept or reject the explanation by a majority vote. If the Board votes to accept the explanation, the absences shall be considered “excused” and will not accrue for purposes of removal from the Board. If the Board votes to reject the explanation, the absences will accrue for purposes of removal. If a member is absent from three (3) meetings and makes no efforts to comply with the Chairperson’s request for an explanation, those absences will accrue for purposes of removal. Accrual of four (4) unexcused absences shall result in removal from the Board as outlined in Item (4).
- (4) Removal Due to Absences. When a member is absent from four (4) regularly-scheduled or regularly-called meetings during the Board’s term-year, and consistent with the procedure set forth in Item (3), the member shall be notified that he/she has been removed from the Board by a vote of his/her peers. The Chairperson shall notify City Council of the vacancy by letter, and the City Clerk shall schedule an election to fill the vacancy in the customary manner.

D. Terms of office. All members will serve a three (3)-year term, which the exception of the high school student, who shall serve one (1) year. A member will serve until a successor is elected.

E. Oath of Office. Before assuming the duties of office, each member shall take the Oath or Affirmation of Office through the City Clerk’s office.

F. Vacancies.

- (1) Automatic. Any member of the Board who shall move to a principal residence located outside the city limits of Oak Ridge shall be deemed to have automatically vacated the office.
- (2) Resignation. Any member desiring to resign from the Board shall promptly inform the Chairperson and the City Clerk in writing of his or her intention to resign. Such notice shall state the effective date of resignation and may also state any reason for said resignation. The City Clerk will communicate the resignation and the reason for resignation to the City Manager and City Council.
- (3) Removal from office. In addition to the circumstances outlined in Sections F(1) and F(2), a member can also be removed from office for cause by a majority vote of City Council or upon the recommendation of a majority of Board members.
- (4) Replacement. In the event of resignation, death, or removal from office, the vacancy will be filled by City Council at the next regularly scheduled election or as soon as possible if multiple vacancies are affecting the ability to have a quorum.

- G. Ethics. All members shall be subject to the provisions of the ethics policy of the City of Oak Ridge and applicable state ethics laws. Any Board member who has any conflict of interest in any matter or issue brought before the Board shall make such fact known to the Board prior to any vote by the Board on such issue. Sections 21-103 and 21-104 of the City Code provides additional guidance regarding disclosure of personal interest and recusal.

ARTICLE IV – OFFICERS

- A. Title/Number. The officers of the Board shall consist of a Chairperson, Vice Chairperson, Secretary, and such other officers as the Board may deem appropriate, who shall be elected by and from official members of the Board.
- B. Election. The election of officers shall be held at the annual meeting of the Board. A majority vote of members present shall be required to elect any officer.
- C. Term of Office. Officers of the Board shall serve for a period of one (1) year, or until the next annual meeting, or until such time as a replacement has been duly elected; provided, however, no officer shall be removed from office prior to the next following annual meeting after such officer's election, except by two-thirds vote of the official members of the Board. All officers shall be eligible for reelection for consecutive terms. The member appointed from the Oak Ridge Municipal Planning Commission shall be excluded from serving as an officer of the Board.

- D. Vacancies. In the event any elective office shall become vacant, the Board shall elect a successor at its next regular meeting, in the manner prescribed by Section B, above.

ARTICLE V – DUTIES OF OFFICERS

A. Chairperson.

- (1) The Chairperson shall preside at all meetings and hearings of the Board, and shall perform such other functions as may be required by law, by these bylaws, and/or those ordinarily performed by a Chairperson, in accordance with parliamentary procedure as prescribed in the current edition of Robert's Rules of Order.
- (2) Except as otherwise provided by law or authorized by the Board, the Chairperson shall sign all communications from the Board to the City Manager and City Council.
- (3) The Chairperson shall ensure issuance to all new members of the Board the latest available revision of any current reports and documents necessary to fully inform such new member of the business presently before the Board.

B. Vice-Chairperson.

- (1) In the event of a ~~n vacancy or~~ absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson ~~until a new Chairperson is duly elected~~. Should the Chairperson be unable to perform the duties of office due to disability, ~~absence,~~ or disqualification, the Vice-Chairperson shall perform said duties until such time as ~~they may be performed by the Chairperson or~~ a new Chairperson is elected.
- (2) In addition to the foregoing duties, the Vice-Chairperson shall also perform such other duties as may be designated by the Chairperson.

C. Secretary.

- (1) The Secretary shall prepare such certifications of records and transcripts as required by law or as the Board may direct.
- (2) The Secretary shall record minutes of all meetings of the Board and forward them to the staff liaison of the Board for formatting and placement in the agenda packet for the next meeting.

- (3) In the absence or disqualification of the Chairperson and Vice- Chairperson, the Secretary shall preside at the meetings of the Board.
- (4) The Secretary shall maintain attendance records and distribute them according to the provisions in Article III, Section C(2).

ARTICLE VI-STAFF LIAISON

- A. Duties. The staff liaison, appointed by the City Manager, or the City Manager's designee, shall assist the Chairperson in setting meetings; preparing the agenda and reports to the City Manager and City Council; and other support functions as needed. The staff liaison shall also ensure that the Board website within the respective department be up to date at all times with agendas, minutes, and other relevant information. The staff liaison shall also perform the duties outlined in Article VII, Section (D)(6) below pertaining to giving proper notice of meetings.

ARTICLE VII – MEETINGS

- A. Meetings Open to the Public. All Board meetings shall be open to the public, and citizens shall have a reasonable opportunity to be heard.
- B. Type/Number. The meetings of the Board shall consist of a regular annual meeting and other regular meetings held each year, together with such special meetings as may be deemed appropriate and called pursuant to these bylaws.
- C. Method of Calling.
 - (1) Regular Meeting. No formal call of a regular meeting shall be necessary, except for the notice of meeting provided for in Section D, below.
 - (2) Special Meeting. A special meeting shall be called at such time as may be deemed expedient by the Chairperson or any two members of the Board upon written request to the Chairperson or by approval of a majority of the members present at any meeting. The notice of a special meeting shall be as provided for in Section D, below. Special meetings are only for the purpose specified and no other item may be voted on at a special meeting that is not explicitly specified when calling a special meeting.
- D. Notice.
 - (1) Regular Meetings. Notices of regular meetings shall be delivered to each member of the Board at least forty-eight (48) hours prior to the meeting.

- (2) Special Meetings. The notice of a special meeting for matters shall be delivered to each member of the Board at least twenty-four (24) hours prior to the meeting.
- (3) Cancellation of Meetings. Whenever there is no business before the Board, the Chairperson may dispense with a Regular Meeting by giving notice to all members not less than forty-eight (48) hours prior to the time set for the meeting. The staff liaison shall also ensure that the City Clerk is notified of the cancelled meeting so that the City Calendar can be updated. When unforeseen or emergency circumstances arise, the Chairperson may cancel meetings with less than forty-eight (48) hours' notice. Cancellation of a meeting due to quorum issues or weather would necessitate a special meeting to be called at a later date.
- (5) Adjourned Meetings. Should the Board not complete the business before it, the Chairperson may adjourn the meeting and schedule a continuation of the same meeting until the agenda has been completed. However, the adjourned meeting must meet the same notice requirements as a Special Meeting.
- (6) Proper Notice. The staff liaison shall be responsible for ensuring compliance with the Tennessee Open Meetings Act and for notifying members and the public reasonably prior to the date and time of each meeting. The staff liaison is required to comply with guidelines pertaining to matters of public notice and scheduling as provided by the City Clerk and shall notify the City Clerk of meetings as soon as possible so that the City Calendar can be updated.

E. Agenda.

- (1) Order of Business. The order of business of all regular meetings shall be as follows:
 1. Call to Order
 2. Roll Call
 3. Approval of Order of Agenda
 4. Approval of Minutes
 5. Officers' Reports
 6. Committee Reports
 7. Unfinished Business
 8. New Business
 9. Appearance of Citizens (Non-agenda items)
 10. Announcements
 11. Adjournment

An agenda section for "Presentations" is optional and may be added to the agenda as needed. Each agenda item to be discussed shall be listed under the

appropriate heading on the published agenda, unless the item is brought up according to appropriate parliamentary rules during the meeting.

ARTICLE VIII-QUORUM AND VOTING PROCEDURES

- A. Quorum. A majority of members of the Board shall constitute a quorum for the purpose of transacting all business. The Chairperson shall acknowledge the presence of a quorum and call the meeting to order at the time designated in the notice of the meeting, or upon the arrival of a sufficient number of members to constitute a quorum if that occurs later. If, during the course of any meeting, any member desires to leave, either temporarily or permanently, that member shall announce such intention to the Chairperson. If at any time it shall appear that there are not sufficient members present to constitute a quorum, the Chairperson shall so announce and declare the meeting recessed or adjourned until a quorum is present. There shall be no substantive discussion of agenda items other than procedural matters if a quorum is not present.
- B. Voting. All votes shall be decided by a majority of those present and voting unless otherwise stipulated by the most recent edition of Robert's Rules of Order. A list of members and any votes taken shall accompany all Board recommendations. If a conflict of interest is claimed, the members claiming such a conflict shall state the conflict for the record. No proxy voting is permitted.

ARTICLE IX – SPECIAL PROVISIONS

- A. Powers. The Board is authorized to make specific recommendations on any traffic safety question and on traffic safety issues referred to it by the City Council, City Manager, Municipal Planning Commission or other bodies.
- B. Annual Report to City Council. The Board shall annually prepare a written report of its activities and recommendations and a recommended program of work for the ensuing year for submission to City Council by November 30th of each year. The Board shall issue reports and findings on all traffic safety issues and proposals to carry out this program.

ARTICLE X-PARLIAMENTARY AUTHORITY

- A. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules the Board may adopt, or any rules approved by City Council governing the operation of the Board.

ARTICLE XI – BYLAWS

- A. Date of Approval. These bylaws and any amendments thereto shall take effect upon their approval by the City Council, as provided in Article III, Section 6, of the City Charter.
- B. Amendments. Amendments to these bylaws may be considered at any regular or special meeting of the Board, provided that any proposed amendment shall have been provided to the Board members at least seven (7) days prior to the meeting at which it is to be considered. Amendment of the bylaws requires a two-thirds vote of the Board members. The Chairperson may designate a committee to review the bylaws, where appropriate.
- C. Official Copies. An official copy of these bylaws and any changes thereto shall be maintained in the City Clerk's office and shall be furnished to any other appropriate body.

APPROVED BY TRAFFIC SAFETY ADVISORY BOARD

APPROVED BY OAK RIDGE CITY COUNCIL

Mayor

Chairperson

Amended: _____

Adopted: _____

NUMBER _____

RESOLUTION

A RESOLUTION ADOPTING BYLAWS AND RULES AND PROCEDURES FOR THE TRAFFIC SAFETY ADVISORY BOARD.

WHEREAS, by Resolution 7-80-2021, City Council approved a standardized template for all boards and commissions to establish bylaws; and,

WHEREAS, by Resolution 7-81-2021, City Council approved a standardized template for all boards and commissions to establish rules and procedures; and,

WHEREAS, utilizing these templates, city staff created a new set of bylaws and created a new set of rules and procedures for the Traffic Safety Advisory Board; and,

WHEREAS, at its March 8, 2022 meeting, the board approved new Bylaws and new Rules and Procedures; and,

WHEREAS, the board's new Bylaws and new Rules and Procedures are ready for final adoption by City Council.

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

That the attached Bylaws and attached Rules and Procedures for the Traffic Safety Advisory Board are hereby adopted.

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

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

Last Amended: _____
Last Adopted: _____

**BYLAWS OF THE
TRAFFIC SAFETY ADVISORY BOARD
OAK RIDGE, TENNESSEE**

ARTICLE I - NAME

The name of this board shall be the "Traffic Safety Advisory Board," which, for convenience, shall hereafter be referred to as the "Board" in these bylaws.

ARTICLE II – PURPOSE AND GENERAL POWERS

A. Purpose.

The purpose of the Traffic Safety Advisory Board is to serve as an advisory body to City Council upon request on matters concerning traffic safety and review any traffic safety issue requiring Council approval. The purpose and general powers of the Board shall also encompass those purposes and powers specified in:

(1) Applicable sections of the Oak Ridge City Charter and the Oak Ridge Municipal Code, and any amendments and supplements thereto; and

(2) Regulations, rules, bylaws and policies adopted by the Oak Ridge City Council

B. Creation of the Board. The Board was created on a temporary basis by the Oak Ridge City Council through Resolution Number 8-112-85, and its existence was continued until further action of City Council by Resolution Number 11-149-88.

ARTICLE III – MEMBERS

A. Size. The Board shall consist of ten (10) voting members appointed by City Council, one (1) member of which shall be a high school student and one (1) member of which shall be nominated by the Oak Ridge Municipal Planning Commission from the membership of said commission.

B. Membership. Members must reside within the city limits of Oak Ridge. Pursuant to Article 13, Section 3(e), no active City employee may serve on a City Council appointed board, commission or committee unless they are serving as staff representatives without voting privileges.

C. Attendance Requirement

- (1) Expectation of Attendance. Members of the Board are expected to attend all scheduled meetings and are responsible for communicating their inability to attend in a timely fashion to the Chairperson and Staff Liaison along with a reason for the anticipated absence.
- (2) Attendance Record. The Secretary shall record the full names of those members present and absent in the minutes of each scheduled meeting and shall provide the City Clerk with a signed copy of the minutes upon their approval by the Board. The Secretary shall also maintain a separate attendance record, which shall be provided to the Chairperson of the Board and the City Clerk within seven (7) days after each meeting. If the Board has no Secretary, the person responsible for recording the minutes shall perform this function.
- (3) Absence from Meetings. When a member of the Board is absent from three (3) regularly-scheduled or regularly-called meetings during the Board term-year, which is a one-year period beginning on the date of term commencement, the Chairperson shall request that the member provide a written explanation of the absences. The Board shall determine whether to accept or reject the explanation by a majority vote. If the Board votes to accept the explanation, the absences shall be considered "excused" and will not accrue for purposes of removal from the Board. If the Board votes to reject the explanation, the absences will accrue for purposes of removal. If a member is absent from three (3) meetings and makes no efforts to comply with the Chairperson's request for an explanation, those absences will accrue for purposes of removal. Accrual of four (4) unexcused absences shall result in removal from the Board as outlined in Item (4).
- (4) Removal Due to Absences. When a member is absent from four (4) regularly-scheduled or regularly-called meetings during the Board's term-year, and consistent with the procedure set forth in Item (3), the member shall be notified that he/she has been removed from the Board by a vote of his/her peers. The Chairperson shall notify City Council of the vacancy by letter, and the City Clerk shall schedule an election to fill the vacancy in the customary manner.

D. Terms of office. All members will serve a three (3)-year term, with the exception of the high school student, who shall serve one (1) year. A member will serve until a successor is elected.

E. Oath of Office. Before assuming the duties of office, each member shall take the Oath or Affirmation of Office through the City Clerk's office.

F. Vacancies.

- (1) Automatic. Any member of the Board who shall move to a principal residence located outside the city limits of Oak Ridge shall be deemed to have automatically vacated the office.

- (2) Resignation. Any member desiring to resign from the Board shall promptly inform the Chairperson and the City Clerk in writing of his or her intention to resign. Such notice shall state the effective date of resignation and may also state any reason for said resignation. The City Clerk will communicate the resignation and the reason for resignation to the City Manager and City Council.
- (3) Removal from office. In addition to the circumstances outlined in Sections F(1) and F(2), a member can also be removed from office for cause by a majority vote of City Council or upon the recommendation of a majority of Board members.
- (4) Replacement. In the event of resignation, death, or removal from office, the vacancy will be filled by City Council at the next regularly scheduled election or as soon as possible if multiple vacancies are affecting the ability to have a quorum.

- G. Ethics. All members shall be subject to the provisions of the ethics policy of the City of Oak Ridge and applicable state ethics laws. Any Board member who has any conflict of interest in any matter or issue brought before the Board shall make such fact known to the Board prior to any vote by the Board on such issue. Sections 21-103 and 21-104 of the City Code provides additional guidance regarding disclosure of personal interest and recusal.

ARTICLE IV – OFFICERS

- A. Title/Number. The officers of the Board shall consist of a Chairperson, Vice Chairperson, Secretary, and such other officers as the Board may deem appropriate, who shall be elected by and from official members of the Board.
- B. Election. The election of officers shall be held at the annual meeting of the Board. A majority vote of members present shall be required to elect any officer.
- C. Term of Office. Officers of the Board shall serve for a period of one (1) year, or until the next annual meeting, or until such time as a replacement has been duly elected; provided, however, no officer shall be removed from office prior to the next following annual meeting after such officer's election, except by two-thirds vote of the official members of the Board. All officers shall be eligible for reelection for consecutive terms. The member appointed from the Oak Ridge Municipal Planning Commission shall be excluded from serving as an officer of the Board.
- D. Vacancies. In the event any elective office shall become vacant, the Board shall elect a successor at its next regular meeting, in the manner prescribed by Section B, above.

ARTICLE V – DUTIES OF OFFICERS

- A. Chairperson.

- (1) The Chairperson shall preside at all meetings and hearings of the Board, and shall perform such other functions as may be required by law, by these bylaws, and/or those ordinarily performed by a Chairperson, in accordance with parliamentary procedure as prescribed in the current edition of Robert's Rules of Order.
- (2) Except as otherwise provided by law or authorized by the Board, the Chairperson shall sign all communications from the Board to the City Manager and City Council.
- (3) The Chairperson shall ensure issuance to all new members of the Board the latest available revision of any current reports and documents necessary to fully inform such new member of the business presently before the Board.

B. Vice-Chairperson.

- (1) In the event of an absence of the Chairperson, the Vice- Chairperson shall perform the duties of the Chairperson. Should the Chairperson be unable to perform the duties of office due to disability, or disqualification, the Vice-Chairperson shall perform said duties until such time as a new Chairperson is elected.
- (2) In addition to the foregoing duties, the Vice-Chairperson shall also perform such other duties as may be designated by the Chairperson.

C. Secretary.

- (1) The Secretary shall prepare such certifications of records and transcripts as required by law or as the Board may direct.
- (2) The Secretary shall record minutes of all meetings of the Board and forward them to the staff liaison of the Board for formatting and placement in the agenda packet for the next meeting.
- (3) In the absence or disqualification of the Chairperson and Vice- Chairperson, the Secretary shall preside at the meetings of the Board.
- (4) The Secretary shall maintain attendance records and distribute them according to the provisions in Article III, Section C(2).

ARTICLE VI-STAFF LIAISON

- A. Duties. The staff liaison, appointed by the City Manager, or the City Manager's designee, shall assist the Chairperson in setting meetings; preparing the agenda and reports to the City Manager and City Council; and other support functions as needed. The staff liaison shall also ensure that the Board website within the respective

department be up to date at all times with agendas, minutes, and other relevant information. The staff liaison shall also perform the duties outlined in Article VII, Section (D)(6) below pertaining to giving proper notice of meetings.

ARTICLE VII – MEETINGS

- A. Meetings Open to the Public. All Board meetings shall be open to the public, and citizens shall have a reasonable opportunity to be heard.
- B. Type/Number. The meetings of the Board shall consist of a regular annual meeting and other regular meetings held each year, together with such special meetings as may be deemed appropriate and called pursuant to these bylaws.
- C. Method of Calling.
 - (1) Regular Meeting. No formal call of a regular meeting shall be necessary, except for the notice of meeting provided for in Section D, below.
 - (2) Special Meeting. A special meeting shall be called at such time as may be deemed expedient by the Chairperson or any two members of the Board upon written request to the Chairperson or by approval of a majority of the members present at any meeting. The notice of a special meeting shall be as provided for in Section D, below. Special meetings are only for the purpose specified and no other item may be voted on at a special meeting that is not explicitly specified when calling a special meeting.
- D. Notice.
 - (1) Regular Meetings. Notices of regular meetings shall be delivered to each member of the Board at least forty-eight (48) hours prior to the meeting.
 - (2) Special Meetings. The notice of a special meeting for matters shall be delivered to each member of the Board at least twenty-four (24) hours prior to the meeting.
 - (3) Cancellation of Meetings. Whenever there is no business before the Board, the Chairperson may dispense with a Regular Meeting by giving notice to all members not less than forty-eight (48) hours prior to the time set for the meeting. The staff liaison shall also ensure that the City Clerk is notified of the cancelled meeting so that the City Calendar can be updated. When unforeseen or emergency circumstances arise, the Chairperson may cancel meetings with less than forty-eight (48) hours' notice. Cancellation of a meeting due to quorum issues or weather would necessitate a special meeting to be called at a later date.

- (5) Adjourned Meetings. Should the Board not complete the business before it, the Chairperson may adjourn the meeting and schedule a continuation of the same meeting until the agenda has been completed. However, the adjourned meeting must meet the same notice requirements as a Special Meeting.
- (6) Proper Notice. The staff liaison shall be responsible for ensuring compliance with the Tennessee Open Meetings Act and for notifying members and the public reasonably prior to the date and time of each meeting. The staff liaison is required to comply with guidelines pertaining to matters of public notice and scheduling as provided by the City Clerk and shall notify the City Clerk of meetings as soon as possible so that the City Calendar can be updated.

E. Agenda.

- (1) Order of Business. The order of business of all regular meetings shall be as follows:

- 1. Call to Order
- 2. Roll Call
- 3. Approval of Order of Agenda
- 4. Approval of Minutes
- 5. Officers' Reports
- 6. Committee Reports
- 7. Unfinished Business
- 8. New Business
- 9. Appearance of Citizens (Non-agenda items)
- 10. Announcements
- 11. Adjournment

An agenda section for "Presentations" is optional and may be added to the agenda as needed. Each agenda item to be discussed shall be listed under the appropriate heading on the published agenda, unless the item is brought up according to appropriate parliamentary rules during the meeting.

ARTICLE VIII-QUORUM AND VOTING PROCEDURES

- A. Quorum. A majority of members of the Board shall constitute a quorum for the purpose of transacting all business. The Chairperson shall acknowledge the presence of a quorum and call the meeting to order at the time designated in the notice of the meeting, or upon the arrival of a sufficient number of members to constitute a quorum if that occurs later. If, during the course of any meeting, any member desires to leave, either temporarily or permanently, that member shall announce such intention to the Chairperson. If at any time it shall appear that there are not sufficient members present to constitute a quorum, the Chairperson shall so announce and declare the meeting recessed or adjourned until a quorum is present. There shall be no substantive discussion of agenda items other than procedural matters if a quorum is not present.

- B. Voting. All votes shall be decided by a majority of those present and voting unless otherwise stipulated by the most recent edition of Robert's Rules of Order. A list of members and any votes taken shall accompany all Board recommendations. If a conflict of interest is claimed, the members claiming such a conflict shall state the conflict for the record. No proxy voting is permitted.

ARTICLE IX – SPECIAL PROVISIONS

- A. Powers. The Board is authorized to make specific recommendations on any traffic safety question and on traffic safety issues referred to it by the City Council, City Manager, Municipal Planning Commission or other bodies.
- B. Annual Report to City Council. The Board shall annually prepare a written report of its activities and recommendations and a recommended program of work for the ensuing year for submission to City Council by November 30th of each year. The Board shall issue reports and findings on all traffic safety issues and proposals to carry out this program.

ARTICLE X-PARLIAMENTARY AUTHORITY

- A. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules the Board may adopt, or any rules approved by City Council governing the operation of the Board.

ARTICLE XI – BYLAWS

- A. Date of Approval. These bylaws and any amendments thereto shall take effect upon their approval by the City Council, as provided in Article III, Section 6, of the City Charter.
- B. Amendments. Amendments to these bylaws may be considered at any regular or special meeting of the Board, provided that any proposed amendment shall have been provided to the Board members at least seven (7) days prior to the meeting at which it is to be considered. Amendment of the bylaws requires a two-thirds vote of the Board members. The Chairperson may designate a committee to review the bylaws, where appropriate.
- C. Official Copies. An official copy of these bylaws and any changes thereto shall be maintained in the City Clerk's office and shall be furnished to any other appropriate body.

APPROVED BY TRAFFIC SAFETY ADVISORY BOARD

APPROVED BY OAK RIDGE CITY COUNCIL

Mayor

Chairperson

Amended: _____

Adopted: _____

**RULES AND PROCEDURES
OF THE
TRAFFIC SAFETY ADVISORY BOARD
OAK RIDGE, TENNESSEE**

I. Meetings

- A. Meeting Procedure. All regular meetings will follow the order of the agenda listed in Article VII, Section E of the Board bylaws. At special meetings, the Board shall transact only such business as that designated in the previously posted meeting agenda.
- B. Right to Speak.
 - (1) Members. The Chairperson shall recognize the right of Board members to speak before the body. A Board member shall initiate his/her right to speak by seeking recognition from the Chairperson.
 - (2) Members of the Public. The Chairperson shall recognize a citizen's opportunity to comment on items that are under consideration by the Board as part of the formal agenda.
- C. Time and Place of Meetings. An annual meeting shall be held within the first week following the election of Board members by City Council, or at such time and place as may be designated by the Chairperson. Regular meetings shall likewise be held on the second Tuesday of each month, or at such other time and place as may be designated by the Chairperson. Special meetings shall be held at the time and place designated by the notice of meeting. The Board may decide to reschedule a single meeting without the change having to be approved by City Council, but permanently changing the scheduled meeting dates would require City Council approval. The Board shall decide to reschedule a meeting either at a prior meeting or soon enough so that proper notice can be given of the meeting date change.

II. Agenda

- A. Preparation. The agenda for meetings shall be prepared by the staff liaison from items suggested by members of the Board, City Manager, City Council, or City Staff. If individuals or groups from the general public have suggested items that would require Board action, they shall coordinate with City staff regarding placement on a meeting agenda. Any items which require technical review by staff shall have been submitted in a timeframe in which complete review can be conducted by staff.
- B. Contents. The agenda of a regular meeting shall contain only such items that have been received by a deadline set forth by City staff for timely agenda publication.

- C. Copies. All members shall be furnished a copy of the agenda and as much supporting material as practical prior to any meeting, which material shall be sent to members with the meeting notice referenced in Article VII, Section D of the Board's bylaws.
- D. Publication on website. The entire agenda packet shall be published on the Board's City webpage at least forty-eight (48) hours before a regular meeting and twenty-four (24) hours before a special-called meeting.

III. Public Comment

- A. Public Comment During Regular Meetings. Any person speaking to the Board shall be asked to provide their name and address. Speakers shall address all comments to the Board members and not to other members of the audience. Any individual who wishes to speak for or against an agenda item shall have three (3) minutes to address the Board. This may be extended at the discretion of the Chairperson.
- B. Appearance of Citizens. During the "Appearance of Citizens" section of the meeting agenda pertaining to non-agenda items, the speaker must state their name and address. Speakers shall address all comments to the Board and not to other members of the audience. Speakers shall have (3) minutes to address the Board. This may be extended at the discretion of the Chairperson.

IV. Voting

- A. Number. Each official member of the Board present shall be entitled to cast one (1) vote.
- B. Required Majority. The decisions of the Board shall be by majority vote of the members present and voting, with a quorum being present. In the event of the member's abstention based on a conflict of interest or other disqualification, the abstention shall count as if that member were absent and the number of persons necessary for a majority shall be reduced accordingly without affecting the quorum.
- C. Method. Except for the election of officers, the Chairperson shall call for a voice vote of "Aye" and "Nay" upon each matter voted upon. Should all voice votes be either "Aye" or "Nay," such vote shall be deemed a unanimous vote of all members present; provided, however, any member present may request that the minutes show he or she abstained from voting. In the event both "Aye" and "Nay" votes are cast via voice, the Chairperson shall then direct roll call vote or show of hands.
- D. Recording. The Chairperson shall announce the results of all votes and shall direct that the results be recorded in the official minutes of the Board.

V. Motions

- A. The Board adheres to the current edition of Robert's Rules of Order except for any rules as approved by City Council:

VI. Special Provisions

- A. Advisory Actions of the Board. The Board may provide constructive guidance or suggestions for other action in order to achieve a positive result on an issue under consideration.

VII. Records

- A. A file of all materials and decisions of the Board shall be kept by the Public Works Department as part of the official records of the Board.
- B. All records of the Board shall be public records, with exceptions as provided for by state law.

VIII. Amendments to Rules

- A. These Rules and Procedures may be amended by a majority vote of the members at any Board meeting and shall become effective after approval by City Council.

Adopted: _____ Resolution No. _____ Effective: _____

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Beth Hickman , City Clerk

SUBJECT: Approval of Bylaws and Rules and Procedures for the Youth Advisory Board

SUPPORTING DEPARTMENT: Recreation and Parks

Introduction

An item for City Council's consideration is a resolution to approve the Bylaws and the Rules and Procedures for the Youth Advisory Board.

Funding

No funding is associated with this item.

Background

At the July 12, 2021 meeting, City Council approved two resolutions to establish consistency in operations among the various city boards and commissions. Resolution 7-80-2021 approved a standardized template for all boards and commissions to establish Bylaws. Resolution 7-81-2021 approved a standardized template for all boards and commissions to establish Rules and Procedures.

The Youth Advisory Board's existing bylaws were reviewed, and language from the existing bylaws was incorporated into the template. The Board did not have a separate rules document; therefore, the template was used to create the Rules and Procedures for the Board. The proposed Bylaws and Rules and Procedures documents are attached with no changes recommended by the Board.

At the February 2, 2022 meeting, the Board unanimously approved the updated Bylaws and the Rules and Procedures. These documents are being brought to City Council for final adoption. The new Bylaws and Rules and Procedures will become effective upon City Council's approval.

Recommendation

Approval of the attached resolution is recommended.

Attachments:

[Resolution - YAB Rules Bylaws.docx](#)

[Youth Advisory Board Bylaws.pdf](#)

[YAB Rules and Procedures.pdf](#)

NUMBER _____

RESOLUTION

A RESOLUTION ADOPTING BYLAWS AND RULES AND PROCEDURES FOR THE YOUTH ADVISORY BOARD.

WHEREAS, by Resolution 7-80-2021, City Council approved a standardized template for all boards and commissions to establish bylaws; and,

WHEREAS, by Resolution 7-81-2021, City Council approved a standardized template for all boards and commissions to establish rules and procedures; and,

WHEREAS, utilizing these templates, city staff revised the board's bylaws and created a new set of rules and procedures for the Youth Advisory Board; and,

WHEREAS, at its February 2, 2022 meeting, the board approved new Bylaws and new Rules and Procedures; and,

WHEREAS, the board's new Bylaws and new Rules and Procedures are ready for final adoption by City Council.

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

That the attached Bylaws and attached Rules and Procedures for the Youth Advisory Board are hereby adopted.

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

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

Last Amended: _____
Last Adopted: _____

**BYLAWS OF THE
YOUTH ADVISORY BOARD
OAK RIDGE, TENNESSEE**

ARTICLE I - NAME

The name of this board shall be the Youth Advisory Board (YAB) which, for convenience, shall hereafter be referred to as the Board in these bylaws.

ARTICLE II – PURPOSE AND GENERAL POWERS

A. **Purpose.**

The purpose of the Board is to serve as a liaison between City Council and the youth of the community on issues affecting youth and to encourage the positive growth and development of youth by involving them in social, cultural, recreational, and other drug- and alcohol-free activities. The purpose and general powers of the Board shall also encompass those purposes and powers specified in:

- (1) Applicable sections of the Oak Ridge City Charter and the Oak Ridge Municipal Code, and any amendments and supplements thereto; and
- (2) Regulations, rules, bylaws and policies adopted by the Oak Ridge City Council

- B. **Creation of the Board.** The Board has been created by the Oak Ridge City Council by Resolution No. 12-159-91, and was recreated by Resolution No. 6-54-08 to better clarify the Board's purpose, function and procedure for selection of its members.

ARTICLE III – MEMBERS

- A. **Size.** The Board shall consist of sixteen (16) voting members appointed by the Oak Ridge City Council upon recommendation by a 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.

- B. Membership. Members shall be students in the eighth through twelfth grade levels and residents of the City of Oak Ridge. Pursuant to Article 13, Section 3(e), no active City employee may serve on a City Council appointed board, commission or committee unless they are serving as staff representatives without voting privileges.
- C. Attendance Requirement
- (1) Expectation of Attendance. Members of the Board are expected to attend all scheduled meetings and are responsible for communicating their inability to attend in a timely fashion to the Chairperson and Staff Liaison along with a reason for the anticipated absence.
 - (2) Attendance Record. The Secretary shall record the full names of those members present and absent in the minutes of each scheduled meeting and shall provide the City Clerk with a signed copy of the minutes upon their approval by the Board. The Secretary shall also maintain a separate attendance record, which shall be provided to the Chairperson of the Board and the City Clerk within seven (7) days after each meeting. If the Board has no Secretary, the person responsible for recording the minutes shall perform this function.
 - (3) Absence from Meetings. When a member of the Board is absent from three (3) regularly-scheduled or regularly-called meetings during the Board's term-year, which is a one-year period beginning on the date of term commencement, the Chairperson shall request that the member provide a written explanation of the absences. The Board shall determine whether to accept or reject the explanation by a majority vote. If the Board votes to accept the explanation, the absences shall be considered "excused" and will not accrue for purposes of removal from the Board. If the Board votes to reject the explanation, the absences will accrue for purposes of removal. If a member is absent from three (3) meetings and makes no efforts to comply with the Chairperson's request for an explanation, those absences will accrue for purposes of removal. Accrual of four (4) unexcused absences shall result in removal from the Board as outlined in Item (3).
 - (4) Removal Due to Absences. When a member is absent from four (4) regularly-scheduled or regularly-called meetings during the Board term-year, and consistent with the procedure set forth in Item (3), the member shall be notified that he/she has been removed from the Board by a vote of his/her peers. The Chairperson shall notify City Council of the vacancy by letter, and the City

Clerk shall schedule an election to fill the vacancy in the customary manner.

- D. Terms of office. All members shall serve a one-year term of office commencing August 1 and ending July 31 of the following year. A member will serve until a successor is elected.
- E. Oath of Office. Before assuming the duties of office, each member shall take the Oath or Affirmation of Office through the City Clerk's office.
- F. Vacancies.
 - (1) Automatic. Any member of the Board who shall move to a principal residence located outside the city limits of Oak Ridge shall be deemed to have automatically vacated the office.
 - (2) Resignation. Any member desiring to resign from the Board shall promptly inform the Chairperson and the City Clerk in writing of his or her intention to resign. Such notice shall state the effective date of resignation and may also state any reason for said resignation. The City Clerk will communicate the resignation and the reason for resignation to the City Manager and City Council.
 - (3) Removal from office. In addition to the circumstances outlined in Sections F(1) and F(2), a member can also be removed from office for cause by a majority vote of City Council or upon the recommendation of a majority of Board members.
 - (4) Replacement. In the event of resignation, death, or removal from office, the Screening Panel shall recommend a replacement for consideration of appointment by City Council at the next regularly scheduled election or as soon as possible if multiple vacancies are affecting the ability to have a quorum.
- . G. Ethics. All members shall be subject to the provisions of the ethics policy of the City of Oak Ridge and applicable state ethics laws. Any Board member who has any conflict of interest in any matter or issue brought before the Board shall make such fact known to the Board prior to any vote by the Board on such issue. Sections 21-103 and 21-104 of the City Code provides additional guidance regarding disclosure of personal interest and recusal.

ARTICLE IV – OFFICERS

- A. Title; Number. The officers of the Board shall consist of a Chairperson, | Vice Chairperson, Secretary, and Treasurer, who shall be elected by and from official members of the Board.
- B. Election. The election of officers shall be held at the annual meeting of the Board. A majority vote of members present shall be required to elect any officer.
- C. Term of Office. Officers of the Board shall serve for a period of one (1) year, or until the next annual meeting, or until such time as a replacement has been duly elected; provided, however, no officer shall be removed from office prior to the next following annual meeting after such officer's election, except by two-thirds vote of the official members of the Board. All officers shall be eligible for reelection for consecutive terms.
- D. Vacancies. In the event any elective office shall become vacant, the Board shall elect a successor at its next regular meeting, in the manner prescribed by Section B, above.

ARTICLE V – DUTIES OF OFFICERS

- A. Chairperson.
 - (1) The Chairperson shall preside at all meetings of the Board, and shall perform such other functions as may be required by law, by these bylaws, and/or those ordinarily performed by a Chairperson, in accordance with parliamentary procedure as prescribed in the current edition of Robert's Rules of Order.
 - (2) Except as otherwise provided by law or authorized by the Board, the Chairperson shall sign all communications from the Board to the City Manager and City Council.
 - (3) The Chairperson shall ensure issuance to all new members of the Board the latest available revision of any current reports and documents necessary to fully inform such new member of the business presently before the Board.

B. Vice-Chairperson.

- (1) In the event of a vacancy or absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson until a new Chairperson is duly elected. Should the Chairperson be unable to perform the duties of office due to disability, absence, or disqualification, the Vice-Chairperson shall perform said duties until such time as they may be performed by the Chairperson or a new Chairperson is elected.
- (2) In addition to the foregoing duties, the Vice-Chairperson shall also perform such other duties as may be designated by the Chairperson.

C. Secretary.

- (1) The Secretary shall prepare such certifications of records and transcripts as required by law or as the Board may direct.
- (2) The Secretary shall record minutes of all meetings of the Board and forward them to the staff liaison of the Board for formatting and placement in the agenda packet for the next meeting.
- (3) In the absence or disqualification of the Chairperson and Vice-Chairperson, the Secretary shall preside at the meetings of the Board.
- (4) The Secretary shall maintain attendance records and distribute them according to the provisions in Article III, Section C(2).

D. Treasurer.

- (1) The Treasurer shall be responsible for reviewing the records of all financial transactions of the Board.
- (2) The Treasurer shall process, collect, and remit all fees and charges and deposit all funds with the City of Oak Ridge.
- (3) The Treasurer shall report on the financial condition of the Board.
- (4) The Treasurer shall perform other such duties as may be assigned.

ARTICLE VI-STAFF LIAISON

- A. Duties. The staff liaison, appointed by the City Manager, or the City Manager's designee, shall assist the Chairperson in setting meetings; preparing the agenda

and reports to the City Manager and City Council; and other support functions as needed. The staff liaison shall also ensure that the Board website within the respective department be up to date at all times with agendas, minutes, and other relevant information. The staff liaison shall also perform the duties outlined in Article VII, Section (D)(6) below pertaining to giving proper notice of meetings.

ARTICLE VII – MEETINGS

- A. Meetings Open to the Public. All Board meetings shall be open to the public, and citizens shall have a reasonable opportunity to be heard.
- B. Type; Number. The meetings of the Board shall consist of a regular annual meeting and other regular meetings held twice each month except for the months of June, July, and December, together with such special meetings as may be deemed appropriate and called pursuant to these bylaws. One meeting will be held in the month of December.
- C. Method of Calling.
 - (1) Regular Meeting. No formal call of a regular meeting shall be necessary, except for the notice of meeting provided for in Section D, below.
 - (2) Special Meeting. A special meeting shall be called at such time as may be deemed expedient by the Chairperson or at least three (3) members of the Board upon written request to the Chairperson or by approval of a majority of the members present at any meeting. The notice of a special meeting shall be as provided for in Section D, below. Special meetings are only for the purpose specified and no other item may be voted on at a special meeting that is not explicitly specified when calling a special meeting.
- D. Notice.
 - (1) Regular Meetings. Notices of regular meetings shall be delivered to each member of the Board at least forty-eight (48) hours prior to the meeting.
 - (2) Special Meetings. The notice of a special meeting for matters shall be delivered to each member of the Board at least twenty-four (24) hours prior to the meeting.
 - (3) Cancellation of Meetings. Whenever there is no business before the Board, the Chairperson may dispense with a Regular Meeting by giving notice to all members not less than forty-eight (48) hours prior to the time

set for the meeting. The staff liaison shall also ensure that the City Clerk is notified of the cancelled meeting so that the City Calendar can be updated. When unforeseen or emergency circumstances arise, the Chairperson may cancel meetings with less than forty-eight (48) hours' notice. Cancellation of a meeting due to quorum issues or weather would necessitate a special meeting to be called at a later date.

- (5) Adjourned Meetings. Should the Board not complete the business before it, the Chairperson may adjourn the meeting and schedule a continuation of the same meeting until the agenda has been completed. However, the adjourned meeting must meet the same notice requirements as a Special Meeting.
- (6) Proper Notice. The staff liaison shall be responsible for ensuring compliance with the Tennessee Open Meetings Act and for notifying members and the public reasonably prior to the date and time of each meeting. The staff liaison is required to comply with guidelines pertaining to matters of public notice and scheduling as provided by the City Clerk and shall notify the City Clerk of meetings as soon as possible so that the City Calendar can be updated.

E. Agenda.

- (1) Order of Business. The order of business of all regular meetings shall be as follows:
 - 1. Call to Order
 - 2. Roll Call
 - 3. Approval of Order of Agenda (if applicable)
 - 4. Approval of Minutes
 - 5. Officers' Reports
 - 6. Committee Reports
 - 7. Unfinished Business
 - 8. New Business
 - 9. Appearance of Citizens (Non-agenda items)
 - 10. Announcements
 - 11. Adjournment

An agenda section for "Presentations" is optional and may be added to the agenda as needed. Each agenda item to be discussed shall be listed under the appropriate heading on the published agenda, unless the item is brought up according to appropriate parliamentary rules during the meeting.

ARTICLE VIII-QUORUM AND VOTING PROCEDURES

- A. Quorum. A majority of members of the Board shall constitute a quorum for the purpose of transacting all business. The Chairperson shall acknowledge the presence of a quorum and call the meeting to order at the time designated in the notice of the meeting, or upon the arrival of a sufficient number of members to constitute a quorum if that occurs later. If, during the course of any meeting, any member desires to leave, either temporarily or permanently, that member shall announce such intention to the Chairperson. If at any time it shall appear that there are not sufficient members present to constitute a quorum, the Chairperson shall so announce and declare the meeting recessed or adjourned until a quorum is present. There shall be no substantive discussion of agenda items other than procedural matters if a quorum is not present.
- B. Voting. All votes shall be decided by a majority of those present and voting unless otherwise stipulated by the most recent edition of Robert's Rules of Order. A list of members and any votes taken shall accompany all Board recommendations. If a conflict of interest is claimed, the members claiming such a conflict shall state the conflict for the record. No proxy voting is permitted.

ARTICLE IX – SPECIAL PROVISIONS

- A. Meeting Schedule. The Board will follow the Oak Ridge School System schedule. For example, if school is canceled due to weather conditions, and a Board meeting is scheduled that day, the meeting will also be canceled and rescheduled. If a regular meeting is scheduled on a given school holiday, it will also be rescheduled to a later date.
- B. Reports to City Council. By September 30th of each year, the Board shall submit to City Council an annual plan of work for its ensuing term. The Board shall also submit a written report of its activities to City Council by July 1st.

ARTICLE X-PARLIAMENTARY AUTHORITY

- A. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules the Board may adopt, or any rules approved by City Council governing the operation of the Board.

ARTICLE XI – BYLAWS

- A. Date of Approval. These bylaws and any amendments thereto shall take effect upon their approval by the City Council, as provided in Article III, Section 6, of the City Charter.
- B. Amendments. Amendments to these bylaws may be considered at any regular or special meeting of the Board, provided that any proposed amendment shall have been provided to the Board members at least seven (7) days prior to the meeting at which it is to be considered. Amendment of the bylaws requires a two-thirds vote of the Board members. The Chairperson may designate a committee to review the bylaws, where appropriate.
- C. Official Copies. An official copy of these bylaws and any changes thereto shall be maintained in the City Clerk's office and shall be furnished to any other appropriate body.

APPROVED BY YOUTH ADVISORY BOARD

Chairperson

APPROVED BY OAK RIDGE CITY COUNCIL

Mayor

Amended: _____

Adopted: _____

**RULES AND PROCEDURES
OF THE
YOUTH ADVISORY BOARD
OAK RIDGE, TENNESSEE**

I. Meetings

- A. Meeting Procedure. All regular meetings will follow the order of the agenda listed in Article VII, Section E of the Board bylaws. At special meetings, the Board shall transact only such business as that designated in the previously posted meeting agenda.
- B. Right to Speak.
 - (1) Members. The Chairperson shall recognize the right of Board members to speak before the body. A Board member shall initiate his/her right to speak by seeking recognition from the Chairperson.
 - (2) Members of the Public. The Chairperson shall recognize a citizen's opportunity to comment on items that are under consideration by the Board as part of the formal agenda.
- C. Time and Place of Meetings. An annual meeting shall be held on the first Wednesday of August, or at such time and place as may be designated by the Chairperson. Regular meetings shall likewise be held on the first and third Wednesdays in the Civic Center Social Room, or at such other time and place as may be designated by the Chairperson. Special meetings shall be held at the time and place designated by the notice of meeting. The Board may decide to reschedule a single meeting without the change having to be approved by City Council, but permanently changing the scheduled meeting dates would require City Council approval. The Board shall decide to reschedule a meeting either at a prior meeting or soon enough so that proper notice can be given of the meeting date change.

II. Agenda

- A. Preparation. The agenda for meetings shall be prepared by the staff liaison from items suggested by members of the Board, City Manager, City Council, or City Staff. If individuals or groups from the general public have suggested items that would require Board action, they shall coordinate with City staff regarding placement on a meeting agenda. Any items which require technical review by staff shall have been submitted in a timeframe in which complete review can be conducted by staff.
- B. Contents. The agenda of a regular meeting shall contain only such items that have been received by a deadline set forth by City staff for timely

agenda publication.

- C. Copies. All members shall be furnished a copy of the agenda and as much supporting material as practical prior to any meeting, which material shall be sent to members with the meeting notice referenced in Article VII, Section D of the Board's bylaws.
- D. Publication on website. The entire agenda packet shall be published on the Board's City webpage at least forty-eight (48) hours before a regular meeting and twenty-four (24) hours before a special-called meeting.

III. Public Comment

- A. Public Comment During Regular Meetings. Any person speaking to the Board shall be asked to provide their name and address. Speakers shall address all comments to the Board members and not to other members of the audience. The following time limits for speakers shall be observed:
 - (1) The petitioner or a representative shall speak for no more than ten(10) minutes. This may be extended at the discretion of the Chairperson. (This may not apply to all Boards.)
 - (2) Any individual who wishes to speak for or against an agenda item shall have three (3) minutes to address the Board. This may be extended at the discretion of the Chairperson.
- B. Appearance of Citizens. During the "Appearance of Citizens" section of the meeting agenda pertaining to non-agenda items, the speaker must state their name and address. Speakers shall address all comments to the Board and not to other members of the audience. Speakers shall have (3) minutes to address the Board. This may be extended at the discretion of the Chairperson.

IV. Voting

- A. Number. Each official member of the Board present shall be entitled to cast one (1) vote
- B. Required Majority. The decisions of the Board shall be by majority vote of the members present and voting, with a quorum being present. In the event of the member's abstention based on a conflict of interest or other disqualification, the abstention shall count as if that member were absent and the number of persons necessary for a majority shall be reduced accordingly without affecting the quorum.
- C. Method. Except for the election of officers, the Chairperson shall call for a voice vote of "Aye" and "Nay" upon each matter voted upon. Should all voice votes be either "Aye" or "Nay," such vote shall be deemed a unanimous vote of all

members present; provided, however, any member present may request that the minutes show he or she abstained from voting. In the event both "Aye" and "Nay" votes are cast via voice, the Chairperson shall then direct roll call vote or show of hands.

- D. Recording. The Chairperson shall announce the results of all votes and shall direct that the results be recorded in the official minutes of the Board.

V. Motions

- A. The Board adheres to the current edition of Robert's Rules of Order unless otherwise specified in the Board bylaws.

VI. Special Provisions

- A. Advisory Actions of the Board. The Board may provide constructive guidance or suggestions for other action in order to achieve a positive result on an issue under consideration.
- B. Other Approved Board Activities. In the performance of its function, the Board is authorized to enter into agreements with entertainers, concessionaires, and other third parties as may deemed desirable by the Board within available funds and in accordance with applicable State and City laws and procedures.
- C. Participation. All community and area youth are eligible to participate in activities arranged or organized by the Board, subject to the rules and regulations established by the Board for such activities.

VII. Records

- A. A file of all materials and decisions of the Board shall be kept by the Recreation and Parks Department as part of the official records of the Board.
- B. All records of the Board shall be public records, with exceptions as provided for by state law.

VIII. Amendments to Rules

- A. These Rules and Procedures may be amended by a majority vote of the members at any Board meeting and shall become effective after approval by City Council.

Adopted: _____ Resolution No. _____ Effective: _____

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Patrick Berge , Public Works Director

SUBJECT: General Services Contract with Jacobs Engineering

Introduction

An item for City Council's consideration is a general services agreement with Jacobs Engineering (Knoxville, TN) for services associated with the water system in an amount not exceed \$60,000.

Funding

Funding is available from the Waterworks Fund.

Background

The City has contracted with Jacobs Engineering for design and construction administration services associated with a new water plant. As part of this process Jacobs Engineering has provided a cost estimate in 2019 in anticipation of bidding early the following year. This was delayed and the cost estimate will need to be revised prior to agreement to the final loan with TDEC. A portion of the general services contract will be used to perform the update to these cost estimates. The additional cost for this service is not to exceed \$34,000.

The City is in the process of deploying Automated Meter Infrastructure for the electric and water systems. As part of this deployment Public Works has the opportunity to integrate the capabilities of the AMI system with the new water plant SCADA and take advantage of increased data access. This would include pressure monitoring throughout the system to better isolate breaks and leaks, and reduce water loss, the ability to remote read real time data at tanks and reservoirs, and the ability to better manage water production at the plant. This integration can best be handled in coordination with Jacobs Engineering due to their already being the primary design consultant for the plant. Jacobs will provide expertise in the deployment of pressure monitoring and the selection of additional equipment utilized in the water AMI system. The additional cost for this service is not to exceed \$26,000.

Recommendation

Staff have reviewed this professional services agreement and recommend approval.

Attachments:

[Oak Ridge General Services Tasks 1 and 2 Scope and Fee.pdf](#)

[Resolution - Jacobs Engineering.docx](#)

City of Oak Ridge
General Services
March 2022

Task 1 – Update New WTP Opinion of Probable Construction Cost

Scope of Services

In preparation for Bidding the new WTP project, Jacobs will update the project's Opinion of Probable Construction Cost. Jacobs will update the 90% Documents Opinion of Probable Construction Cost (October 2020) provided at the completion of the final design phase. The estimate will be updated with current pricing for equipment, materials, and installation to provide a benchmark on the expected project cost and provide an opportunity for review of project scope to ensure compliance with the project's funding limitations. Estimate will be a Definitive Level estimate (Class 2 – AACE) with an accuracy of +15%/-15%.

Schedule

Engineer proposes to provide the services necessary to complete the work in a timely manner. The proposed schedule is based on the orderly and continuous progression of the work through completion. In the event that issues arise beyond the Engineer's control, the proposed schedule shall be adjusted accordingly, and any scope impacts will be communicated and coordinated to the owner. The anticipated schedule of events is listed below:

	Estimated Time
Update Project Opinion of Probable Construction Cost	30 Days

Task 2 – Water and Sewer Technical Services and Assistance

Scope of Services

The work consists of providing technical and regulatory assistance and preliminary engineering when requested by the City in response to needs as they arise during the City's fiscal year. Assistance may consist of technical assistance including but not limited to proposed developments or extensions to the City's water or wastewater system, AMI or SCADA assistance, regulatory assistance, financial and planning assistance, attendance at meetings, water or wastewater treatment system operations assistance, short and long-term planning and assistance with other items as needed by the City.

Schedule

Engineer proposes to provide the services necessary to complete the work in a timely manner. The proposed schedule is based on the orderly and continuous progression of the work through completion. In the event that issues arise beyond the Engineer's control, the proposed schedule shall be adjusted accordingly, and any scope impacts will be communicated and coordinated to the Owner.

Compensation

For the services described in the Scope of Services, the Client agrees to pay the Engineer monthly, on a time and materials basis. Payment for services will be based on Engineer's Standard Hourly Rates provided in Exhibit B.

Task 1 - Update WTP Opinion of Probable Construction Cost	\$34,000
Task 2 - Water and Wastewater System Technical Assistance	\$26,000
	<u>Total: \$60,000</u>

Assumptions / Basis of Fee

- Any cost estimates provided by Consultant will be on a basis of experience and judgment. Since Consultant has no control over market conditions or bidding procedures, Consultant does not warrant that bids or ultimate construction costs will not vary from these cost estimates.
- Jacobs will reasonably rely upon the accuracy, and completeness of the information/data provided by the Client or other third parties.
- Any investigation, or remediation of possible hazardous waste, asbestos, lead paint or other types of contamination are excluded.
- Should the Client require additional services beyond the Scope of Services defined in Exhibit A, the Engineer will provide the extra services and invoice Client according to the Time & Materials provisions established herein.

Exhibit B – Hourly Bill Rates

City of Oak Ridge
General Services
March 2022

Employee Classifications	2022
Principal Manager / Subject Matter Expert - 5	\$299
Technologist / Subject Matter Expert - 4	\$275
Technologist / Subject Matter Expert - 3	\$250
Technologist / Subject Matter Expert - 2	\$225
Technologist / Subject Matter Expert - 1	\$205
Project Manager / Design Manager / Construction Manager - 4	\$200
Project Manager / Design Manager / Construction Manager - 3	\$190
Project Manager / Design Manager / Construction Manager - 2	\$180
Project Manager / Design Manager / Construction Manager - 1	\$160
Engineer / Consultant- 6	\$195
Engineer / Consultant- 5	\$180
Engineer / Consultant- 4	\$165
Engineer / Consultant- 3	\$145
Engineer / Consultant- 2	\$125
Engineer / Consultant- 1	\$105
Engineer / Consultant- 0	\$87
Designer / RPR - 5	\$145
Designer / RPR - 4	\$130
Designer / RPR - 3	\$115
Designer / RPR - 2	\$105
Designer / RPR - 1	\$95
Designer / RPR - 0	\$85
Project Coordinator / Admin Staff -2	\$105
Admin Staff - 1	\$90
Admin Staff - 0	\$70

- 1) Mileage will be billed at IRS Rate
- 2) Listed bill rates are adjusted annually (beginning January 1 each calendar year)

RESOLUTION

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH JACOBS ENGINEERING GROUP, INC., OAK RIDGE, TENNESSEE, FOR SERVICES ASSOCIATED WITH THE WATER SYSTEM IN AN AMOUNT NOT TO EXCEED \$60,000.00.

WHEREAS, through Resolution 4-32-2019, City Council authorized a professional services agreement with Jacobs Engineering Group, Inc., for the design of the new water treatment plant; and,

WHEREAS, the cost estimate for the water plant construction requires an update as the previous costs were based on bidding in early 2020; and,

WHEREAS, the additional cost for this service is an amount not to exceed \$34,000.00; and,

WHEREAS, in addition to this service, the City desires for Jacobs Engineering Group, Inc., to provide

WHEREAS, the City is in the process of deploying the Automated Meter Infrastructure (AMI) project for electric and water systems, and, at this stage of the water treatment plant design, the City has an opportunity to integrate the AMI capabilities with the new water plant SCADA and take advantage of increased data access; and,

WHEREAS, AMI integration provides overall better system monitoring through reduced water loss, the ability to read real-time data at tanks and reservoirs remotely, and more efficiently manage water production; and,

WHEREAS, the cost for this additional service is an amount not to exceed \$26,000.00; and,

WHEREAS, the City Manager recommends approval of a professional services agreement with Jacobs Engineering Group, Inc., for these services.

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

That the recommendation of the City Manager is approved, and a Professional Services Agreement with Jacobs Engineering Group, Inc., 125 Broadway Avenue, Oak Ridge, Tennessee 37830, for cost estimate updates and AMI integration at the new water treatment plant is hereby approved in an amount not to exceed \$60,000.00.

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

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Roger Flynn , Public Works City Engineer

SUBJECT: Grant Contract Amendment for Time Extension

SUPPORTING DEPARTMENT: -None-

Introduction

An item for City Council's consideration is the recommendation to amend grant contract 160097 with the Tennessee Department of Transportation (TDOT) providing funding for the SR-95 & SR-62 Multimodal Access Project. The purpose of the amendment is to extend the completion time for the project until December 31, 2024

Funding

There is no cost associated with this item.

Background

The City's Public Works Department Engineering Division is currently working toward design and construction of two projects along Oak Ridge Turnpike (ORTP). One project is to improve pedestrian conductivity and the other is to improve automobile flow. Both are funded by TDOT grants.

The acceptance of the first grant was approved by City Council on August 8, 2016 by resolution 8-52-2016 and the approval to begin preliminary engineering was received from TDOT in June of 2017. This is a Multimodal Access Grant to fund engineering and construction of pedestrian connectivity improvements including handicap ramps, crosswalks, construction of approximately one (1) mile of sidewalk and repairs to as much as eight hundred (800) feet of existing sidewalk. The majority of this work is along Oak Ridge Turnpike (SR-95) between Illinois Avenue and Laboratory Road. The actual quantities will depend on unit prices at the time the project is let for bid.

The second grant which is more recent was approved by City Council on October 8, 2018 by resolution 10-87-2018. This is a Congestion Mitigation and Air Quality Improvement (CMAQ) grant which will provide for equipment and installation of advanced traffic signal controls and signal equipment at fourteen (14) intersections along ORTP (SR-95) between Illinois Avenue and Florida Avenue.

Because both of these projects are along the same corridor staff is recommending they be constructed simultaneously. At this time the intention is to bid both projects as one contract to avoid issues with coordination between multiple contractors. TDOT is receptive to this. The original four (4) year contract period and also the engineering work for the Multimodal project began before the CMAQ II project was awarded. The notice to proceed for design on the CMAQ project wasn't received from TDOT until June of 2019. In June of 2020 in order to allow the CMAQ project to catch up with the Multimodal project TDOT granted a one year time extension for the Multimodal project extending the contract period until October 2021. Work on both projects was significantly delayed due to the pandemic. Last summer, prior to the October expiration for the first time extension staff contacted TDOT and asked for an additional time extension for the Multimodal project until February 29, 2024 to coincide with the CMAQ grant period. TDOT was not receptive to this and instead offered an extension until March 31, 2022. Council approved the contract amendment with resolution 11-117-2021 at its November 8, 2021 meeting and was advised to expect an additional amendment.

Work on both project is progressing. The final design for the Multimodal project was submitted in December and instead of receiving comments TDOT responded by advising the City the original NEPA (environmental review) approval issued by TDOT in October 2017 was now not adequate. TDOT chose to apply retroactive more stringent regulations adopted when TDOT published a new Local Programs manual in 2019. This has caused a six (6) month delay and an additional month has been lost because any work effort had to cease on March 31.

Predicting a time line and anticipating delays is difficult. Staff still hopes to bid this work later this year but has learned there are two local municipalities doing similar projects and both are being delayed by long lead times for fabrication and material shortages. Staff has also learned TDOT, independent of the two grant projects will let two contracts for work on ORTP between Illinois Ave. and SR-61 at the east end of Oak Ridge. These two contracts, one in 2022 and the second in 2023 are for the purpose of doing concrete curb and handicap ramp upgrades and then to resurface the roadway. The City's design consultant is coordinating with TDOT's design division so that any work TDOT will do can be removed from the Multimodal project.

Recommendation

Staff recommends approving the grant contract amendment for the purpose of extending the completion date for the Multimodal project.

Attachments:

[Resolution - TDOT Multimodal Grant Amendment.docx](#)

[TDOT Grant Contract Amendment.pdf](#)

NUMBER _____

RESOLUTION

A RESOLUTION AMENDING THE CITY'S MULTIMODAL ACCESS GRANT (SIDEWALK IMPROVEMENTS PROJECT) WITH THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) TO EXTEND THE COMPLETION DATE TO DECEMBER 31, 2024.

WHEREAS, by Resolution 8-52-2016, the City approved a Multimodal Access Grant (Contract No. 160097) from the State of Tennessee Department of Transportation (TDOT) in the estimated amount of \$927,021.40 for sidewalk, ADA-compliant ramps, and crosswalk improvements to the south side of the Oak Ridge Turnpike, with a local required match of approximately \$48,790.60; and,

WHEREAS, said grant contract has been amended for the purpose of reallocating funds among the various phases of the project and amended twice to extend the timeframe for project completion in order to construct the improvements simultaneously with Phase II of the City's Signal Timing Project which project provides for equipment and installation of advanced traffic signal controls and signal equipment at various intersection along the Oak Ridge Turnpike; and,

WHEREAS, work on both projects has been delayed due to the effects of COVID-19 and subsequent nationwide materials shortages; and,

WHEREAS, TDOT is receptive to amending the grant contract to extend the completion date to December 31, 2024; and,

WHEREAS, the City Manager recommends approval of the amendment.

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

That the recommendation of the City Manager is approved, the attached Amendment Number 4 of Grant Contract 160097, PIN 123637.00, between the State of Tennessee Department of Transportation and the City of Oak Ridge for the multimodal access grant (sidewalk improvement project) is hereby approved to extend the timeframe for completion until December 31, 2024.

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

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
PROGRAM DEVELOPMENT & ADMINISTRATION DIVISION
LOCAL PROGRAMS DEVELOPMENT OFFICE**
SUITE 600, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TN 37243-1402
(615) 741-5314

JOSEPH GALBATO, III
INTERIM COMMISSIONER

BILL LEE
GOVERNOR

April 1, 2022

The Honorable Warren Gooch
Mayor, City of Oak Ridge
200 So. Tulane Ave.
Oak Ridge, TN 37830

Re: SR-95 (Oak Ridge Turnpike), Various Locations From SR-62 (S. Illinois Avenue) to Fairbanks Road, connecting to existing sidewalk (Multimodal Access Project)
Oak Ridge, Anderson County
PIN: 123637.00
Federal Project Number: N/A
State Project Number: 01LPLM-S3-038
Agreement Number: 160097

Dear Mayor Gooch:

I am attaching an amendment to the original contract. The amendment extends the completion date of the contract. Please review the amendment and advise me if it requires further explanation. If you find the amendment satisfactory, please execute it in accordance with all rules, regulations, and laws. Adobe Sign will then forward the document for the signature of the attorney for your agency. Once the amendment is fully executed, Adobe Sign will email you a link to download the amendment for your records.

If you have any questions or need any additional information, please contact Erin Rakus at 615-532-1191 or erin.rakus@tn.gov.

Sincerely,

A handwritten signature in cursive script that reads "Kimery Grant".

Kimery Grant
Transportation Manager 2

Attachment

Amendment Number: 4
Agreement Number: 160097
Project Identification Number: 123637.00
Federal Project Number: N/A
State Project Number: 01LPLM-S3-038

THIS AGREEMENT AMENDMENT is made and entered into this _____ day of _____, 20__ by and between the STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee (hereinafter called the "Department") and the CITY OF OAK RIDGE (hereinafter called the "Agency"), for the purpose of providing an understanding among the parties of their respective obligations related to the management of the project described as:

"SR-95 (Oak Ridge Turnpike), Various Locations From SR-62 (S. Illinois Avenue) to Fairbanks Road, connecting to existing sidewalk (Multimodal Access Project)"

1. The language of Agreement # 160097 dated December 27, 2021 Section B.1 is hereby deleted in its entirety.
2. The following is added as B.1 .

B.1 The Agency agrees to complete the herein assigned phases of the Project on or before **December 31, 2024**. If the Agency does not complete the herein described phases of the Project within this time period, this Agreement will expire on the last day of scheduled completion as provided in this paragraph unless an extension of the time period is requested by the Agency and granted in writing by the Department prior to the expiration of the Agreement. An extension of the term of this Agreement will be effected through an amendment to the Agreement. Expiration of this Agreement will be considered termination of the Project. The cost of any work performed after the expiration date of the Agreement will not be reimbursed by the Department.

All provisions of the original contract not expressly amended hereby shall remain in full force and effect.

Amendment to Change Completion Date

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

CITY OF OAK RIDGE

Signature:

Email: wgooch@oakridgetn.gov

**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

B

Signature:

Email: TDOT.COMMISSIONER'S.Office@tn.gov

**APPROVED AS TO
FORM AND LEGALITY**

Signature:

Email: tdunn@oakridgetn.gov

B

Signature:

Email: TDOT.Legal.Attorneys@tn.gov

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Ardo Ba , Electric Director

SUBJECT: Purchase of Polymer Insulators for Transmission Line Upgrades

Introduction

An item for your consideration is a resolution making an award to Gresco Utility Supply, Inc., Nashville, Tennessee, in an amount of \$80,922.91 for the purchase of polymer insulators for the Electric Department's transmission line Upgrades.

Funding

Funding for this purchase is through Electric Fund.

Background

The Electric Department uses a variety of materials for our transmission system including poles, insulators wire, and switches. The polymer insulators went through a competitive bidding process. The material will be dedicated to the transmission line upgrades that the Department plans on implementing to make the transmission network in central Oak Ridge more reliable.

Recommendation

Staff recommends approval of the attached resolution.

Attachments:

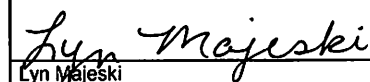

[RFQ175906 Abstract.pdf](#)

[Resolution - Polymer Insulators.docx](#)

CITY OF OAK RIDGE, TENNESSEE
Abstract of Bids

RFQ 175906

OPENING DATE: March 22, 2022 2:00 P.M.

FOR --- Line 644 & 664 69kV Rebuild Polymer Insulators			BIDDER: Gresco Utility Supply, Inc. 448 Brick Church Park Drive Nashville, TN 37207		BIDDER: Irby Utilities 501 West Mountain View Road Johnson, City, TN 37604		BIDDER: Border States Industries, Inc. 656 Wedgewood Avenue Nashville, TN 37203		BIDDER: Wesco Distribution, Inc. 427 Parks Village Road Knoxville, TN 37923	
DESCRIPTION	ITEM	QUANTITY	TOTAL		TOTAL		TOTAL		TOTAL	
THE FURNISHING OF POLYMER INSULATORS FOR LINE 644 & 664 69 kV PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE ELECTRIC DEPARATMENT	1	27	\$ 274.10	\$ 7,400.70	\$ 296.40	\$ 8,002.80	\$ 348.42	\$ 9,407.34	\$ 328.51	\$ 8,869.77
	2	139	\$ 89.59	\$ 12,453.01	\$ 94.82	\$ 13,179.98	\$ 111.31	\$ 15,472.09	\$ 103.28	\$ 14,355.92
	3	18	\$ 679.59	\$ 12,232.62	\$ 655.85	\$ 11,805.30	\$ 844.72	\$ 15,204.96	\$ 724.69	\$ 13,044.42
	4	102	\$ 478.79	\$ 48,836.58	\$ 511.60	\$ 52,183.20	\$ 457.67	\$ 46,682.34	\$ 557.20	\$ 56,834.40
TOTAL PRICE			\$ 80,922.91		\$ 85,171.28		\$ 86,766.73		\$ 93,104.51	
TERMS			Net 30		Net 30		Net 30		Net 30	
DELIVERY			28 Weeks		34 Weeks		25 Weeks		26 Weeks	
F.O.B.			Oak Ridge		Oak Ridge		Oak Ridge		Oak Ridge	
VIA			Best Way		Best Way		Best Way		Best Way	
Advertised on the City's website for 22 days. OTHER BIDDERS CONTACTED: Utility Sales Agency - Franklin, TN Power Supply Company, LLC - Chattanooga, TN United Utility Supply - Louisville, KY										
BIDS OPENED AND RECORDED BY---  Lyn Majeski Purchasing Manager										
BIDS REVIEWED BY---  Dallas Dyce Accounting Manager										
REASON FOR AWARD: ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>			RECOMMEND AWARD BE MADE TO: Gresco Utility Supply, Inc. 448 Brick Church Park Drive Nashville, TN 37207							

NUMBER _____

RESOLUTION

A RESOLUTION AUTHORIZING THE PURCHASE OF POLYMER INSULATORS FROM GRESKO UTILITY SUPPLY, INC., NASHVILLE, TENNESSEE, IN AN AMOUNT NOT TO EXCEED \$80,922.91 FOR USE BY THE ELECTRIC DEPARTMENT.

WHEREAS, the City's electrical transmission system requires the use of polymer insulators for its 69 kV lines; and,

WHEREAS, the City strives to maintain a ready stock for emergent repairs and system upgrades to increase reliability; and,

WHEREAS, the City issued an invitation for bids for the purchase of polymer insulators; and,

WHEREAS, bids were received and publicly opened on March 22, 2022, with Gresco Utility Supply, Inc., submitting the lowest and best bid, which the City Manager recommends be accepted.

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

That the recommendation of the City Manager is approved, and an award is hereby made to Gresco Utility Supply, Inc., 448 Brick Church Park Drive, Nashville, Tennessee 37207, for the purchase of polymer insulators; said award in strict accordance with Request No. 175906, the required specifications, the bid as received and publicly opened on March 22, 2022, and in an amount not to exceed \$80,922.91.

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

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Roger Flynn , Public Works City Engineer

SUBJECT: City Code Amendment; Creation of a Twenty Mile Per Hour (20 MPH) Speed Limit

SUPPORTING DEPARTMENT: -None-

Introduction

An item for City Council's consideration is an ordinance creating a twenty-mile-per-hour (20 MPH) speed limit in Title 15, Chapter 5 of the City Code and designating specific streets to have such a speed limit.

Funding

There is no cost associated with this item.

Background

Per section 15-501 of the City Code, the default speed limit within the City limits, whether posted or not, is 25 miles per hour (MPH). Sections 15-504 through 15-509 list specific streets where the speed limit exceeds 25 MPH. These speed limits range from 30 MPH up to 55 MPH. Because most streets in Oak Ridge are subject to the 25 MPH speed limit, those streets are not explicitly listed.

The Preserve at Clinch River ("the Preserve"), formerly known as Rarity Ridge, was conceived as a Traditional Neighborhood Development (TND). According to section 9.04(a) of the Oak Ridge Zoning Ordinance, one goal of a TND is to promote walkable communities. One aspect of designing a walkable community is promoting traffic calming, which planners accomplish by designing roads with narrower lane widths.

Most of the streets in the Preserve have ten-foot (10') lane widths with parallel parking on at least one side and are classified as local streets due to reduced right-of-way widths. Section 9, Table 1 of the Zoning Ordinance specifies a 25 MPH maximum design speed for both minor collector and local streets that are (1) located in a TND and (2) have a minimum lane width of nine feet (9'). Furthermore, Section 3, Table 3.2 of the City of Oak Ridge Standard Construction Requirements and Details states that the designed speed shall be at least 5 MPH greater than the posted speed limit. Therefore, to satisfy both requirements, the posted

speed limit should be 5 MPH less than the 25 MPH maximum speed limit, or 20 MPH. The signing and pavement marking instructions on the original preliminary plats and the construction plans for the individual development sections depict posted speed limit signs of 20 MPH. There are 36 streets in the Preserve where the speed limit should be posted at 20 MPH:

- Broadberry Avenue from a point beginning nine-hundred fifty feet (950') south of the intersection of Broadberry Avenue and Rarity Ridge Parkway to the north intersection of Broadberry Avenue and Pineberry West Road
- Forestberry Street
- Galeberry Avenue
- Fortenberry Street
- Gooseberry Circle
- Northberry Street
- Plumberry Street
- Pineberry East Road
- Parkberry Street
- Sweetberry Street
- Littonberry Street
- Cedarberry Street
- Mistletoeberry Road
- Pineberry West Road
- Fountberry Street
- Hatleyberry Street
- Hardinberry Street
- Hiddenberry Street
- Rarity Ridge Parkway
- Hackberry Street
- East Elderberry Street
- Duncanberry Court
- Dewberry Court
- Checkerberry Road
- Hollyberry Road
- Hillberry Road
- East Rarity Ridge Parkway
- Bunchberry Road
- Chaseberry Road
- Brookberry Road
- West Elderberry Street
- Eastberry Road
- Hitchberry Street
- Juniperberry Road
- West Rarity Ridge Parkway
- Deerberry Lane
- Boysenberry Drive

The number of streets where the 20 MPH speed limit will apply will increase as additional

sections of the Preserve are completed and streets are accepted.

Currently, there is no City Code section authorizing a 20 MPH speed limit—the attached ordinance will create a 20 MPH speed limit and designate the specific streets to be posted as such. The Oak Ridge Traffic Safety Advisory Board reviewed and approved this item at its March 8, 2022, meeting.

Recommendation

Staff recommends approval of the attached ordinance on first reading.

Attachments:

[TSAB 20MPH \(3-8-22\).pdf](#)

[Ordinance - 20 MPH Zone.docx](#)

CITY OF OAK RIDGE



POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001

March 2, 2022

Mr. William Polfus
Chairman, Oak Ridge Traffic Safety Advisory Board
100 Victoria Rd.
Oak Ridge, TN 37830

Dear Mr. Polfus,

An item for the City of Oak Ridge Traffic Safety Advisory Board (TSAB) to consider at its March 8, 2022 meeting is establishing a 20 mile per hour (MPH) speed limit in the Preserve at Clinch River neighborhood and adding a section to the City of Oak Ridge Code of Ordinance defining where the speed limit is 20 MPH.

In Oak Ridge the speed limit on most streets, whether a City street or in a neighborhood is 25 MPH. This is stated in section 15-501 of the Oak Ridge Code of Ordinance. Sections 15-504 through 15-509 specifically list streets where the speed limits are greater than 25 MPH. The speed limits on these streets are from 30 MPH up to 55 MPH. Because the majority of streets in Oak Ridge are subject to the 25 MPH speed limit those streets are not specifically listed.

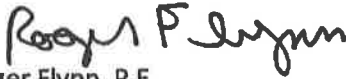
When the Preserve at Clinch River (Preserve) formerly known as Rarity Ridge was in its preliminary design period in the early 2000s the concept was for a Traditional Neighborhood Development (TND). One of the features of a TND as discussed in section 9.04 (a) of the Oak Ridge Zoning Ordinance is to promote walkable communities and one of the ways to do this is by using narrower lane widths to create traffic calming. The majority of the streets in the Preserve have ten (10) foot lane widths (12' width is common) with parallel parking on at least one side. These streets are classified as local streets due to reduced right-of-way widths. Section 9 table 1 of the Zoning Ordinance specifies a 25 MPH maximum design speed for both minor collector and local streets with a minimum lane width of nine (9) feet. Section 3 table 3.2, note 1 of the City of Oak Ridge Standard Construction Requirements and Details states that design speed shall be at least five (5) MPH greater than the posted speed limit. The signing and pavement marking instructions on the original preliminary plats and also construction plans for the individual development sections depict posted speed limit signs showing 20 MPH.

At this time there is no section listed in the Oak Ridge Code of Ordinance specifying streets with a 20 MPH speed limit. Section 15-513 gives the City Manager the authority to designate a lower speed than the general maximum speed limit of twenty five (25) MPH stated in section 15-501 for a road or street when design speeds or plans necessitate it. This could be applied to an isolated location. The City now has 36 streets in the Preserve where the speed limit should be posted at twenty (20) MPH. An inventory is attached.

Staff feels because this is a whole neighborhood with a large number of streets as opposed to an isolated roadway that the ordinance should be amended to provide clarity relative to posted speeds. Staff also feels the speed limit should be posted consistent with the original design.

City staff supports both recommendations as described.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger Flynn".

Roger Flynn, P.E.
City Engineer

Attachments:

Section 0.04 (a) Oak Ridge Zoning Ordinance

Table 1 Section 9.04 Oak Ridge Zoning Ordinance

Table 3.2 Oak Ridge Standard Construction Requirements and Details

Sample of plan view drawings for streets depicting 20 MPH sign

Inventory list of streets accepted to date

- h. Number of mobile home spaces.
- i. Size in acres.
- j. Property lines and names of adjacent owners.
- k. The location and sizes of sanitary and storm sewers, water mains, culverts and other underground structures in or adjacent to the project, including existing and proposed facilities.
- l. The location, dimensions and character of construction of proposed mobile home spaces, structures, roads, accessways, drives, walks, parking areas, loading areas, recreation areas, storage areas, curbs and gutters, curb cuts, and any additional information required by the Planning Commission in order to consider all features of the proposed development and to determine whether or not the regulations and requirements for the MH-1 District would be met by the proposed development.
- m. Location and character of any sign (see Article XIV).

(Ord. No. 31-86 Revised Effective 1/1/87)

- n. Landscaping and screening plan as well as the proposed treatment of slopes in excess of ten (10) percent to prevent soil erosion and excessive runoff.

3. Zoning Compliance Permit:

Zoning Compliance Permits shall be issued upon approval of the site plans by the Planning Commission; however, all such Zoning Compliance Permits shall clearly state that Certificate of Occupancy will not be issued for any use or activity within the mobile home park until all perimeter boundary buffering and landscaping has been completed or bond posted for their completion.

NOTE: See Articles XIII and XVI of this ordinance for applicable site plan review regulations.

(Ord. No. 25-93 Revised Effective 9/30/93)

(Ord No. 19-99 Revised Effective 8/26/99)

Section 9.04 TND, Traditional Neighborhood Development Districts

(a) Purpose.

The purpose of the Traditional Neighborhood Development (TND) district is to support the development of human scale, walkable communities where residences, business and commercial uses are within walking distance of one another. These can range from small infill or redevelopment projects located in already-developed

areas and relying on adjacent land uses, to larger new towns complete within their own village centers and hundreds of acres of mixed housing types. Buildings within these communities can vary as well, from neighborhoods consisting primarily of single-family attached and detached dwellings, to mixed use centers, complete with integrated retail, civic, office and residential uses, including live-work units, and housing units located on top of shops.

In smaller TNDs, existing streets and amenities provide important services. In larger TNDs, the various uses are connected and unified by a network of streets providing a pedestrian and bicycle-friendly environment. Within this street network on-street parking is provided as a traffic-calming and pedestrian-safety device, while street trees and sidewalks create a pleasant and safe walking environment. Regardless of size, the pedestrian-oriented nature of the district is reinforced by human-scaled buildings which relate to the street, provide safe pedestrian access, and create a distinct district identity. In addition, the master planned nature of this district allows building setbacks to be reduced from conventional standards as part of a carefully programmed and cohesive design.

This district also supports the preservation of environmentally and historically sensitive or significant sites and the incorporation of a variety of open space and recreational amenities into new development. Different types of open space are distinguished, and uses permitted within each reflect the open spaces' unique purposes. Lots sizes may be smaller and more varied than conventional lots to provide for adequate densities while encouraging preservation of green space.

(b) Definitions.

When used in this section, the following terms shall have the meanings set forth below:

1. "Active recreation area" shall be an open space.
2. "Alley, Commercial" means a twenty-four (24) foot wide mid-block public access easement connecting two streets, having a twenty-four (24) foot wide paved area and serving commercial uses.
3. "Alley, Residential" means a minimum of twenty-four (24) foot wide mid-block public access easement connecting two (2) streets, having an eight (8) foot wide paved area and serving residential uses.
4. "Association" means a property owners' association or a sub-association of a property owners' association.
5. "CCRs" mean conditions, covenants and restrictions prepared in accordance with Section 9.04 (c) 3 b.
6. "Common open space" means an active recreation area, limited access area, park, plaza, or preserve area which shall be owned and maintained in perpetuity by the Association. Unless authorized by the Planning Commission, no structure within open space shall exceed thirty-five (35) feet in height.

Table I

Dimensional Regulations

	Maximum Design Speed	Minimum Permitted Lane Width	Minimum Permitted Curb Radius	Minimum Parallel Parking Width*
TND Arterial**	35 mph	11 feet	30 feet	8 feet
TND Major Collector**	30 mph	11 feet	25 feet	7 feet
TND Minor Collector**	25 mph	10 feet	20 feet	7 feet
TND Local Streets**	25 mph	9 feet*	15 feet	7 feet

* When a curb and gutter is provided, on-street parallel parking may utilize gutter to meet minimum width.

**Nine foot lanes permitted only when utilized on a two-way street with on street parallel parking on one side.

Sidewalk Requirements (When provided)

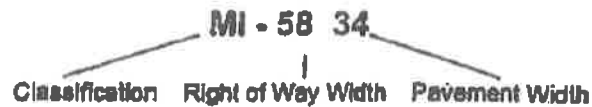
	Minimum Tree Planting and Street Furniture Zone Width	Minimum Sidewalk Clear Zone Width Adjacent to Commercial Lots***	Minimum Sidewalk Clear Zone Width Adjacent to Other Lots
TND Arterial	12 feet	15 feet****	5 feet
TND Major Collector	7 feet	10 feet	5 feet
TND Minor Collector	7 feet	10 feet	5 feet
TND Local Streets	7 feet	10 feet	5 feet

***Includes Neighborhood Commercial, Village Commercial, and Community Commercial Lots.

****Five (5) feet of required sidewalk width adjacent to commercial uses may be used for outdoor dining.

Street Type Name Structure

Street Type Names have the following structure:



Classifications are abbreviated as follow:

TND Arterial:	AT
TND Major Collector:	MJ
TND Minor Collector:	MI
TND Local Streets:	ST

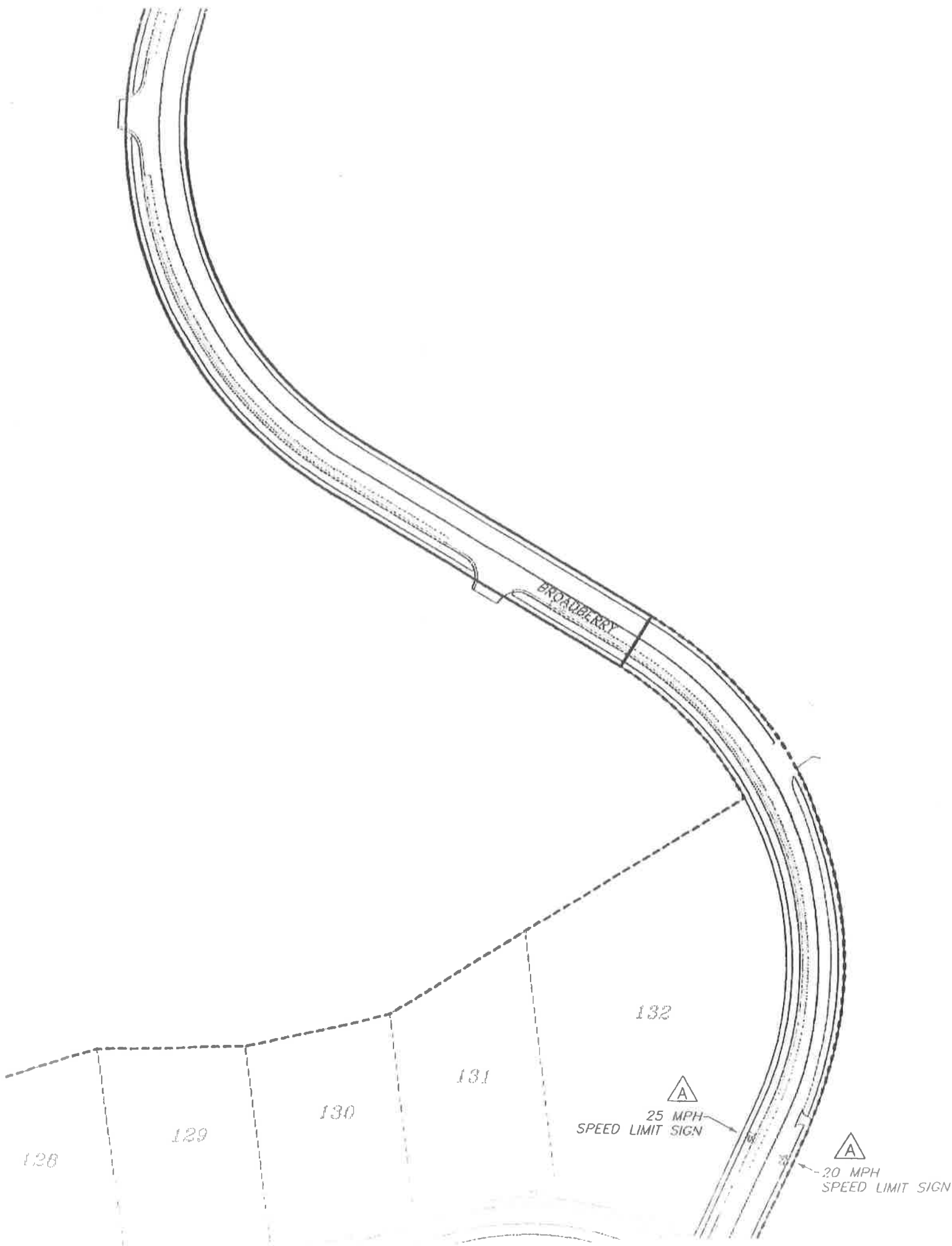
	Horizontal Curve Controls			Vertical Curve Controls			
	Minimum Design Speed (MPH) (1)	Maximum Superelevation (ft/ft) (2)	Minimum Radii (ft)	Maximum Grade	Length Crest	Absolute Minimum Length Crest	Length Sag
Expressways	Design standards shall conform to Federal and TDOT standards						
Arterial Streets	50	0.06	850	7%	160A	150'	110A
Collector Streets	40	0.04	575	9%	80A	100'	70A
Local Streets	30	Normal Crown	300	12%	30A	80'	40A
Marginal Access Streets	30	Normal Crown	300 (3)	12%	30A	80'	40A
Dead End Streets (Cul-de-Sacs 600 ft or less)	25	Normal Crown	150	12%	20A	50'	30A

A - Algebraic difference in grades

1. Design speed shall be at least five-(5) mph greater than posted speed.
2. The superelevation tables found in A Policy on Design of Urban Highways and Arterial Streets -- 1990 or latest edition published by the American Association of State Highway and Transportation Officials will be used for determining the actual rate of superelevation "e" at various radii. Superelevation transitions shall be designed in accordance with TDOT standards.
3. Radii may be reduced at turnouts and intersections.

Table 3.2





ACCEPTED STREETS IN PRESERVES A CLINCH RIVER
(FORMERLY RARITY RIDGE)

Broadberry Avenue – pump station at Fallberry to Pineberry West Road

Fallberry Street

Forestberry Street

Galeberry Avenue

Fortenberry Street

Gooseberry Circle

Northberry Street

Plumberry Street

Pineberry East Road

Parkberry Street

Sweetberry Street

Pineberry East Road

Littonberry Street

Cedarberry Street

Mistletoeberry Road

Pineberry West Road

Fountberry Street

Hatleyberry Street

Hardinberry Street

Hiddenberry Street

Rarity Ridge Parkway

Hackberry Street

East Elderberry Street

Boxberry Road (Private HOA)

Duncanberry Court

Dewberry Court

Checkerberry Road

Hollyberry Road

Hillberry Road

East Rarity Ridge Parkway

Bunchberry Road

Chaseberry Road

Brookberry Road

West Elderberry Street

Eastberry Road

Hitchberry Street

Juniperberry Road

West Rarity Ridge Parkway

UNACCEPTED STREETS

Deerberry Lane

Boysenberry Drive

Broadberry Avenue –St. Rte.

58 to pump station Fallberry

TITLE

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," CHAPTER 5, TITLED "SPEED REGULATIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, TO CREATE A NEW SECTION 15-515, TITLED "MAXIMUM SPEED LIMITS ON SPECIFIC STREETS - TWENTY MILES PER HOUR," TO ESTABLISH A TWENTY MILE PER HOUR SPEED LIMIT FOR SPECIFIC STREETS WITHIN THE CITY.

WHEREAS, the Code of Ordinances, City of Oak Ridge, Tennessee, specifies speed limits for all roads, streets, and lanes open to public travel within the city limits; and,

WHEREAS, City Staff conducted a traffic investigation as part of City's the acceptance of specific streets within the Preserve at Clinch River community; and,

WHEREAS, as a result of this traffic investigation, City Staff recommends a speed limit of twenty miles per hour for the specific street listed below; and,

WHEREAS, at its March 8, 2022, meeting, the Traffic Safety Advisory Board recommended the same.

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

Section 1. Title 15, titled "Motor Vehicles, Traffic and Parking," Chapter 5, titled "Speed Regulations," of the Code of Ordinances, City of Oak Ridge, Tennessee, is amended by creating a new Section 15-515, titled "Maximum speed limits on specific streets - twenty miles per hour," which new section shall read as follows:

Sec. 15-515. Maximum speed limits on specific streets - twenty miles per hour.

A maximum speed limit of twenty (20) miles per hour is hereby established on the following streets and roads, or parts thereof, and it shall be unlawful for any person to operate a vehicle at a speed in excess thereof:

- (1) Broadberry Avenue from a point beginning nine-hundred fifty feet (950') south of the intersection of Broadberry Avenue and Rarity Ridge Parkway to the north intersection of Broadberry Avenue and Pineberry West Road.
- (2) Forestberry Street for its entire length.
- (3) Galeberry Avenue for its entire length.
- (4) Fortenberry Street for its entire length.
- (5) Gooseberry Circle for its entire length.
- (6) Northberry Street for its entire length.
- (7) Plumberry Street for its entire length.
- (8) Pineberry East Road for its entire length.
- (9) Parkberry Street for its entire length.
- (10) Sweetberry Street for its entire length.
- (11) Littonberry Street for its entire length.
- (12) Cedarberry Street for its entire length.

- (13) Mistletoeberry Road for its entire length.
- (14) Pineberry West Road for its entire length.
- (15) Fountberry Street for its entire length.
- (16) Hatleyberry Street for its entire length.
- (17) Hardinberry Street for its entire length.
- (18) Hiddenberry Street for its entire length.
- (19) Rarity Ridge Parkway for its entire length.
- (20) Hackberry Street for its entire length.
- (21) East Elderberry Street for its entire length.
- (22) Duncanberry Court for its entire length.
- (23) Dewberry Court for its entire length.
- (24) Checkerberry Road for its entire length.
- (25) Hollyberry Road for its entire length.
- (26) Hillberry Road for its entire length.
- (27) East Rarity Ridge Parkway for its entire length.
- (28) Bunchberry Road for its entire length.
- (29) Chaseberry Road for its entire length.
- (30) Brookberry Road for its entire length.
- (31) West Elderberry Street for its entire length.
- (32) Eastberry Road for its entire length.
- (33) Hitchberry Street for its entire length.
- (34) Juniperberry Road for its entire length.
- (35) West Rarity Ridge Parkway for its entire length.
- (36) Deerberry Lane for its entire length.
- (37) Boysenberry Drive for its entire length.

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:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

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

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Jennifer Williams , Senior Planner

SUBJECT: Rezoning Request: 100 Tulsa Road O-2 Office District to B-2 General Business District

Introduction

An item for City Council's consideration is an ordinance to rezone 100 Tulsa Road (Parcel# 105C A 002.00) from O-2 Office District to B-2 General Business District.

Funding

No funding is associated with this item.

Background

The proposed rezoning request is for an approximately 1.4-acre parcel at the intersection of Tulsa Road and South Illinois Avenue. The property currently houses an office building with multiple tenant spaces.

The rezoning applicant is a potential purchaser of the property. The applicant's plan is to demolish the existing structure and replace it with a drive-thru coffee/beverage shop. Included in the attachments of this application is a conceptual site plan for the development, although it is important to note that approval of the rezoning request does not mean the property must be built in accordance with that Site Plan.

The following criteria were used to evaluate the rezoning request:

- **Is the proposed zoning district consistent with the City's Comprehensive Plan?**

The Land Use Plan identifies this parcel as 'B' business, so no Land Use Plan amendment is required.

- **Are there substantial changes in the character of development in or near the area under consideration that support the proposed rezoning?**

The most significant change in development near the proposed rezoning is occurring at the former AMSE site, where the Main Street Lofts apartment complex is under construction, and some buildings already occupied by new residents. In addition, there are conceptual plans for additional residential development down the road at Wilson Street. It is reasonable to assume that new commercial activity may be desirable to serve the needs of the new downtown residents as well as those working and shopping in the area.

- **Is the character of the area suitable for the uses permitted in the proposed zoning district and is the proposed zoning district compatible with surrounding zoning and uses?**

Much of the development surrounding this site is already zoned commercial, and there are numerous restaurants and/or drive-thru uses nearby. In addition, the property is located along a major thoroughfare (S Illinois Avenue). Although access to the site will still be via Tulsa Road and Vanderbilt Drive, traffic volumes at this lighted intersection are a logical driver of commercial development.

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

Adjacent parcels to the north and east are zoned B-2.

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

Yes, the existing business is already served by city services and utilities. In addition, the Fire Department, Codes, Public Works, and CORED will have the opportunity to review any proposed Site Plans or building permits for future development/redevelopment of this site.

- **Would the requested rezoning have environmental impacts?**

There are no anticipated environmental impacts. In addition, compliance with the City's environmental regulations and MS4 permit will be reviewed prior to Site Plan approval and issuance of any building permits.

At their February 17, 2022 meeting, the Planning Commission voted 10-0 to recommend approval of the rezoning request.

Recommendation

Staff recommends **approval** of the zoning change from O-2 Office District to B-2 General Business District based on the rezoning evaluation criteria listed in this memo.

Attachments:

[100 Tulsa Rezoning Map Council.pdf](#)

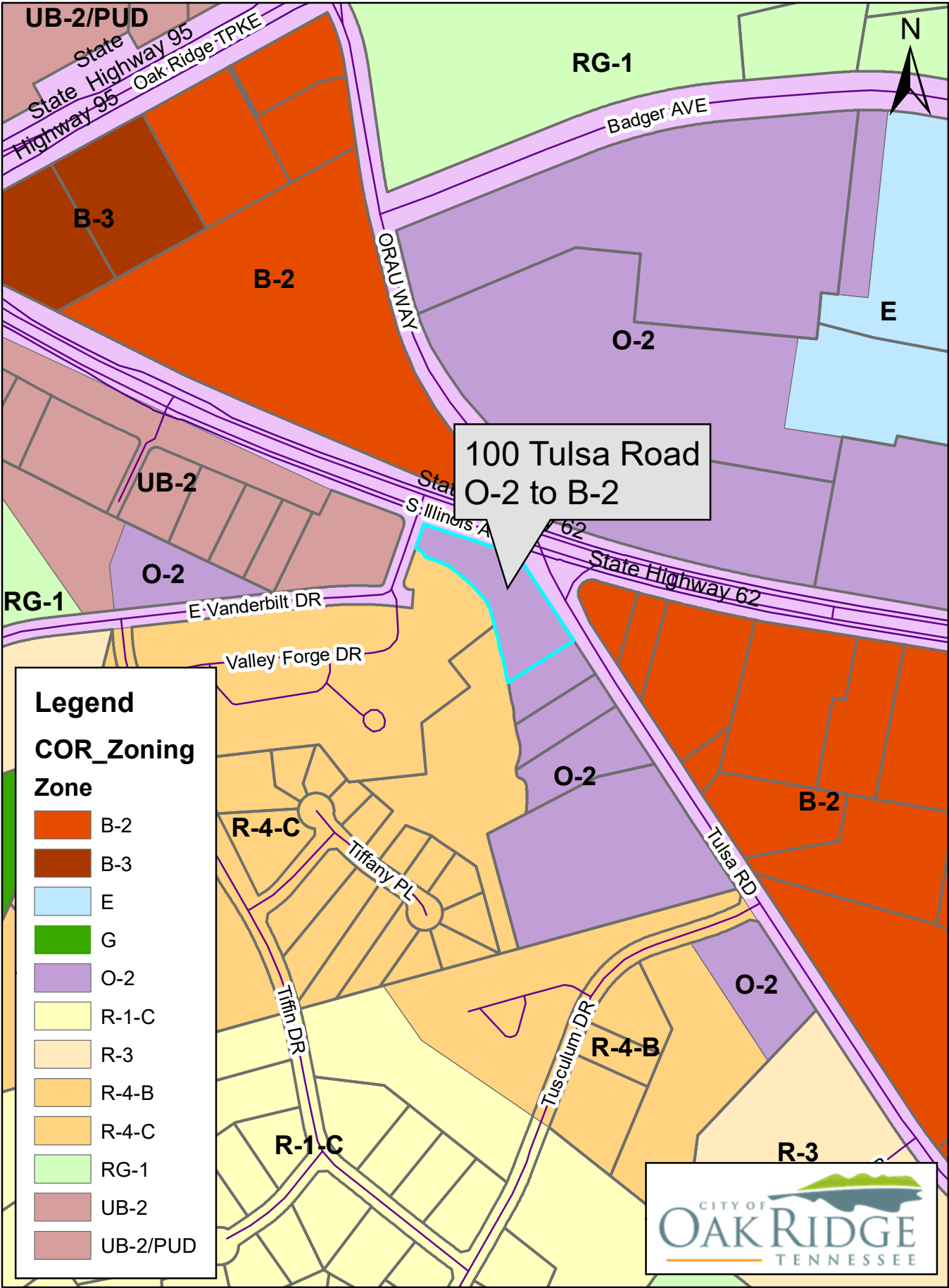
[PLZMA20220017 Rezoning Request Letter.pdf](#)

[PLZMA20220017 Rezoning Request Owner Authorization.pdf](#)

[PLZMA20220017 Rezoning Request Site Plan.pdf](#)

[Ordinance_-_Rezoning_100_Tulsa_Road.docx](#)

100 Tulsa Road, O-2 to B-2



February 2, 2022

**100 Tulsa Road
Oak Ridge Tennessee
Project Narrative**

Rezoning Application # PLZMA20220017

Pavilion Development Company has applied to the City of Oak Ridge Tennessee for a zoning amendment to Parcel 105C-A-002.00, located at 100 Tulsa Road in order to amend the zoning classification from the current O-2 Office zoning to B-2 General Business. The purpose of the rezoning request is to re-purpose the property from the existing office/retail use for development of a new, nationally recognized drive thru beverage operator serving coffee, energy drinks and juices. It is our understanding that this will be a straight re-zoning to the B-2 classification in order to allow for the drive thru use.

The new, approximate 950 square foot, single-story building will have approximately 14 surface parking spaces, dual drive-thru lanes and a by-pass lane. The building, although much smaller, will be configured on the property in a similar manner to the existing office/service retail building. The existing access points from Vanderbilt Drive and from Tulsa Road will continue to be utilized for the redevelopment. This is a very appropriate location for this use given the convenient access points, the land use patterns along S. Illinois Avenue and the surrounding area consisting of retail, restaurants, education, and employment base. The use will generate new jobs, great revenue for the local tax base and be welcomed by local residents at a very low impact to public resources.

The property has existing access to the required utilities. All development criteria as required by the City of Oak Ridge, and other state and federal regulatory agencies as may be required including stormwater management practices will be adhered to. Existing gas, electrical, and telecommunication lines are nearby and available to serve the proposed facility.

Pavilion Development Company is a twenty-five-year-old Commercial Real Estate Company headquartered in Charlotte North Carolina. Pavilion's mission is to better connect with the prospective customers and the markets they serve to positively impact the lives of others. With over 250 Retail Projects with multiple clients across the country, Pavilion is recognized as one of the leaders in the industry and is thrilled to be active in Oak Ridge and other Tennessee markets.

February 1, 2022

Ms. Jennifer Williams
Senior Planner
City of Oak Ridge Planning Department
PO Box 1
Oak Ridge TN 37831-0001

RE: 100 Tulsa Rd, Oak Ridge, TN
Owner Authorization for Zoning Amendment

Dear Ms. Williams:

PACE ENTERPRISES, INC. is the owner of parcel # 105C-A-002.00, located at 100 Tulsa Road in Oak Ridge Tennessee, and hereby authorize Pavilion Development Company to seek a zoning amendment for the property from its current O-2 Zoning to the B-2, General Business classification to accommodate the redevelopment of the property to a use allowed by right within the B-2 classification.

Sincerely,

A handwritten signature in black ink, appearing to read "Candace Cappiello", written over a horizontal line.

Candace Cappiello
President
PACE ENTERPRISES, INC.

Cc: Mike Grace, Pavilion Development Company
Jim Gamble, Pavilion Development Company

ORDINANCE NO. _____

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF ANDERSON COUNTY TAX MAP 105C, GROUP A, PARCEL 002.00, LOCATED AT 100 TULSA ROAD, CONTAINING APPROXIMATELY 1.4 ACRES, FROM O-2, OFFICE DISTRICT, TO B-2, GENERAL BUSINESS DISTRICT.

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

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

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

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

<u>Property Description</u>	<u>Location</u>	<u>Present Zoning District</u>	<u>New Zoning District</u>
Parcel 002.00 Anderson County Map 105C, Group A, (± 1.4 acres)	100 Tulsa Road	O-2, Office District	B-2, General Business District

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

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

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

First Reading: 02/28/2022
Publication Date: 03/23/2022
Second Reading: 04/11/2022
Publication Date: _____
Effective Date: _____

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Patrick Berge , Public Works Director

SUBJECT: Infrastructure Acceptance - The Preserve at Clinch River, Remaining Portion of Broadberry Avenue Phase 1, - Formerly a Portion of Parcel 2.01, Tax Map 39, Roane County

SUPPORTING DEPARTMENT: Planning and Development

Introduction

An item for City Council's consideration is the recommendation for acceptance of infrastructure within the Preserve at the Clinch River (formerly Rarity Ridge Subdivision) Phase 1, Remaining Portion of Broadberry Avenue as shown on the attached drawings and listed below.

Funding

No funding is required.

Background

RL REGI-TN OAK, LLC has requested the City to formally accept infrastructure for perpetual maintenance . The Subdivision Final Plat was recorded in Roane County on February 27, 2006 in Plat Cabinet D, Pages 56-59. The right of way was platted at this time but the City never accepted the infrastructure as repairs were needed.

Infrastructure proposed for acceptance has been inspected by the City and has been completed in accordance with City Subdivision Regulations. The City is waiving the typically required one-year Warranty Bond for workmanship and materials since the road and utilities have been in operation for over five (5) years and the owner has a one-year warranty with the paver. The roadway was also part of a previous county road before being upgraded in early 2000. The current roadway being accepted has recently been overlaid with new asphalt and repaired. It is anticipated to have the striping complete but the acceptance is subject to completion of the striping.

A summary of the infrastructure to be accepted for the remaining portion of Broadberry Avenue includes:

- 8,133 linear feet of new roadways (varies from 2-12' travel lanes to 3-10' travel lanes w/2-7' on street parking areas)
- 2,322 linear feet of storm drainage lines located in the ROW or dedicated easements
 - 1,231 linear feet (15"HDPE); 821 linear feet (18"HDPE); 270 linear feet (24" HDPE)
- Electric easements as show on the recorded plat

Recommendation

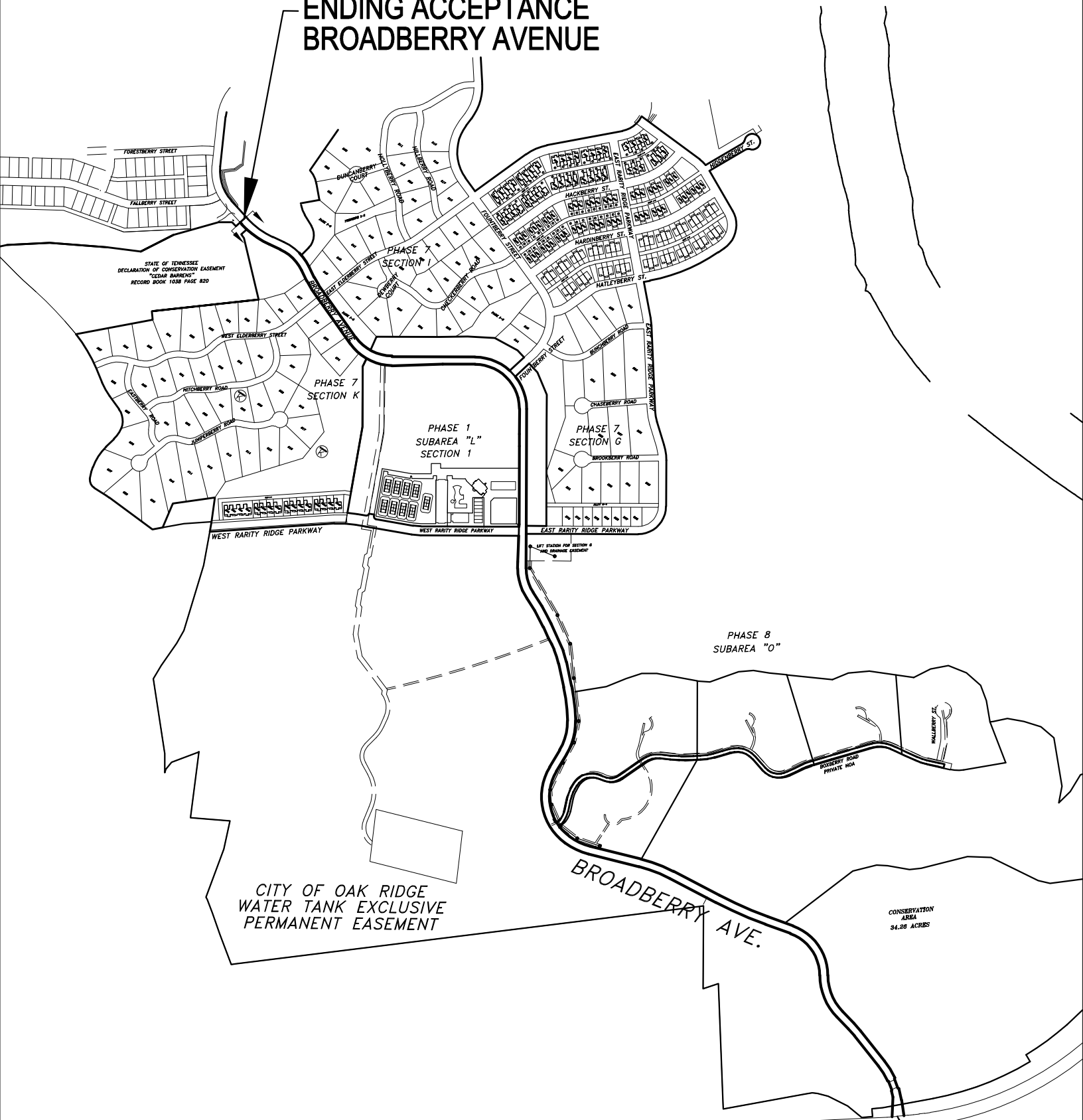
The City of Oak Ridge Planning Commission recommended acceptance of the infrastructure at its February 17th, 2022 meeting for the remaining portion of Broadberry Avenue. Staff recommends acceptance of the subdivision infrastructure and approval of the attached ordinance, subject to completion of striping on the roadway.

Attachments:

[Infrastructure Acceptance - The Preserve at Clinch River Broadberry Road.pdf](#)

[Ordinance_-_Preserve_at_Clinch_River_-_Infrastructure_Acceptance_for_Broadberry_Avenue.docx](#)

ENDING ACCEPTANCE BROADBERRY AVENUE



ACCEPTANCE OF REMAINING BROADBERRY AVENUE
WITHIN PRESERVE AT CLINCH RIVER SUBDIVISION

PUBLIC WORKS DEPARTMENT

OAK RIDGE, TENNESSEE

DR. BY:	CHK' BY:	DATE:	SCALE:	DR. NO.:	DIRECTOR:
CCB	BM	1/20/22	NTS	1	PATRICK BERGE

GALLAHER ROAD
(STATE ROUTE 58)
KINGSTON/INTERSTATE 40

BEGINNING ACCEPTANCE
BROADBERRY AVENUE

TITLE

AN ORDINANCE ACCEPTING CERTAIN INFRASTRUCTURE AT THE PRESERVE AT CLINCH RIVER (FORMERLY RARITY RIDGE) FOR PERPETUAL MAINTENANCE BY THE CITY.

WHEREAS, RL REGI-TN OAK, LLC, is the owner of the Preserve at Clinch River, formerly known as the Rarity Ridge subdivision; and

WHEREAS, the subdivision final plat was filed with the Oak Ridge Municipal Planning Commission, and the Commission approved the same for recording; and

WHEREAS, the Subdivision Final Plat was recorded in Plat Cabinet D, Pages 56-59, June February 27, 2006, in the Roane County Register of Deeds Office; and,

WHEREAS, the right-of-way was platted at that time, however, the City did not accept the infrastructure for acceptance as repairs were needed which repairs have now been completed and have been inspected by the City to be in compliance with the City's Subdivision Regulations; and,

WHEREAS, the developer is now ready to deliver over to the City of Oak Ridge certain infrastructure for perpetual maintenance; and

WHEREAS, the Oak Ridge Municipal Planning Commission, at its regular meeting on February 27, 2022, recommended to City Council that certain infrastructure improvements on the referenced plat be accepted for perpetual maintenance subject to the completion of striping on the roadway (Broadberry Avenue).

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

Section 1. That the City of Oak Ridge hereby accepts the following infrastructure for perpetual maintenance for the Preserve at Clinch River, all as identified on the Subdivision Final Plat as recorded in the Roane County Register of Deeds Office to be used for public purposes:

- 8,133 linear feet of new roadways;
- 2,322 linear feet of storm drainage lines located in the right-of-way or dedicated easements, which includes 1,231 linear feet of 15" HDPE, 821 linear feet of 18" HDPE, and 270 linear feet of 24" HDPE; and
- Electric easements as shown on the recorded plat.

Section 2. Said infrastructure acceptance is subject to the developer completing the striping on the roadway, however, the one-year Warranty Bond requirement is waived since the roadway and utilities have been in operation for over five years.

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

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

First Reading: 02/28/2022
Publication Date: 03/07/2022
Second Reading: 04/11/2022
Publication Date: _____
Effective Date: _____

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Honorable Mayor and City Council

FROM: Mark Watson , City Manager

SUBJECT: City Code Amendment - Removal of EQAB and Tree Board by Reference from City Code

Introduction

An item for the agenda is an ordinance to amend the City Code to withdraw the Environmental Quality Advisory Board (EQAB) and Tree Board from the City Code as part of an overall effort to move boards and commissions to be resolution-created and not ordinance-created when possible.

Funding

No funding is associated with this item.

Background

Pursuant to Article III, Section 5, of the Charter of the City of Oak Ridge, Tennessee, City Council may create by ordinance, resolution, or motion long-term or short-term advisory boards with respect to specific municipal functions as may be deemed necessary. While there are some boards and commissions that must be created by ordinance (ex. Personnel Advisory Board), the City Manager and City Council discussed at the January 18, 2022 work session moving those boards and commissions that were not required to be established by ordinance to be established by resolution.

The purpose of this ordinance change is to begin the process discussed at the January 18 work session for the Environmental Quality Advisory Board. EQAB is one of the previously mentioned ordinance-created boards that is not required to be created by ordinance. As such, City Staff is requesting that EQAB be changed from an ordinance-created board to a resolution created board in order to bring EQAB in line with the majority of city advisory boards. The first step in that process, is the removal by reference of EQAB, found in Title 2, Chapter 2, from the City Code. The City's Tree Board, which is currently EQAB, will also be removed from the City Code, found in Title 2, Chapter 3. Tree boards are not required by state law or the Arbor Day Foundation (which designates tree cities) to be created by ordinance.

It is not the intention of this ordinance change to eliminate EQAB. By converting EQAB, and by extension, the Tree Board, to a resolution-created board, it will be easier to make any necessary changes or adjustments to the board in the future. Upon 2nd reading, a companion resolution will be presented to reestablish EQAB as a resolution-created board. Additionally, as recommendations to adjust actions, policies and goals over time, a resolution created board can be more nimble and quick to adapt to changing environments.

Recommendation

Approval of the attached ordinance is recommended on first reading. [Note: Creation of Board by resolution to occur at second reading]

Attachments:

[Ordinance_-_EQAB_and_Tree_Board_-_Remove_from_City_Code.docx](#)

TITLE

AN ORDINANCE TO AMEND TITLE 2, TITLED "BOARDS AND COMMISSIONS, ETC.," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING CHAPTER 2, TITLED "ENVIRONMENTAL QUALITY ADVISORY BOARD," AND CHAPTER 3, TITLED "TREE BOARD," WITHOUT REPLACEMENT TO REMOVE THE ENVIRONMENTAL QUALITY ADVISORY BOARD AND TREE BOARD AS ORDINANCE-CREATED BOARDS THEREBY ALLOWING THEIR CREATION AS RESOLUTION-CREATED BOARDS.

WHEREAS, the Title 2, Chapter 2, of the City Code sets forth provisions for the creation of the Environmental Quality Advisory Board; and

WHEREAS, the Title 2, Chapter 3, of the City Code designates the Environmental Quality Advisory Board as the City's Tree Board; and

WHEREAS, with recent modifications to the standardized language for boards and commissions' bylaws and rules and procedures, the City desires to move as many boards and commissions as possible to be resolution-created and not ordinance-created which will simplify the process for any needed changes to a board or commission; and

WHEREAS, by City Charter Article III Section 5, City Council has authority to create long-term and short-term advisory boards by ordinance, resolution, or motion (with the exception of the Personnel Advisory Board which must be created by ordinance); and

WHEREAS, this ordinance is not intended to eliminate the Environmental Quality Advisory Board and the Tree Board entirely, and it is anticipated a companion resolution will be presented to continue these boards as resolution-created boards.

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

Section 1. Title 2, titled "Boards and Commissions, Etc.," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Chapter 2, titled "Environmental Quality Advisory Board," in its entirety without replacement.

Section 2. Title 2, titled "Boards and Commissions, Etc.," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Chapter 3, titled "Tree Board," in its entirety without replacement.

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

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

First Reading: 02/14/2022
Publication Date: 02/18/2022
Second Reading: 04/11/2022
Publication Date: _____
Effective Date: _____

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Honorable Mayor and City Council

FROM: Mark Watson , City Manager

SUBJECT: Resolution Re-establishing the Environmental Quality Advisory Board (EQAB) and Designating EQAB as the City's Tree Board

Introduction

An item for the agenda is a resolution to re-establish the Environmental Quality Advisory Board (EQAB) as a resolution-created board and to continue to designate EQAB as the City's Tree Board.

Funding

No funding is associated with this item.

Background

This resolution serves as the companion item to the ordinance under consideration on final adoption to remove EQAB from the City Code and have this board be a resolution-created board instead of an ordinance-created board. This resolution is a continuation of the process that was discussed at the January 18, 2022 City Council Work Session. At this work session, the City Manager and City Council discussed moving ordinance-created boards and commissions that were not legally required to be ordinance-created and making them resolution-based.

Pursuant to Article III, Section 5, of the Charter of the City of Oak Ridge, Tennessee, City Council may create by ordinance, resolution, or motion long-term or short-term advisory boards with respect to specific municipal functions as may be deemed necessary. This resolution will re-establish EQAB as a resolution-based board. This resolution will also re-designate EQAB as the City's Tree Board. The membership number, manner of appointment, length of term, and advisory duties of EQAB remain are set forth in the resolution as required by City Charter and are unchanged with the exception of the two student members who shall now have their own vote as recommended in the board's bylaws and rules and procedures documents. Currently the two student members share a single vote.

Recommendation

Approval of the attached resolution is recommended.

Attachments:

[Resolution - EQAB Creation.docx](#)

RESOLUTION

A RESOLUTION TO CREATE A TWELVE (12) MEMBER ENVIRONMENTAL QUALITY ADVISORY BOARD (EQAB) TO ADVISE CITY COUNCIL ON ENVIRONMENTAL MATTERS AS REQUESTED, AND TO DESIGNATE EQAB AS THE CITY'S TREE BOARD.

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

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

WHEREAS, the City has an Environmental Quality Advisory Board created by ordinance, however, the City is in the process of moving boards to be resolution-created boards instead of ordinance-created boards; and,

WHEREAS, the City is in the final process of deleting the ordinance provisions from the City Code that created the Environmental Quality Advisory Board (City Code §2-201–§2-211), and the City desires to set forth similar provisions in a resolution to re-establish the board; and,

WHEREAS, the City Manager recommends the creation of the Environmental Quality Advisory Board to advise City Council on environmental matters upon request.

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

That an Environmental Quality Advisory Board is hereby created as follows:

- The board shall be comprised of twelve (12) members from the community at large, two (2) of which shall be high school students, with all members elected by City Council.
- Members shall serve a three-year term with the exception of the student members which shall serve a two-year term.
- Initial membership of the board shall be the members of the board in effect immediately prior to the approval of this resolution as it is not the intention of City Council to alter the individual members of the board in the transition of removal from an ordinance-created board to a resolution-created board. Similarly, this resolution does not alter the staggered terms of members as in effect immediately preceding approval of this resolution.
- Officers of the board shall be as set forth in the bylaws.
- The function of the board is to serve as an advisory body to City Council. When requested by City Council, the board shall give advice and assistance in matters

contributing to a quality environment; and further, upon request, the board shall advise the City Manager and the Oak Ridge Municipal Planning Commission on specific environmental matters.

- In support of its function, the board is authorized to adopt bylaws and rules and procedures for the conduct of its authorized activities, which documents are subject to City Council approval; recommend a proposed annual work program to City Council for approval and authorization, said work program to involve studies for the preservation and improvement of the environment, and to issue reports and finding on such studies; and is authorized to make specific recommendations on environmental questions referred by the City Council, City Manager, or Oak Ridge Municipal Planning Commission.

BE IT FURTHER RESOLVED that the Environmental Quality Advisory Board shall serve as the City's Tree Board.

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Honorable Mayor and City Council

FROM: Beth Hickman , City Clerk

SUBJECT: Approval of Bylaws and Rules and Procedures for the Environmental Quality Advisory Board

SUPPORTING DEPARTMENT: City Manager

Introduction

An item for the agenda is a resolution to approve the Bylaws and the Rules and Procedures for the Environmental Quality Advisory Board (EQAB).

Funding

No funding is associated with this item.

Background

At the July 12, 2021, meeting, City Council approved two resolutions to establish consistency in operations among the various city boards and commissions. Resolution 7-80-2021 approved a standardized template for all boards and commissions to establish Bylaws. Resolution 7-81-2021 approved a standardized template for all boards and commissions to establish Rules and Procedures.

The Environmental Quality Advisory Board's existing bylaws were reviewed and language from the existing bylaws was incorporated into the template as appropriate for a new set of updated Bylaws. Additionally, the board's charter was reviewed and incorporated into the updated Bylaws. The board does not have a separate rules document; therefore, the template was used to create Rules and Procedures for the board. For ease of reference, attached to the memorandum is a file for the bylaws showing the additions in yellow highlight. Since the board did not have a prior rules document, the template was used with one modification.

In addition to the changes adopted in the templates, EQAB voted to add one further change from their existing Bylaws. The two student representatives who serve on the board currently "share a seat" and count as half a vote each. Upon adoption of the new Bylaws and Rules and Regulations, the student representatives will count as one vote each. The change will increase the total votes on the board to 12 votes, with 7 members required for a quorum (assuming there are no vacancies).

At their December 4, 2021, meeting, with a vote of 6-1, the board approved the updated Bylaws as well as the Rules and Procedures. These documents are being brought to City Council for final adoption. The new Bylaws and Rules and Procedures will become effective upon City Council's approval.

Recommendation

Approval of the attached resolution is recommended.

Attachments:

[Resolution - EQAB Rules Bylaws.docx](#)

[EQAB_Bylaws - Board Approved.docx](#)

[EQAB Rules and Procedures.docx](#)

NUMBER _____

RESOLUTION

A RESOLUTION ADOPTING BYLAWS AND RULES AND PROCEDURES FOR THE ENVIRONMENTAL QUALITY ADVISORY BOARD.

WHEREAS, by Resolution 7-80-2021, City Council approved a standardized template for all boards and commissions to establish bylaws; and,

WHEREAS, by Resolution 7-81-2021, City Council approved a standardized template for all boards and commissions to establish rules and procedures; and,

WHEREAS, utilizing these templates, city staff created a new set of bylaws and rules and procedures for the Environmental Quality Advisory Board and incorporated specialized provisions related to the board's statutory and charter provisions; and,

WHEREAS, at its December 4, 2021 meeting, the board approved new Bylaws and new Rules and Procedures; and,

WHEREAS, the board's new Bylaws and new Rules and Procedures are ready for final adoption by City Council.

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

That the attached Bylaws and attached Rules and Procedures for the Environmental Quality Advisory Board are hereby adopted.

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

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

Last Amended: _____
Last Adopted: _____

**BYLAWS OF THE
ENVIRONMENTAL QUALITY ADVISORY BOARD
OAK RIDGE, TENNESSEE**

ARTICLE I - NAME

The name of this board shall be the “Environmental Quality Advisory Board,” which, for convenience, shall hereafter be referred to as the “Board” in these bylaws.

ARTICLE II – PURPOSE AND GENERAL POWERS

A. Purpose.

The purpose of the Environmental Quality Advisory Board is to serve as an advisory body to Council when requested on matters contributing to a quality environment and shall serve as the city tree board. The purpose and general powers of the Board shall also encompass those purposes and powers specified in the regulations, rules, bylaws and policies adopted by the Oak Ridge City Council and as set forth in the resolution creating the Board.

B. Creation of the Board. The Board has been created by the Oak Ridge City Council by Resolution No. _____.

ARTICLE III – MEMBERS

A. Size. The Board shall consist of twelve members, two (2) of whom shall be student representatives, which are elected by City Council.

B. Membership. Members must reside within the city limits of Oak Ridge. Pursuant to Article 13, Section 3(e), no active City employee may serve on a City Council appointed board, commission or committee unless they are serving as staff representatives without voting privileges.

C. Attendance Requirement

- (1) Expectation of Attendance. Members of the Board are expected to attend all scheduled meetings and are responsible for

communicating their inability to attend in a timely fashion to the Chairperson and Staff Liaison along with a reason for the anticipated absence.

- (2) Attendance Record. The Secretary shall record the full names of those members present and absent in the minutes of each scheduled meeting and shall provide the City Clerk with a signed copy of the minutes upon their approval by the Board. The Secretary shall also maintain a separate attendance record, which shall be provided to the Chairperson of the Board and the City Clerk within seven (7) days after each meeting. If the Board has no Secretary, the person responsible for recording the minutes shall perform this function.
 - (3) Absence from Meetings. When a member of the Board is absent from three (3) regularly-scheduled or regularly-called meetings during the Board's term-year, which is a one-year period beginning on the date of term commencement, the Chairperson shall request that the member provide a written explanation of the absences. The Board shall determine whether to accept or reject the explanation by a majority vote. If the Board votes to accept the explanation, the absences shall be considered "excused" and will not accrue for purposes of removal from the Board. If the Board votes to reject the explanation, the absences will accrue for purposes of removal. If a member is absent from three (3) meetings and makes no efforts to comply with the Chairperson's request for an explanation, those absences will accrue for purposes of removal. Accrual of four (4) unexcused absences shall result in removal from the Board as outlined in Item (3).
 - (4) Removal Due to Absences. When a member is absent from four (4) regularly-scheduled or regularly-called meetings during the Board's term-year, and consistent with the procedure set forth in Item (3), the member shall be notified that he/she has been removed from the Board by a vote of his/her peers. The Chairperson shall notify City Council of the vacancy by letter, and the City Clerk shall schedule an election to fill the vacancy in the customary manner.
- D. Terms of office. Members are elected for three-year staggered terms, except the student representatives, who serve staggered two-year terms. A member will serve until a successor is elected.
- E. Oath of Office. Before assuming the duties of office, each member shall take the Oath or Affirmation of Office through the City Clerk's office.

F. Vacancies.

- (1) Automatic. Any member of the Board who shall move to a principal residence located outside the city limits of Oak Ridge shall be deemed to have automatically vacated the office.
- (2) Resignation. Any member desiring to resign from the Board shall promptly inform the Chairperson and the City Clerk in writing of his or her intention to resign. Such notice shall state the effective date of resignation and may also state any reason for said resignation. The City Clerk will communicate the resignation and the reason for resignation to the City Manager and City Council.
- (3) Removal from office. In addition to the circumstances outlined in Sections F(1) and F(2), a member can also be removed from office for cause by a majority vote of City Council or upon the recommendation of a majority of Board members.
- (4) Replacement. In the event of resignation, death, or removal from office, the vacancy will be filled by City Council at the next regularly scheduled election or as soon as possible if multiple vacancies are affecting the ability to have a quorum.

- . G. Ethics. All members shall be subject to the provisions of the ethics policy of the City of Oak Ridge and applicable state ethics laws. Any Board member who has any conflict of interest in any matter or issue brought before the Board shall make such fact known to the Board prior to any vote by the Board on such issue. Sections 21-103 and 21-104 of the City Code provides additional guidance regarding disclosure of personal interest and recusal.

ARTICLE IV – OFFICERS

- A. Title; Number. The officers of the Board shall consist of a Chairperson, Vice Chairperson, Secretary, and such other officers as the Board may deem appropriate, who shall be elected by and from official members of the Board.
- B. Election. The election of officers shall be held at the annual meeting of the Board. A majority vote of members present shall be required to elect any officer.

- C. Term of Office. Officers of the Board shall serve for a period of one (1) year, or until the next annual meeting, or until such time as a replacement has been duly elected; provided, however, no officer shall be removed from office prior to the next following annual meeting after such officer's election, except by two-thirds vote of the official members of the Board. All officers shall be eligible for reelection for consecutive terms.
- D. Vacancies. In the event any elective office shall become vacant, the Board shall elect a successor at its next regular meeting, in the manner prescribed by Section B, above.

ARTICLE V – DUTIES OF OFFICERS

- A. Chairperson.
- (1) The Chairperson shall preside at all meetings and hearings of the Board, appoint membership to such temporary committees as deemed necessary, sign documents on behalf of the Board, call regular or special meetings of the Board, and shall perform such other functions as may be required by law, by these bylaws, and/or those ordinarily performed by a Chairperson, in accordance with parliamentary procedure as prescribed in the current edition of Robert's Rules of Order.
 - (2) Except as otherwise provided by law or authorized by the Board, the Chairperson shall sign all communications from the Board to the City Manager and City Council.
 - (3) The Chairperson shall ensure issuance to all new members of the Board the latest available revision of any current reports and documents necessary to fully inform such new member of the business presently before the Board.
- B. Vice-Chairperson.
- (1) In the event of a vacancy or absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson until a new Chairperson is duly elected. Should the Chairperson be unable to perform the duties of office due to disability, absence, or disqualification, the Vice-Chairperson shall perform said duties until such time as they may be performed by the Chairperson or a new Chairperson is elected.

- (2) In addition to the foregoing duties, the Vice-Chairperson shall also perform such other duties as may be designated by the Chairperson.

C. Secretary.

- (1) The Secretary shall conduct all official correspondence of the Board and keep a record of all official meetings and actions of the Board.
- (2) The Secretary shall record minutes of all meetings of the Board and forward them to the staff liaison of the Board for formatting and placement in the agenda packet for the next meeting.
- (3) In the absence or disqualification of the Chairperson and Vice- Chairperson, the Secretary shall preside at the meetings of the Board.
- (4) The Secretary shall maintain attendance records and distribute them according to the provisions in Article III, Section C(2).

ARTICLE VI-STAFF LIAISON

- A. Duties. The staff liaison, appointed by the City Manager, or the City Manager's designee, shall assist the Chairperson in setting meetings; preparing the agenda and reports to the City Manager and City Council; and other support functions as needed. The staff liaison shall also ensure that the Board website within the respective department be up to date at all times with agendas, minutes, and other relevant information. The staff liaison shall also perform the duties outlined in Article VII, Section (D)(6) below pertaining to giving proper notice of meetings.

ARTICLE VII – MEETINGS

- A. Meetings Open to the Public. All Board meetings shall be open to the public, and citizens shall have a reasonable opportunity to be heard.
- B. Type; Number. The meetings of the Board shall consist of an annual meeting and other regular meetings held each year, together with such special meetings as may be deemed appropriate and called pursuant to these bylaws.
- C. Method of Calling.
- (1) Regular Meeting. No formal call of a regular meeting shall be necessary, except for the notice of meeting provided for in Section D, below.

- (2) Special Meeting. A special meeting shall be called at such time as may be deemed expedient by the Chairperson or any two members of the Board upon written request to the Chairperson or by approval of a majority of the members present at any meeting. The notice of a special meeting shall be as provided for in Section D, below. Special meetings are only for the purpose specified and no other item may be voted on at a special meeting that is not explicitly specified when calling a special meeting.
- (3) Ad Hoc Working Groups. The Board may form ad hoc working groups to meet for a designated project. Ad hoc working groups may include members of the public.

D. Notice.

- (1) Regular Meetings. Notices of regular meetings shall be delivered to each member of the Board at least forty-eight (48) hours prior to the meeting.
- (2) Special Meetings. The notice of a special meeting for matters shall be delivered to each member of the Board at least twenty-four (24) hours prior to the meeting.
- (3) Ad Hoc Working Groups. The notice of an ad hoc working group meeting will follow the same procedure as a regular meeting.
- (4) Cancellation of Meetings. Whenever there is no business before the Board, the Chairperson may dispense with a Regular Meeting by giving notice to all members not less than forty-eight (48) hours prior to the time set for the meeting. The staff liaison shall also ensure that the City Clerk is notified of the cancelled meeting so that the City Calendar can be updated. When unforeseen or emergency circumstances arise, the Chairperson may cancel meetings with less than forty-eight (48) hours' notice. Cancellation of a meeting due to quorum issues or weather would necessitate a special meeting to be called at a later date.
- (5) Adjourned Meetings. Should the Board not complete the business before it, the Chairperson may adjourn the meeting and schedule a continuation of the same meeting until the agenda has been completed. However, the adjourned meeting must meet the same notice requirements as a Special Meeting.
- (6) Proper Notice. The staff liaison shall be responsible for ensuring compliance with the Tennessee Open Meetings Act and for notifying members and the public reasonably prior to the date and time of each meeting. The staff liaison is required to comply with guidelines pertaining to matters of public notice and scheduling as provided by the City Clerk and shall notify the City

Clerk of meetings as soon as possible so that the City Calendar can be updated.

E. Agenda.

(1) Order of Business. The order of business of all regular meetings shall be as follows:

1. Call to Order
2. Roll Call
3. Approval of Order of Agenda
4. Approval of Minutes
5. Officers' Reports
6. Committee Reports
7. Unfinished Business
8. New Business
9. Appearance of Citizens (Non-agenda items)
10. Announcements
11. Adjournment

An agenda section for "Presentations" is optional and may be added to the agenda as needed. Each agenda item to be discussed shall be listed under the appropriate heading on the published agenda, unless the item is brought up according to appropriate parliamentary rules during the meeting.

ARTICLE VIII-QUORUM AND VOTING PROCEDURES

- A. Quorum. A majority of voting members of the Board shall constitute a quorum for the purpose of transacting all business. The Chairperson shall acknowledge the presence of a quorum and call the meeting to order at the time designated in the notice of the meeting, or upon the arrival of a sufficient number of members to constitute a quorum if that occurs later. If, during the course of any meeting, any member desires to leave, either temporarily or permanently, that member shall announce such intention to the Chairperson. If at any time it shall appear that there are not sufficient members present to constitute a quorum, the Chairperson shall so announce and declare the meeting recessed or adjourned until a quorum is present. There shall be no substantive discussion of agenda items other than procedural matters if a quorum is not present.
- B. Voting. All votes shall be decided by a majority of those present and voting unless otherwise stipulated by the most recent edition of Robert's Rules of Order. A list of members and any votes taken shall accompany all Board recommendations. If a conflict of interest is claimed, the members claiming such a conflict shall state the conflict for the record. No proxy voting is permitted.

ARTICLE IX – SPECIAL PROVISIONS

A. Powers. The Board also possesses the following powers:

- (1) Adopt bylaws and rules of procedure for the conduct of its authorized activities;
- (2) Recommend for approval and authorization by City Council a proposed annual work program involving studies for the preservation and improvement of the environment and issue reports and findings on such studies;
- (3) Make specific recommendations on environmental questions referred by City Council, the City Manager, or the Municipal Planning Commission.

ARTICLE X-PARLIAMENTARY AUTHORITY

A. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules the Board may adopt, or any rules approved by City Council governing the operation of the Board.

ARTICLE XI – BYLAWS

- A. Date of Approval. These bylaws and any amendments thereto shall take effect upon their approval by the City Council, as provided in Article III, Section 6, of the City Charter.
- B. Amendments. Amendments to these bylaws may be considered at any regular or special meeting of the Board, provided that any proposed amendment shall have been provided to the Board members at least seven (7) days prior to the meeting at which it is to be considered. Amendment of the bylaws requires a two-thirds vote of the Board members. The Chairperson may designate a committee to review the bylaws, where appropriate.
- C. Official Copies. An official copy of these bylaws and any changes thereto shall be maintained in the City Clerk's office and shall be furnished to any other appropriate body.

APPROVED BY ENVIRONMENTAL QUALITY ADVISORY BOARD

Chairperson

APPROVED BY OAK RIDGE CITY COUNCIL

Mayor

Amended: _____
Adopted: _____

**RULES AND PROCEDURES
OF THE
ENVIRONMENTAL QUALITY ADVISORY BOARD
OAK RIDGE, TENNESSEE**

I. Meetings

- A. Meeting Procedure. All regular meetings will follow the order of the agenda listed in Article VII, Section E of the Board bylaws. At special meetings, the Board shall transact only such business as that designated in the previously posted meeting agenda.
- B. Right to Speak.
 - (1) Members. The Chairperson shall recognize the right of Board members to speak before the body. A Board member shall initiate his/her right to speak by seeking recognition from the Chairperson.
 - (2) Members of the Public. The Chairperson shall recognize a citizen's opportunity to comment on items that are under consideration by the Board as part of the formal agenda.
- C. Time and Place of Meetings. An annual meeting shall be held on the first Thursday of January, or at such time and place as may be designated by the Chairperson. Regular meetings shall likewise be held on the first Thursday of each month, or at such other time and place as may be designated by the Chairperson. Special meetings shall be held at the time and place designated by the meeting notice. The Board may decide to reschedule a single meeting without the change having to be approved by City Council, but permanently changing the scheduled meeting dates would require City Council approval. The Board shall decide to reschedule a meeting either at a prior meeting or soon enough so that proper notice can be given of the meeting date change.

II. Agenda

- A. Preparation. The agenda for meetings shall be prepared by the staff liaison from items suggested by members of the Board, City Manager, City Council, or City Staff. If individuals or groups from the general public have suggested items that would require Board action, they shall coordinate with City staff regarding placement on a meeting agenda. Any items which require technical review by staff shall have been submitted in a timeframe in which complete review can be conducted by staff.
- B. Contents. The agenda of a regular meeting shall contain only such items that have been received by a deadline set forth by City staff for timely

agenda publication.

- C. Copies. All members shall be furnished a copy of the agenda and as much supporting material as practical prior to any meeting, which material shall be sent to members with the meeting notice referenced in Article VII, Section D of the Board's bylaws.
- D. Publication on website. The entire agenda packet shall be published on the Board's City webpage at least forty-eight (48) hours before a regular meeting and twenty-four (24) hours before a special-called meeting.

III. Public Comment

- A. Public Comment During Regular Meetings. Any person speaking to the Board shall be asked to provide their name and address. Speakers shall address all comments to the Board members and not to other members of the audience. Any individual who wishes to speak for or against an agenda item shall have three (3) minutes to address the Board. This may be extended at the discretion of the Chairperson.
- B. Appearance of Citizens. During the "Appearance of Citizens" section of the meeting agenda pertaining to non-agenda items, the speaker must state their name and address. Speakers shall address all comments to the Board and not to other members of the audience. Speakers shall have (3) minutes to address the Board. This may be extended at the discretion of the Chairperson.

IV. Voting

- A. Number. Each official member of the Board present shall be entitled to cast one (1) vote.
- B. Required Majority. The decisions of the Board shall be by majority vote of the members present and voting, with a quorum being present. In the event of a member's abstention based on a conflict of interest or other disqualification, the abstention shall count as if that member were absent and the number of persons necessary for a majority shall be reduced accordingly without affecting the quorum.
- C. Method. Except for the election of officers, the Chairperson shall call for a voice vote of "Aye" and "Nay" upon each matter voted upon. Should all voice votes be either "Aye" or "Nay," such vote shall be deemed a unanimous vote of all members present; provided, however, any member present may request that the minutes show he or she abstained from voting. In the event both "Aye" and "Nay" votes are cast via voice, the Chairperson shall then direct roll call vote or show of hands.
- D. Recording. The Chairperson shall announce the results of all votes and shall

direct that the results be recorded in the official minutes of the Board.

V. Motions

- A. The Board adheres to the current edition of Robert's Rules of Order except for any rules as approved by City Council:

VI. Special Provisions

- A. Advisory Actions of the Board. The Board may provide constructive guidance or suggestions for other action in order to achieve a positive result on an issue under consideration.

VII. Records

- A. A file of all materials and decisions of the Board shall be kept by the City Manager's office as part of the official records of the Board.
- B. All records of the Board shall be public records, with exceptions as provided for by state law.

VIII. Amendments to Rules

- A. These Rules and Procedures may be amended by a majority vote of the members at any Board meeting and shall become effective after approval by City Council.

Adopted: _____ Resolution No. _____ Effective: _____

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Roger Flynn , Public Works City Engineer

SUBJECT: Street Resurfacing Contract FY2022-122

SUPPORTING DEPARTMENT: -None-

Introduction

An item for City Council's consideration is a resolution awarding a contract to Rogers Group, Inc., for street resurfacing in an amount not to exceed \$417,348.90.

Funding

Funding for the subject contract is available in the FY-22 budget.

Background

Each year the Public Works Department prepares a list of streets to resurface. Staff prioritizes streets on this list based on multiple factors, including the number of defects, the severity of defects, traffic volume, and type of defects. Types of defects include whether the defect is structural, meaning it will cause further deterioration, or cosmetic, meaning the street is still serviceable. Traffic volume is likewise an important factor because a street with a high traffic count will wear much quicker than one in similar condition but sees less traffic. Public Works also avoids locations where Staff expects future utility or drainage repairs will occur to minimize rework.

This year, Staff advertised this project and received four bids, which were publicly opened on March 22, 2022. Rogers Group, Inc., had the best bid at \$402,348.90. Staff is comfortable with the unit prices and is pleased with the contractor's past performance.

Typically, Staff attempts to maximize the number of center lines miles resurfaced based on the funds available, the anticipated unit prices, less any known repair costs. Repair costs include subgrade repairs and concrete work, such as sidewalk repairs and handicap ramps. This contract is an exception to the typical practice in that it is much smaller than usual and will only use a portion of the current resurfacing funds.

Public Works policy is to repair water, sewer, storm drain lines, and any visible subsurface

defects before resurfacing work occurs. This practice reduces the possibility of excavating new asphalt in the future and prevents the paving contractor from having to wait on City crews to perform repairs. Initially, there were additional streets that Staff intended to include on the resurfacing list. While investigating these streets, Staff learned that 41 underground water services require renewal. However, the material needed to complete such repairs is not available due to supply chain issues. Warehouse orders placed in November of 2021 have not been filled, and Public Works is reserving the small amount of material in stock to set water meter services for new houses and to maintain a ready stock for emergent repairs. Based on these factors, Staff decided to proceed with a smaller this fiscal year and request the budgeted, unused State Street Aid funds be encumbered to the next fiscal year.

When a street is resurfaced, it is very common for the contractor to discover subsurface defects that are not visible until the existing street surface is milled off. Minor subsurface problems can frequently be corrected by Public Works personnel. However, more significant defects are generally best repaired by the contractor. Therefore, Staff is requesting City Council approve an additional \$15,000.00 contingency for subsurface repairs by the contractor. Based on the contractor's base bid of \$402,384.90, the total amount approved by the resolution is \$417,348.90.

Recommendation


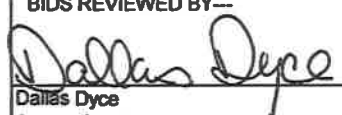
Staff recommends approval of the attached resolution.

Attachments:

[2022-122 abstract & list.pdf](#)

[Resolution - Street Resurfacing Contract - Rogers Group.docx](#)

FY2022-122
OPENING DATE: March 22, 2022 2:30 P.M.

DESCRIPTION		QTY	UNIT	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
FURNISH ALL LABOR, MATERIALS, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES REQUIRED FOR STREET MILLING AND RESURFACING PROJECT PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE PUBLIC WORKS DEPARTMENT					\$ 402,348.90		\$ 487,152.70		\$ 517,081.30		\$ 565,627.50
Contingency for unforeseen subsurface conditions, to be used only if required.					\$ 15,000.00		\$ 15,000.00		\$ 15,000.00		\$ 15,000.00
TOTAL PRICE				\$ 417,348.90		\$ 502,152.70		\$ 532,081.30		\$ 580,627.50	
TERMS				Net 30		Net 30		Net 30		Net 30	
DELIVERY				per Contract		per Contract		per Contract		per Contract	
F.O.B.				Oak Ridge		Oak Ridge		Oak Ridge		Oak Ridge	
VIA				Best Way		Best Way		Best Way		Best Way	
Advertised on the City's Website for 13 days OTHER BIDDERS CONTACTED:											
REASON FOR AWARD ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>						RECOMMEND AWARD BE MADE TO: Rogers Group, Inc. 601 Maryville Pike Knoxville, TN 37920					
BIDS OPENED AND RECORDED BY—  Lyn Majeski Purchasing Manager						BIDS REVIEWED BY—  Dallas Dyce Accounting Manager					

TO BE RESURFACED IN SUMMER OF 2022

Name	From street	To street	Width	(Mi.)	(Lin Ft)	Sq Yds	Strategy
				Length	Length		Type Mill/OL Depth
Laboratory Rd.	60' East of Lafayette Dr.	East Division Rd.	36	0.19	986	4274*	G\1.5"
Laboratory Rd. 1	East Division Rd.	Bus Terminal Rd.	38	0.2	1064	4469*	G\1.5"
Laboratory Rd. 2	Bus Terminal Rd.	Administratio n Rd.	38	0.125	635	2589*	G\1.5"
Laboratory Rd. 3	Administratio n Rd.	175 Laboratory Rd.	38	0.3	1566	7830*	G\1.5"
Outer Dr. 3	Delaware Dr.	California Ave.	25	.641	3384	9400	G\1.5"

*Dimensions do not equal total Sq Yds. Area was measured using GIS mapping.

STRIPING SCHEDULE

			QUANTITY	ITEM
Laboratory Rd. (all marking to be Thermo)	60' East of Lafayette Dr.	200' North of Briarcliff Ave.	6375 470 1590 3050 3300 19 2 3	SWSL (single white solid line) SWDL (single white dashed line) DYSL (double yellow solid line) SYSL (single yellow solid line) SYBL (single yellow broken line) Turn Arrow Crosswalk 24' X12" wide white stop bar
Outer Dr. 3 Stripe to be Thermo	Delaware Dr.	California Ave.	3,330	DYSL

NUMBER _____

RESOLUTION

A RESOLUTION AWARDING A CONTRACT (FY2022-122) TO ROGERS GROUP, INC., KNOXVILLE, TENNESSEE, FOR STREET MILLING AND RESURFACING OF DESIGNATED CITY STREETS IN AN AMOUNT NOT TO EXCEED \$417,384.90 AND ENCUMBERING RESIDUAL FY2022 BUDGETED FUNDS IN THE STATE STREET AID FUND FOR FY2023 TO BE USED FOR STREET RESURFACING PROJECTS.

WHEREAS, the City issued an invitation to bid for the furnishing of all labor, tools, materials, equipment, and supplies necessary for milling and resurfacing of specified city streets; and,

WHEREAS, bids were received and publicly opened on March 22, 2022, with Rogers Group, Inc., Knoxville, Tennessee, submitting the lowest and best bid, which bid the City Manager recommends be accepted; and,

WHEREAS, it is anticipated that a significant amount of budgeted funds will remain in the State Street Aid Fund at the end of Fiscal Year 2022 and the City Manager recommends encumbering such funds for use in Fiscal Year 2023 for future street resurfacing.

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 an award is made to Rogers Group, Inc., 601 Maryville Pike, Knoxville, Tennessee 37920, for the furnishing of all labor, tools, materials, equipment, and supplies necessary to perform all work and services for the milling and resurfacing of specified city streets; said award in strict accordance with Contract Number FY2022-122, the required specifications, and the bid as publicly opened on March 22, 2022, and in an amount not to exceed \$417,384.90, which amount includes \$15,000.00 for contingencies for unexpected subsurface conditions.

BE IT FURTHER RESOLVED that the recommendation of the City Manager is approved and the City hereby encumbers all available residual FY2022 budgeted funds in the State Street Aid Fund for FY2023 for payment toward street resurfacing projects.

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

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Ardo Ba , Electric Director

SUBJECT: Amendment of Resolution Number 7-78-2021 for Poles and Cable purchase

Introduction

An Item for City Council's consideration is a resolution amending Resolution Number 7-78-2021 approved on July 12, 2021, to increase the authorized amount to purchase poles and cable from respectively \$200,000 to \$300,000 and from \$250,000 to \$450,000.

Funding

Funding is through the Electric Fund.

Background

The Electric Department purchases a variety of poles and cable types for our electric system through the City's competitive bidding process. Unlike special projects, the materials mentioned above are normally placed in stock mostly for maintenance and customers requests for work. During fiscal year 2022, the Electric Department performed a significant amount of necessary maintenance work on our distribution and transmission network. Some of that work can be observed with the replacement of old transmission poles along Tuskegee Drive and several distribution poles within central Oak Ridge.

Also, ongoing residential developments have accelerated the use of our stock. As a result, ongoing projects coupled with the unpredictable increase in cost of materials have caused us to be near the dollar amounts that were approved in the Resolution mentioned above. Although we have enough poles and cable for projects currently identified through the City's site review process, the Electric Department would like to have the ability to order more material to meet customer demand and respond to market conditions.

Recommendation

Staff recommends approval of the attached resolution.

Attachments:

[07-0078-2021_Resolution.PDF](#)

[Resolution - Amend Resolution 7-78-2021 - Poles and Cable.docx](#)

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY TO PURCHASE CERTAIN MATERIALS AS REQUIRED DURING FISCAL YEAR 2022 IN AN AGGREGATE AMOUNT NOT TO EXCEED \$2,066,975.00 AND UTILIZING THE CITY'S COMPETITIVE BIDDING PROCESS.

WHEREAS, the City of Oak Ridge has issued invitations to bid for the furnishing of various materials as required during Fiscal Year 2022 (July 1, 2021 through June 30, 2022) and has received competitive bids which were publicly opened; and,

WHEREAS, other required materials, with an aggregate cost exceeding \$25,000.00 during Fiscal Year 2022, will be competitively bid during the year on an as-needed basis; and,

WHEREAS, the City Manager recommends that awards be made based upon the competitive bids that have or will be received with the respective suppliers of materials hereinafter set forth.

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

That the recommendation of the City Manager is approved, and awards are hereby made as follows:

To Rogers Group, Inc., 250 Union Valley Road, Oak Ridge, Tennessee 37830, as the lowest bidder for the furnishing of warehouse stock stone, in accordance with its bid, as shown on Request No. 172447, in an amount not to exceed \$199,200.00.

To Rogers Group, Inc., 250 Union Valley Road, Oak Ridge, Tennessee 37830, as the lowest bidder for the furnishing of stone products, in accordance with its bid, as shown on Request No. 172448, in an amount not to exceed \$157,175.00.

To Rogers Group, Inc., 250 Union Valley Road, Oak Ridge, Tennessee 37830, as the lowest bidder for the furnishing of hot mix asphalt, in accordance with its bid, as shown on Request No. 172449, in an amount not to exceed \$310,600.00.

To G & C Supply Company, Piping Supply, Consolidated Pipe & Supply Co., Core & Main, and other suitable companies after utilization of the City's competitive bid process for the furnishing of warehouse stock fire hydrants, in an amount not to exceed \$65,000.00.

To National Meter & Automation, Inc., Southern Pipe & Supply Company, Core & Main, and other suitable companies after utilization of the City's competitive bid process for the furnishing of warehouse stock water meters, in an amount not to exceed \$75,000.00.

To Stuart C. Irby, Wesco Distribution, Inc., Vision Metering, LLC, and other suitable companies after utilization of the City's competitive bid process for the furnishing of warehouse stock electric meters, in an amount not to exceed \$75,000.00.

To Thomasson Company, Baldwin Pole Company, Cox Industries, Inc., Power Supply Company, Wesco Distribution, Inc., Stuart C. Irby Company, and other suitable companies

after utilization of the City's competitive bid process for the furnishing of warehouse stock wooden and metal poles, in an amount not to exceed \$200,000.00.

To Stuart C. Irby Company, Wesco Distribution, Inc., Border States, Power Supply Company, and other suitable companies after utilization of the City's competitive bid process for the furnishing of warehouse stock overhead and underground cables for the Electric Department, in an amount not to exceed \$250,000.00.

To Wesco Distribution, Inc., Stuart C. Irby Company, Power Supply Company, Border States, and other suitable companies after utilization of the City's competitive bid process for the furnishing of warehouse stock LED lights, in an amount not to exceed \$300,000.00.

To Wesco Distribution, Inc., Graybar, Stokes Lighting Center, Customer Service Electric Supply, Kendall Electric, Inc., and other suitable companies after utilization of the City's competitive bid process for the furnishing of warehouse stock switchgears for the Electric Department, in an amount not to exceed \$150,000.00.

To Wesco Distribution, Inc., Stuart C. Irby Company, Anixter, and other suitable companies after utilization of the City's competitive bid process for the furnishing of warehouse stock junctions for the Electric Department, in an amount not to exceed \$35,000.00.


To Wesco Distribution, Inc., Stuart C. Irby Company, and other suitable companies after utilization of the City's competitive bid process for the furnishing of warehouse stock overhead switching devices for the Electric Department, in an amount not to exceed \$150,000.00.

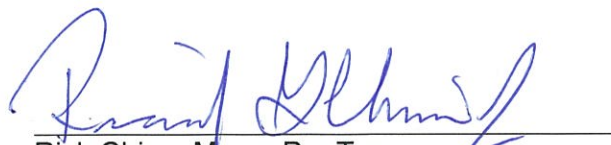
To Wesco Distribution, Inc., Stuart C. Irby Company, Power Supply Company, Border States, and other suitable companies after utilization of the City's competitive bid process for the furnishing of fiber optic cable for the Electric Department, in an amount not to exceed \$100,000.00.

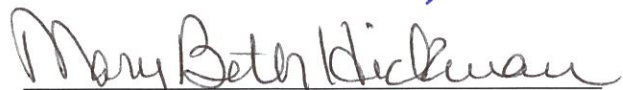
BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute the appropriate legal instruments to accomplish the same.

This 12th day of July 2021.

APPROVED AS TO FORM AND LEGALITY:


Tammy M. Dunn, City Attorney


Rick Chinn, Mayor Pro Tem


Mary Beth Hickman, City Clerk

NUMBER _____

RESOLUTION

A RESOLUTION TO AMEND RESOLUTION 7-78-2021 PERTAINING TO ANNUAL ORDERS TO ADD ADDITIONAL FUNDS FOR WAREHOUSE STOCK WOODEN AND METAL POLES AND OVERHEAD AND UNDERGROUND CABLES.

WHEREAS, by Resolution 7-78-2021, City Council authorized the City to solicit competitive bids and purchase certain warehouse stock items to be used in various City projects throughout the fiscal year; and,

WHEREAS, this year, the Electric Department performed a significant amount of necessary maintenance that has accelerated the use of certain warehouse stock items (wooded and metal poles, and overhead and underground cables) and the Electric Department is approaching the authorized purchase limit; and,

WHEREAS, the City Manager recommends an amendment to Resolution 7-78-2021 to increase the authorized limits so additional stock can be ordered to respond to demand and/or perform emergent repairs if needed.

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

That the recommendation of the City Manager is approved, and Resolution 7-78-2021 is hereby amended as follows:

- To add \$100,000.00 in additional funds for furnishing of warehouse stock wooden and metal poles for FY2022 (July 1, 2021 through June 30, 2022) bringing the total not to exceed amount to \$300,000.00; and
- To add \$200,000.00 in additional funds for furnishing warehouse stock overhead and underground cables for FY2022 (July 1, 2021 through June 30, 2022) bringing the total not to exceed amount to \$450,000.00.

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

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Ardo Ba , Electric Director

SUBJECT: Purchase of Transclosures for new Underground Subdivisions

Introduction

An item for City Council's consideration is a resolution allowing the Electric Department to purchase Transclosures for new residential subdivisions if needed in an amount not to exceed \$150,000.00.

Funding

Funding for this purchase is through the Electric Fund

Background

Typically, the Electric Department uses single phase pad mounted transformers to supply power to new residential developments. Due to supply chain issues, lead times for pad mounted transformers went from approximately twelve (12) weeks to sixty (60) weeks. In addition, residential developments are occurring at a pace faster than we have experienced in recent years. Our Engineering Department is continuously looking for viable alternatives to keep development from slowing down. Staff was able to find transclosures that could be used to house transformers that would normally be used to supply power overhead. These transclosures are safe, meet code and would be used only if absolutely necessary.

Some quotes we are receiving from suppliers are only valid for a short amount of time therefore, not allowing enough time to go through City Council. Approval of this resolution will enable the Electric Department to adjust to market conditions. Prior to making any purchases, staff will go through the City's competitive bidding process. Failure to approved this item could result with the City not being able to meet customer demand.

Recommendation

Staff recommends approval of the attached resolution.

Attachments:

[Resolution - Transclosures.docx](#)

NUMBER _____

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY TO PURCHASE TRANSCLOSURES FOR THE ELECTRIC DEPARTMENT AS REQUIRED IN AN AGGREGATE AMOUNT NOT TO EXCEED \$150,000.00 AND UTILIZING THE CITY'S COMPETITIVE BIDDING PROCESS.

WHEREAS, due to supply chain issues, lead times for pad-mounted transformers have increased from approximately twelve (12) weeks to sixty (60) weeks; and,

WHEREAS, the Electric Department is constantly looking for viable alternatives to prevent development from slowing down in light of these circumstances; and,

WHEREAS, as a result, staff was able to locate transclosures to house overhead transformers, which are a safe and code-compliant alternative; and,

WHEREAS, many of the quotes received are only valid for a short time which does not allow sufficient time to go through the Council approval process, therefore, staff is requesting advanced approval to competitively bid this item and expend up to \$150,000.00; and,

WHEREAS, the City Manager recommends that awards be made based upon the competitive bids that have or will be received for transclosures.

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

That the recommendation of the City Manager is approved, and awards are hereby made to Stuart C. Irby Company, Wesco Distribution, Inc., Border States, Power Supply Company, and other suitable companies after utilization of the City's competitive bid process for the furnishing of warehouse stock transclosures for the Electric Department, in an amount not to exceed \$150,000.00.

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

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Ardo Ba , Electric Director

SUBJECT: Purchase of Steel Pole Structures for Transmission Line Upgrades

Introduction

An item for City Council's consideration is a resolution making an award to Irby Utilities, Johnson City, Tennessee, in an amount not to exceed \$352,839.00 for the purchase of steel pole structures for central Oak Ridge project geared towards reliability and resiliency.

Funding

Funding for this project is through Electric Fund.

Background

During the summer of 2021, a tall tree that was located well outside our transmission line easement fell on our overhead 69kV transmission line. That event disrupted power to a little over one third (1/3) of our customers. At that time, the Electric Department was already looking into ways to modernize our grid and make our system more reliable and resilient. After reviewing that event, it was determined that a dedicate circuit to each of our substations along with a backup circuit would help minimize the number of customers that would be affected by substation outages. The purchase of these steel pole structures is one step towards that goal. This will replace existing wood poles, most of which have surpassed their life expectancy and need to be replaced.

Other items that need to be purchased include polymer insulators, motor operated disconnect (MOD) switches and communication system via fiber for future Supervisory Control And Data Acquisition (SCADA).

Recommendation

Staff recommends approval of the attached resolution.

Attachments:


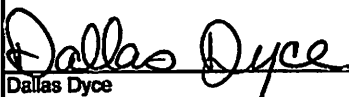
[Line 644 & 664 69kV Steel Poles.pdf](#)

[Resolution - Steel Poles.docx](#)

CITY OF OAK RIDGE, TENNESSEE
Abstract of Bids

RFQ 175360

OPENING DATE: February 15, 2022 2:00 P.M.

FOR --- Line 644 & 664 69kV Rebuild Steel Pole Structures			BIDDER: Stuart C. Irby Co. 501 West Mountainview Road Johnson, City, TN 37604		BIDDER: ROHN Products, LLC 1 Fairhom Avenue Peoria, Illinois 61603		BIDDER: Meyer Utility Structures, LLC 6750 Lenox Center Ct., Suite 400 Memphis, TN 38115		BIDDER: Sabre Industries, Inc. 8653 E. Highway 67 Alvarado, TX 76009	
DESCRIPTION				TOTAL		TOTAL		TOTAL		TOTAL
THE FURNISHING OF STEEL POLE STRUCTURES FOR LINE 644 & 664 69 kV PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE ELECTRIC DEPARATMENT				\$ 352,839.00		\$ 387,350.00		\$ 402,533.00		\$ 444,498.00
TOTAL PRICE				\$ 352,839.00		\$ 387,350.00		\$ 402,533.00		\$ 444,498.00
TERMS				Net 30		Net 30		Net 30		Net 30
DELIVERY				20-24 Weeks		16-20 Weeks		31 Weeks		30-34 Weeks
F.O.B.				Oak Ridge		Oak Ridge		Oak Ridge		Oak Ridge
VIA				Best Way		Best Way		Best Way		Best Way
Advertised on the City's website for 19 days. OTHER BIDDERS CONTACTED: Wesco Distribution, Inc. - Knoxville, TN Technology International, Inc. - Lake Mary, FL MVA Power, Inc. - Montreal, Quebec Border States Industries, Inc. - Nashville, TN										
REASON FOR AWARD: ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>				RECOMMEND AWARD BE MADE TO: Stuart C. Irby Co. 501 West Mountain View Road Johnson, City, TN 37604				BIDS OPENED AND RECORDED BY---  Lyn Majeski Purchasing Manager		
								BIDS REVIEWED BY---  Dallas Dyce Accounting Manager		

NUMBER _____

RESOLUTION

A RESOLUTION AUTHORIZING THE PURCHASE OF STEEL POLE STRUCTURES FOR TRANSMISSION LINE UPGRADES FROM STUART C. IRBY COMPANY, JOHNSON CITY, TENNESSEE, IN AN AMOUNT NOT TO EXCEED \$352,839.00 FOR USE BY THE ELECTRIC DEPARTMENT.

WHEREAS, the Electric Department has been researching ways to modernize the electric grid to make the system more reliable and resilient; and,

WHEREAS, after reviewing a recent event that disrupted power to customers, the Electric Department has determined a dedicated circuit to each substation along with a backup circuit would help minimize the number of customers affected by substation outages; and,

WHEREAS, the purchase of steel pool structures to replace existing wood poles is a step toward that goal; and,

WHEREAS, the City issued an invitation to bid for the purchase of steel pole structures; and,

WHEREAS, bids were received and publicly opened on February 15, 2022, with Stuart C. Irby Company submitting the lowest and best bid, which bid the City Manager recommends be accepted.

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

That the recommendation of the City Manager is approved, and an award is hereby made to Stuart C. Irby Company, 501 West Mountain View Road, Johnson, City, Tennessee 37604, for the purchase of steel pole structures for transmission line upgrades; said award in strict accordance with Request No. 175360, the required specifications, and the bid as received and publicly opened on February 15, 2022, and in an amount not to exceed \$352,839.00.

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

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Honorable Mayor and City Council

FROM: Mark Watson , City Manager

SUBJECT: Creation of a Disability Advisory Board for the City of Oak Ridge

SUPPORTING DEPARTMENT: -None-

Introduction

The City Council has been approached by interested citizens for the establishment of a Disability Advisory Board for the City of Oak Ridge. As part of the varied boards and commissions currently established by the City Council, the Disability Advisory Board would be established to provide an additional viewpoint on City policies, capital projects, public services and projections of the future needs of the disabled community in Oak Ridge.

Funding

No funding is required for the creation of this Board. Bryan Mills, current ADA coordinator, will be initially assigned as a staff liaison for this Board's work.

Background

Many months ago, transportation was identified as a critical need for improvement in the Oak Ridge community. An ad hoc study group developed to become informed as to how to improve this service, particularly for the disabled and elderly community. An outcome of this group was the proposal to create a Disability Advisory Board (DAB) to provide further perspective on disability issues. This information would be developed and shared with the City Council, City Manager, city staff and community.

The purpose of this Board shall be to provide perspective and comment to the City Council and City Manager on disability related issues affecting the City of Oak Ridge. Said comments and advice are purposed to allow the suggested integration of ideas and priorities into the overall priorities of the city government. Recognizing that the disability community may have additional needs beyond existing city services, the Disability Advisory Board shall be assigned to recommend studies or reviews regarding city infrastructure and facilities and shall provide recommended priorities to their implementation including but not limited to collaborating with existing city boards on community projects. The Disability Advisory Board shall participate annually with the Planning Commission in the annual review of the CIP. The Disability Advisory Board shall also serve as a resource and provide advice to the ADA Coordinator of the City on any formal ADA reviews and cases. The Disability Advisory Board may also provide a "citizen board" for persons with disabilities to reach out to on policy and service issues.

The establishment of this board shall consist of nine members which shall meet on a monthly basis. Five members shall constitute a quorum. The Disability Advisory Board shall be appointed by City Council with members that shall be knowledgeable, experienced or familiar

with disability issues. The board shall confirm with the Bylaws and Rules as provided in the attached templates as coordinated with the City Clerk. Bryan Mills, current ADA Coordinator for the City will be the staff liaison initially. Due to the nature of matters that may come before the Disability Advisory Board, the Board members shall adhere to all matters requiring open records, posting of agendas and minutes as determined by the City Attorney.

As defined by the resolution of the City Council, boards shall coordinate on purposes and goals. These are to be coordinated with the City Manager and Chair for the coming year or longer period. The City Council will affirm the collaborative goals as submitted. The City Council has also wanted to affirm that the general public has opportunities on the agenda to speak on the listed agenda. The City Clerk will coordinate this with the board during the development of Rules and Procedures.

As a unique board that may have reasons to address issues of other boards, the Disability Advisory Board shall coordinate with the staff liaison on any issue to be addressed that is in the purpose of another board, whether established by Charter or resolution. Any matter involving recommendations for capital expenditures, use of staff resources or changes in public policy as a whole shall coordinate with the City Manager for any conflicts or additional information prior to any submittal to the City Council for consideration.

In developing this board, the City Clerk shall conduct a selection process for those interested in serving on this board for selection by the June meeting. Afterwards, the Clerk shall work with the Board for completion of Bylaws and Rules & Procedures. Simultaneously, the City Manager will work with the Board and Chair on priorities of goals for City Council submittal and approval. For purposes of appointment, the terms of the members shall begin upon appointment, but the 3-year term (including 2-year and 1-year transition terms) shall start in January, 2023.

Recommendation

City Council shall consider a resolution creating the Board with bylaws

Attachments:

[Bylaws Template AsAdopted.doc](#)

[Rules and Procedures TemplateAsAdopted.docx](#)

[Resolution - Disability Advisory Board Creation.docx](#)

Last Amended: _____
Last Adopted: _____

**BYLAWS OF THE
(Insert Board/Commission Name Here)
OAK RIDGE, TENNESSEE**

ARTICLE I - NAME

The name of this board shall be the “(Insert Board/Commission Name Here),” which, for convenience, shall hereafter be referred to as the “Board/Commission” in these bylaws.

ARTICLE II – PURPOSE AND GENERAL POWERS

A. Purpose.

The purpose of the (Insert Board/Commission Name here) is to (insert language particular to each Board/Commission’s purpose). The purpose and general powers of the Board shall also encompass those purposes and powers specified in:

- (1) Tennessee Code Annotated, section(s) _____ (if applicable);
- (2) Applicable sections of the Oak Ridge City Charter and the Oak Ridge Municipal Code, and any amendments and supplements thereto; and
- (3) Regulations, rules, bylaws and policies adopted by the Oak Ridge City Council

B. Creation of the Board/Commission. The Board/Commission has been created by the Oak Ridge City Council by (Resolution/Ordinance number) pursuant to the provisions of Tennessee Code Annotated (if applicable).

ARTICLE III – MEMBERS

A. Size. The Board/Commission shall consist of _____ voting members. (This section would also outline how many are elected by City Council and how many are appointed by the Mayor.)

B. Membership. Members must reside within the city limits of Oak Ridge. (Additional qualifications specific to that Board/Commission would be added here.) Pursuant to Article 13, Section 3(e), no active City employee may serve

on a City Council appointed board, commission or committee unless they are serving as staff representatives without voting privileges.

C. Attendance Requirement

- (1) Expectation of Attendance. Members of the Board/Commission are expected to attend all scheduled meetings and are responsible for communicating their inability to attend in a timely fashion to the Chairperson and Staff Liaison along with a reason for the anticipated absence.
- (2) Attendance Record. The Secretary shall record the full names of those members present and absent in the minutes of each scheduled meeting and shall provide the City Clerk with a signed copy of the minutes upon their approval by the Board/Commission. The Secretary shall also maintain a separate attendance record, which shall be provided to the Chairperson of the Board and the City Clerk within seven (7) days after each meeting. If the Board/Commission has no Secretary, the person responsible for recording the minutes shall perform this function.
- (3) Absence from Meetings. When a member of the Board/Commission is absent from three (3) regularly-scheduled or regularly-called meetings during the Board/Commission's term-year, which is a one-year period beginning on the date of term commencement, the Chairperson shall request that the member provide a written explanation of the absences. The Board/Commission shall determine whether to accept or reject the explanation by a majority vote. If the Board/Commission votes to accept the explanation, the absences shall be considered "excused" and will not accrue for purposes of removal from the Board/Commission. If the Board/Commission votes to reject the explanation, the absences will accrue for purposes of removal. If a member is absent from three (3) meetings and makes no efforts to comply with the Chairperson's request for an explanation, those absences will accrue for purposes of removal. Accrual of four (4) unexcused absences shall result in removal from the Board/ Commission as outlined in Item (3).
- (4) Removal Due to Absences. When a member is absent from four (4) regularly-scheduled or regularly-called meetings during the Board/Commission's term-year, and consistent with the procedure set forth in Item (3), the member shall be notified that he/she has been removed from the Board/Commission by a vote of his/her peers. The Chairperson shall notify City Council of the vacancy by letter, and the City Clerk shall schedule an election to fill the vacancy in the customary manner.

- D. Terms of office. (This information would be board-specific). A member will serve until a successor is elected.
- E. Oath of Office. Before assuming the duties of office, each member shall take the Oath or Affirmation of Office through the City Clerk's office.
- F. Vacancies.
- (1) Automatic. Any member of the Board/Commission who shall move to a principal residence located outside the city limits of Oak Ridge shall be deemed to have automatically vacated the office. (This would not apply if the member was not required to be a city resident, such as the Hotel Representatives on the CVB Board or members of the Trade Licensing Board.)
 - (2) Resignation. Any member desiring to resign from the Board/Commission shall promptly inform the Chairperson and the City Clerk in writing of his or her intention to resign. Such notice shall state the effective date of resignation and may also state any reason for said resignation. The City Clerk will communicate the resignation and the reason for resignation to the City Manager and City Council.
 - (3) Removal from office. In addition to the circumstances outlined in Sections F(1) and F(2), a member can also be removed from office for cause by a majority vote of City Council or upon the recommendation of a majority of Board/Commission members.
 - (4) Replacement. In the event of resignation, death, or removal from office, the vacancy will be filled by City Council at the next regularly scheduled election or as soon as possible if multiple vacancies are affecting the ability to have a quorum.
- G. Ethics. All members shall be subject to the provisions of the ethics policy of the City of Oak Ridge and applicable state ethics laws. Any Board/Commission member who has any conflict of interest in any matter or issue brought before the Board/Commission shall make such fact known to the Board/Commission prior to any vote by the Board/Commission on such issue. Sections 21-103 and 21-104 of the City Code provides additional guidance regarding disclosure of personal interest and recusal.

ARTICLE IV – OFFICERS

- A. Title; Number. The officers of the Board/Commission shall consist of a Chairperson, Vice Chairperson, Secretary, and such other officers as the Board/Commission may deem appropriate, who shall be elected by and from official members of the Board/Commission.
- B. Election. The election of officers shall be held at the annual meeting of the Board/Commission. A majority vote of members present shall be required to elect any officer.
- C. Term of Office. Officers of the Board/Commission shall serve for a period of one (1) year, or until the next annual meeting, or until such time as a replacement has been duly elected; provided, however, no officer shall be removed from office prior to the next following annual meeting after such officer's election, except by two-thirds vote of the official members of the Board/Commission. All officers shall be eligible for reelection for consecutive terms.
- D. Vacancies. In the event any elective office shall become vacant, the Board/Commission shall elect a successor at its next regular meeting, in the manner prescribed by Section B, above.

ARTICLE V – DUTIES OF OFFICERS

- A. Chairperson.
 - (1) The Chairperson shall preside at all meetings and hearings of the Board/Commission, and shall perform such other functions as may be required by law, by these bylaws, and/or those ordinarily performed by a Chairperson, in accordance with parliamentary procedure as prescribed in the current edition of Robert's Rules of Order.
 - (2) Except as otherwise provided by law or authorized by the Board/Commission, the Chairperson shall sign all communications from the Board/Commission to the City Manager and City Council.
 - (3) The Chairperson shall ensure issuance to all new members of the Commission the latest available revision of any current reports and documents necessary to fully inform such new member of the business presently before the Board/Commission.

B. Vice-Chairperson.

- (1) In the event of a vacancy or absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson until a new Chairperson is duly elected. Should the Chairperson be unable to perform the duties of office due to disability, absence, or disqualification, the Vice-Chairperson shall perform said duties until such time as they may be performed by the Chairperson or a new Chairperson is elected.
- (2) In addition to the foregoing duties, the Vice-Chairperson shall also perform such other duties as may be designated by the Chairperson.

C. Secretary.

- (1) The Secretary shall prepare such certifications of records and transcripts as required by law or as the Commission may direct.
- (2) The Secretary shall record minutes of all meetings of the Board/Commission and forward them to the staff liaison of the Board/Commission for formatting and placement in the agenda packet for the next meeting.
- (3) In the absence or disqualification of the Chairperson and Vice-Chairperson, the Secretary shall preside at the meetings of the Board/Commission.
- (4) The Secretary shall maintain attendance records and distribute them according to the provisions in Article III, Section C(2).

ARTICLE VI-STAFF LIAISON

- A. Duties. The staff liaison, appointed by the City Manager, or the City Manager's designee, shall assist the Chairperson in setting meetings; preparing the agenda and reports to the City Manager and City Council; and other support functions as needed. The staff liaison shall also ensure that the Board/Commission website within the respective department be up to date at all times with agendas, minutes, and other relevant information. The staff liaison shall also perform the duties outlined in Article VII, Section (D)(6) below pertaining to giving proper notice of meetings.

ARTICLE VII – MEETINGS

- A. Meetings Open to the Public. All Board/ Commission meetings shall be open to the public, and citizens shall have a reasonable opportunity to be heard.
- B. Type; Number. The meetings of the Board/Commission shall consist of a regular annual meeting and other regular meetings held each year, together with such special meetings as may be deemed appropriate and called pursuant to these bylaws.
- C. Method of Calling.
- (1) Regular Meeting. No formal call of a regular meeting shall be necessary, except for the notice of meeting provided for in Section D, below.
 - (2) Special Meeting. A special meeting shall be called at such time as may be deemed expedient by the Chairperson or any two members of the Board/Commission upon written request to the Chairperson or by approval of a majority of the members present at any meeting. The notice of a special meeting shall be as provided for in Section D, below. Special meetings are only for the purpose specified and no other item may be voted on at a special meeting that is not explicitly specified when calling a special meeting.
 - (3) Work Sessions. Board/Commission Work Sessions shall be called by the Chairperson. No formal action will be taken at the work sessions. (This will not apply to all boards.)
- D. Notice.
- (1) Regular Meetings. Notices of regular meetings shall be delivered to each member of the Board/Commission at least forty-eight (48) hours prior to the meeting.
 - (2) Special Meetings. The notice of a special meeting for matters shall be delivered to each member of the Board/Commission at least twenty-four (24) hours prior to the meeting.
 - (3) Work Sessions. The notice of a work session will follow the same procedure as a regular meeting.

- (4) Cancellation of Meetings. Whenever there is no business before the Board/Commission, the Chairperson may dispense with a Regular Meeting [or Work Session] by giving notice to all members not less than forty-eight (48) hours prior to the time set for the meeting. The staff liaison shall also ensure that the City Clerk is notified of the cancelled meeting so that the City Calendar can be updated. When unforeseen or emergency circumstances arise, the Chairperson may cancel meetings with less than forty-eight (48) hours' notice. Cancellation of a meeting due to quorum issues or weather would necessitate a special meeting to be called at a later date.
- (5) Adjourned Meetings. Should the Board/Commission not complete the business before it, the Chairperson may adjourn the meeting and schedule a continuation of the same meeting until the agenda has been completed. However, the adjourned meeting must meet the same notice requirements as a Special Meeting.
- (6) Proper Notice. The staff liaison shall be responsible for ensuring compliance with the Tennessee Open Meetings Act and for notifying members and the public reasonably prior to the date and time of each meeting. The staff liaison is required to comply with guidelines pertaining to matters of public notice and scheduling as provided by the City Clerk and shall notify the City Clerk of meetings as soon as possible so that the City Calendar can be updated.

E. Agenda.

- (1) Order of Business. The order of business of all regular meetings shall be as follows:
1. Call to Order
 2. Roll Call
 3. Approval of Order of Agenda
 4. Approval of Minutes
 5. Officers' Reports
 6. Committee Reports
 7. Unfinished Business
 8. New Business
 9. Appearance of Citizens (Non-agenda items)
 10. Announcements
 11. Adjournment

An agenda section for "Presentations" is optional and may be added to the agenda as needed. Each agenda item to be discussed shall be listed under the appropriate heading on the published agenda, unless the item is brought up according to appropriate parliamentary rules during the meeting.

ARTICLE VIII-QUORUM AND VOTING PROCEDURES

- A. Quorum. A majority of members of the Board/Commission shall constitute a quorum for the purpose of transacting all business. The Chairperson shall acknowledge the presence of a quorum and call the meeting to order at the time designated in the notice of the meeting, or upon the arrival of a sufficient number of members to constitute a quorum if that occurs later. If, during the course of any meeting, any member desires to leave, either temporarily or permanently, that member shall announce such intention to the Chairperson. If at any time it shall appear that there are not sufficient members present to constitute a quorum, the Chairperson shall so announce and declare the meeting recessed or adjourned until a quorum is present. There shall be no substantive discussion of agenda items other than procedural matters if a quorum is not present.
- B. Voting. All votes shall be decided by a majority of those present and voting unless otherwise stipulated by the most recent edition of Robert's Rules of Order. A list of members and any votes taken shall accompany all Board/Commission recommendations. If a conflict of interest is claimed, the members claiming such a conflict shall state the conflict for the record. No proxy voting is permitted.

ARTICLE IX – SPECIAL PROVISIONS

[This section would include provisions that are unique to a particular Board/Commission, such as committees, procedures for hearings, public comment or other items that are not addressed in the Board's/Commission's Rules and Procedures.]

ARTICLE X-PARLIAMENTARY AUTHORITY

- A. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Board/Commission in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules the Board/Commission may adopt, or any rules approved by City Council governing the operation of the Board/Commission.

ARTICLE XI – BYLAWS

- A. Date of Approval. These bylaws and any amendments thereto shall take effect upon their approval by the City Council, as provided in Article III, Section 6, of the City Charter.
- B. Amendments. Amendments to these bylaws may be considered at any regular or special meeting of the Board/Commission, provided that any proposed amendment shall have been provided to the Board/Commission members at least seven (7) days prior to the meeting at which it is to be considered. Amendment of the bylaws requires a two-thirds vote of the Board/Commission members. The Chairperson may designate a committee to review the bylaws, where appropriate.
- C. Official Copies. An official copy of these bylaws and any changes thereto shall be maintained in the City Clerk's office and shall be furnished to any other appropriate body.

APPROVED BY [Board Name]

Chairperson

APPROVED BY OAK RIDGE CITY COUNCIL

Mayor

Amended: _____

Adopted: _____

**RULES AND PROCEDURES
OF THE
(Insert Board/Commission Name (Here))
OAK RIDGE, TENNESSEE**

I. Meetings

- A. Meeting Procedure. All regular meetings will follow the order of the agenda listed in Article VII, Section E of the Board/Commission bylaws. At special meetings, the Board/Commission shall transact only such business as that designated in the previously posted meeting agenda.
- B. Right to Speak.
- (1) Members. The Chairperson shall recognize the right of Board/Commission members to speak before the body. A Board/Commission member shall initiate his/her right to speak by seeking recognition from the Chairperson.
 - (2) Members of the Public. The Chairperson shall recognize a citizen's opportunity to comment on items that are under consideration by the Board/Commission as part of the formal agenda.
- C. Time and Place of Meetings. An annual meeting shall be held on the _____ (board- specific) of _____ (board-specific), or at such time and place as may be designated by the Chairperson. Regular meetings shall likewise be held on _____ (board-specific), or at such other time and place as may be designated by the Chairperson. Special meetings shall be held at the time and place designated by the notice of meeting. The Board/Commission may decide to reschedule a single meeting without the change having to be approved by City Council, but permanently changing the scheduled meeting dates would require City Council approval. The Board/Commission shall decide to reschedule a meeting either at a prior meeting or soon enough so that proper notice can be given of the meeting date change.
- D. (This section and any subsequent sections would be Board/Commission-specific to address any additional types of meetings if applicable to a particular Board/Commission, such as hearings, etc.)

II. Agenda

- A. Preparation. The agenda for meetings shall be prepared by the staff liaison from items suggested by members of the Board/Commission, City Manager, City Council, or City Staff. If individuals or groups from the general public have suggested items that would require Board/Commission action, they

shall coordinate with City staff regarding placement on a meeting agenda. Any items which require technical review by staff shall have been submitted in a timeframe in which complete review can be conducted by staff.

- B. Contents. The agenda of a regular meeting shall contain only such items that have been received by a deadline set forth by City staff for timely agenda publication.
- C. Copies. All members shall be furnished a copy of the agenda and as much supporting material as practical prior to any meeting, which material shall be sent to members with the meeting notice referenced in Article VII, Section D of the Board/Commission's bylaws.
- D. Publication on website. The entire agenda packet shall be published on the Board's/Commission's City webpage at least forty-eight (48) hours before a regular meeting and twenty-four (24) hours before a special-called meeting.

III. Public Comment

- A. Public Comment During Regular Meetings. Any person speaking to the Board/Commission shall be asked to provide their name and address. Speakers shall address all comments to the Board/Commission members and not to other members of the audience. The following time limits for speakers shall be observed:
 - (1) The petitioner or a representative shall speak for no more than ten(10) minutes. This may be extended at the discretion of the Chairperson. (This may not apply to all Boards/ Commissions.)
 - (2) Any individual who wishes to speak for or against an agenda item shall have three (3) minutes to address the Board/Commission. This may be extended at the discretion of the Chairperson.
- B. Public Comment During Work Sessions. Public comment during work sessions shall be limited to agenda items under consideration by the Board/Commission. The same time limits will apply during Work Sessions as in Section A(1) above.
- C. Appearance of Citizens. During the "Appearance of Citizens" section of the meeting agenda pertaining to non-agenda items, the speaker must state their name and address. Speakers shall address all comments to the Board/Commission and not to other members of the audience. Speakers shall have (3) minutes to address the Board/Commission. This may be extended at the discretion of the Chairperson.

IV. Voting

- A. Number. Each official member of the Board/Commission present shall be

entitled to cast one (1) vote. (The exception to this will be the two Student Representatives on the Environmental Quality Advisory Board, who together count as one (1) vote.

- B. Required Majority. The decisions of the Board/Commission shall be by majority vote of the members present and voting, with a quorum being present. In the event of the member's abstention based on a conflict of interest or other disqualification, the abstention shall count as if that member were absent and the number of persons necessary for a majority shall be reduced accordingly without affecting the quorum.
- C. Method. Except for the election of officers, the Chairperson shall call for a voice vote of "Aye" and "Nay" upon each matter voted upon. Should all voice votes be either "Aye" or "Nay," such vote shall be deemed a unanimous vote of all members present; provided, however, any member present may request that the minutes show he or she abstained from voting. In the event both "Aye" and "Nay" votes are cast via voice, the Chairperson shall then direct roll call vote or show of hands.
- D. Recording. The Chairperson shall announce the results of all votes and shall direct that the results be recorded in the official minutes of the Board/Commission.

V. Motions

- A. The Board/Commission adheres to the current edition of Robert's Rules of Order except for the following as approved by City Council:
(This information would be Board/Commission specific.)

VI. Special Provisions

- A. Advisory Actions of the Board/Commission. The Board/Commission may provide constructive guidance or suggestions for other action in order to achieve a positive result on an issue under consideration.

(The remainder of this section would include provisions that are unique to a particular Board/Commission that are not addressed anywhere else in these Rules and Procedures or in the Board's/Commission's Bylaws.)

VII. Records

- A. A file of all materials and decisions of the Board/Commission shall be kept by the (enter appropriate department here) as part of the official records of the Board/Commission.
- B. All records of the Board/Commission shall be public records, with exceptions as

provided for by state law.

VIII. Amendments to Rules

- A. These Rules and Procedures may be amended by a majority vote of the members at any Board/Commission meeting and shall become effective after approval by City Council.

Adopted: _____ Resolution No. _____ Effective: _____

RESOLUTION

A RESOLUTION TO CREATE A NINE (9) MEMBER DISABILITY ADVISORY BOARD TO ADVISE CITY COUNCIL AND THE CITY MANAGER ON DISABILITY RELATED ISSUES AFFECTING THE CITY.

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

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

WHEREAS, a citizen group has requested the creation of a Disability Advisory Board to provide informed advice to the City on disability related issues and to serve as a source of information on resources and a sounding board for the community; and,

WHEREAS, the creation of this board was discussed most recently at the March 1, 2022 work session and this resolution sets forth the Charter-required provisions to create the board.

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

That a Disability Advisory Board is hereby created as follows:

- The board shall be comprised of nine (9) members from the community at large with all members elected by City Council. Members shall be knowledgeable, experienced, or familiar with disability issues.
- Members shall serve a term of three (3) years, except that of the initial membership elected, three (3) members shall serve a term of office expiring on December 31, 2025, three (3) members shall serve a term of office expiring on December 31, 2024; and three (3) members shall serve a term of office expiring on December 31, 2023.
- Officers of the board shall be as set forth in the bylaws.
- The function of the board is to serve as an advisory body to City Council and the City Manager, as well as city staff and other city boards and commissions as requested by the City.
- In support of its function, the board is authorized to adopt bylaws and rules and procedures for the conduct of its authorized activities, which documents are subject to City Council approval; recommend studies or reviews regarding city infrastructure and/or facilities and provide recommended priorities; participate annually with the Oak Ridge Municipal Planning Commission in the annual review of the Capital Improvements Program (CIP); serve as a resource and provide

advice to the City's ADA Coordinator on any formal ADA reviews or cases; and serve as a resource for persons with disability concerns to reach out on City policy and City service issues.

- The board is not, however, a complaint board and any complaints reviewed by the board regarding accessibility and other disability issues shall be forwarded directly to the City Manager.

BE IT FURTHER RESOLVED that the election process for members of the Disability Advisory Board is anticipated to occur in June 2022.

BE IT FURTHER RESOLVED that, at its initial meeting, the board shall elect officers and adopt Bylaws and Rules and Procedures in accordance with the templates adopted by City Council by Resolution 7-80-2021 and Resolution 7-81-2021 respectively.

BE IT FURTHER RESOLVED that, after the initial meeting, the Chairperson shall meet with the City Manager to establish a list of goals for the board for approval by City Council.

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Amy Fitzgerald , Information Services Director

SUBJECT: Resolution Transmitting Comments to the Tennessee Valley Authority on the Agency's Clinch River Nuclear Site Advanced Nuclear Reactor Technology Park Draft Programmatic Environmental Impact Statement

SUPPORTING DEPARTMENT: -None-

Introduction

An item for the April 11, 2022 Council meeting is consideration of a resolution to transmit comments to the Tennessee Valley Authority (TVA) on the subject document.

Funding

There is no funding associated with this item.

Background

Between 2010 and 2014, the TVA began exploring options regarding the development of advanced nuclear technologies. In 2016, the agency submitted an application to the Nuclear Regulatory Commission (NRC) for an Early Site Permit to assess the suitability of the Clinch River Site in Oak Ridge for possible new construction, including one or more Small Modular Reactors.

City Council adopted Resolution 5-41-2017 in support of TVA's efforts to develop a new generation of nuclear reactors, and to support the NRC's preparation of an environmental impact statement as part of the TVA early site permit application for the Clinch River Site.

In 2018, City Council adopted Resolution 7-66-2018 in support of the NRC's Draft Environmental Impact Statement for for TVA's early site permit for the Clinch River Site. The NRC issued a final EIS in April 2019, and issued an Early Site Permit to TVA for the Clinch River Site.in December 2019.

In February 2022 TVA issued the subject document. This next step in the process evaluates the feasibility of several alternatives for the construction of Small Modular Reactors and/or advanced non-Light Water Reactors on one or both areas (designated Area 1 and 2) at the Clinch River Site. A virtual public meeting was held on March 10, 2022. TVA is expected to finalize the EIS in mid-2022 and publish the final document in late 2022. Comments should be submitted via e-mail to nepa@tva.gov.

Recommendation

Approval of the attached resolution.

Attachments:

[07-0066-2018_Resolution.pdf](#)

[5-41-2017.pdf](#)

[Resolution - Authorize CM to Transmit Comments to TVA. docx.docx](#)

[Comment Letter on the CRN PEIS April 2022.docx](#)

RESOLUTION

A RESOLUTION TO THE U.S. NUCLEAR REGULATORY COMMISSION (NRC) IN SUPPORT OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) FOR AN EARLY SITE PERMIT FOR THE TENNESSEE VALLEY AUTHORITY'S CLINCH RIVER NUCLEAR SITE

WHEREAS, the Tennessee Valley Authority (TVA) submitted an application to the U.S. Nuclear Regulatory Commission (NRC) on May 12, 2016, for an early site permit (ESP) for the Clinch River Nuclear Site in Oak Ridge, Roane County, Tennessee, for new nuclear power units demonstrating small modular reactor technology; and

WHEREAS, the ESP application and review process makes it possible to evaluate and resolve safety and environmental issues related to siting before the applicant makes a large commitment of resources. If the ESP is approved, the TVA can take up to 20 years for future reactor siting and can conduct certain site preparation and preliminary construction activities as authorized by the NRC; and

WHEREAS, the NRC has reviewed the application submitted by TVA and prepared a draft environmental impact statement (DEIS) for an ESP for the Clinch River Nuclear Site. The DEIS summarizes the impacts that could result from building and operating two or more small modular reactors at the Clinch River Nuclear Site as presented in the draft environmental impact statement. It also summarizes the cumulative impacts and alternatives evaluated; and

WHEREAS, the NRC is seeking public comment on the DEIS, and should be commended for extraordinary educational and outreach efforts to state and local officials and the public; and

WHEREAS, the TVA Clinch River Site is located in the City of Oak Ridge and the City desires to comment; and

WHEREAS, Small Modular Reactors (SMRs) have the potential to provide the United States with clean, safe, cost-effective energy and create jobs and spur economic development; and

WHEREAS, the City of Oak Ridge encourages and supports TVA's efforts to provide low carbon electricity to the U.S. Department of Energy's (DOE), Oak Ridge facilities through electricity generated by one or more SMRs; and

WHEREAS, the City of Oak Ridge desires to serve as an "energy" community, in partnership with TVA and DOE, to potentially demonstrate the safe use of advanced energy technologies; and

WHEREAS, the City of Oak Ridge has been an economic partner and supported efforts for the reindustrialization of the TVA Clinch River Nuclear Site, as well as the DOE's East Tennessee Technology Park, and the City of Oak Ridge has planned for the long-term economic viability of the City of Oak Ridge and Roane County through compatible and environmentally sensitive projects; and

WHEREAS, in the NRC's evaluation as described in the DEIS, the proposed project would not be incompatible with existing land uses; TVA would minimize the footprint of disturbance and implement appropriate best construction management practices to minimize sedimentation, erosion, and other disturbances to the reservoir, ponds, and streams; and

WHEREAS, potential impacts of operations activities on the quality of surface water in the area would be limited, and would be subject to National Pollutant Discharge Elimination System permit requirements; and

WHEREAS, the DEIS concluded that risks to the public are well below the NRC safety goals.

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

That the City of Oak Ridge supports the Nuclear Regulatory Commission's Draft Environmental Impact Statement for the Tennessee Valley Authority's early site permit for the Clinch River Nuclear Site in Oak Ridge, for the safe development of a new generation of small modular reactor that could eventually serve as potential power source for City of Oak Ridge.

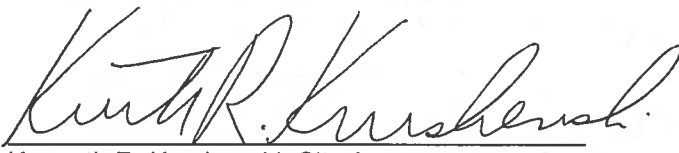
BE IT FURTHER RESOLVED, that the City of Oak Ridge urges the NRC and the TVA to work closely with the City of Oak Ridge, Roane County and other nearby communities early on to assess and mitigate potential impacts associated the construction, deployment, and public safety of the Clinch River SMR project, including possible economic, environmental, and transportation impacts, and management and disposition of spent fuel and associated waste.

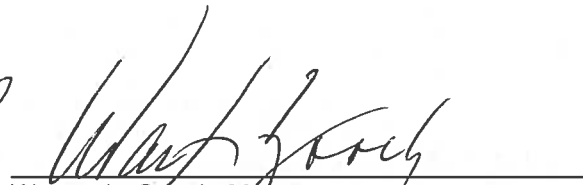
BE IT FURTHER RESOLVED, that as the host community for the Clinch River Nuclear Site, the City of Oak Ridge urges the TVA, NRC, and the State of Tennessee to engage the City early in the initial decision making process to develop a viable payment in lieu of tax plan sufficient to compensate the City for educational, public safety, and other City service impacts needed to support the construction and operation of the proposed small modular reactor project, including but not limited to local vocational training programs, minority hiring and MBE support, infrastructure upgrades, and community engagement initiatives.

BE IT FURTHER RESOLVED that this resolution be transmitted to the NRC, TVA, and the State of Tennessee as the official comments of the City of Oak Ridge.

This the 9th day of July 2018.

APPROVED AS TO FORM AND LEGALITY:


Kenneth R. Krushenski, City Attorney


Warren L. Gooch, Mayor


Mary Beth Hickman, City Clerk

RESOLUTION

A RESOLUTION SUPPORTING THE UNITED STATES NUCLEAR REGULATORY COMMISSION'S PREPARATION OF AN ENVIRONMENTAL IMPACT STATEMENT AS PART OF THE REVIEW OF THE TENNESSEE VALLEY AUTHORITY'S EARLY SITE PERMIT FOR THE CLINCH RIVER NUCLEAR SITE

WHEREAS, the Tennessee Valley Authority (TVA) is a corporate agency of the United States that provides electricity for business customers and local power distributors serving 9 million people in parts of seven southeastern states; and

WHEREAS, the TVA has a significant economic impact on Tennessee, including the Oak Ridge region, with thousands of employees and subcontractors, procurements worth millions of dollars annually, as well as other spin-off activities; and

WHEREAS, TVA supports the social and economic well-being of Oak Ridge and other communities in the Tennessee Valley region through its efforts in education, human services and community enrichment; and

WHEREAS, TVA's Integrated Resource Plan (IRP) is a power planning roadmap to 2033 examining a variety of economic, regulatory and market-driven scenarios and strategies to help TVA respond to changing energy demands while continuing to provide reliable power at the lowest possible cost; and

WHEREAS, the energy resource options identified in the IRP include new nuclear options, including the possible construction of one or more Small Modular Reactors (SMRs); and

WHEREAS, SMRs have the potential to provide the United States with clean, safe, cost-effective energy and create jobs and spur economic development;

WHEREAS, TVA has expressed an interest to use the Clinch River Nuclear (CRN) Site, which was previously designated for the construction of a breeder reactor project, for the possible construction of one or more SMRs that would be licensed by the U.S. Nuclear Regulatory Commission (NRC); and

WHEREAS, the TVA's CRN Site is located in the City of Oak Ridge in Roane County; and

WHEREAS, the TVA submitted an Early Site Permit (ESP) application for the CRN Site to the NRC in May 2016, using technical information from various plant designs to assess the suitability of the CRN Site for any future construction and operation of a nuclear power plant; and

WHEREAS, on April 13, 2017, the NRC published a notice in the *Federal Register* of the agency's intent to prepare an EIS as part of the review of the TVA's ESP application; and

WHEREAS, the NRC held two public "scoping" meetings in Oak Ridge on May 15th to accept public comments on the agency's intent to prepare an EIS; and

WHEREAS, the City of Oak Ridge desires to comment on the NRC's intent to prepare an EIS.

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

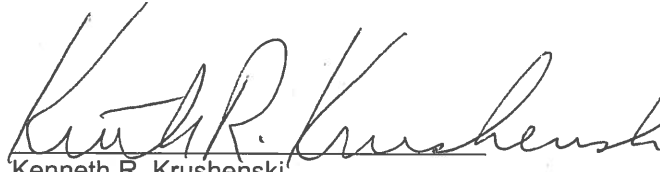
That the City of Oak Ridge encourages and supports TVA's efforts to develop and deploy a new generation of nuclear reactors, including the possible construction of Small Modular Reactors, to reduce environmental emissions, and to eventually serve as potential power source for the Tennessee Valley Region, including Oak Ridge.

BE IT FURTHER RESOLVED that the City of Oak Ridge supports the U.S. Nuclear Regulatory Commission's preparation of an environmental impact statement as part of the review of the Tennessee Valley Authority's early site permit application for the Clinch River Nuclear Site.

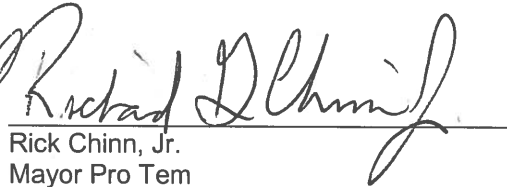
BE IT FURTHER RESOLVED that this resolution be transmitted to the United States Nuclear Regulatory Commission as the official comments from the City of Oak Ridge, Tennessee.

This the 5th day of June 2017.

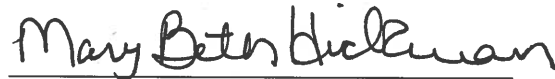
APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski
City Attorney



Rick Chinn, Jr.
Mayor Pro Tem



Mary Beth Hickman
City Clerk

NUMBER _____

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY MANAGER TO TRANSMIT COMMENTS TO THE TENNESSEE VALLEY AUTHORITY (TVA) ON THE AGENCY'S CLINCH RIVER NUCLEAR SITE ADVANCED NUCLEAR REACTOR TECHNOLOGY PARK DRAFT PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.

WHEREAS, through Resolutions 5-41-2017 and 7-66-2018, City Council expressed its support for the utilization of the Clinch River Site for possible construction of one or more Small Modular Reactors (SMRs) to provide reliable low carbon electricity; and,

WHEREAS, in February 2022, TVA issued the Clinch River Nuclear Site Advanced Nuclear Reactor Technology Park Draft Programmatic Environmental Impact Statement (PEIS); and,

WHEREAS, the City is generally supportive of an approach that allows TVA maximum flexibility regarding selection of reactor designs, but urges TVA to communicate regularly with City officials and the public as designs are evaluated and more specific information becomes available; and,

WHEREAS, the City has certain comments it wishes to transmit to TVA on this matter.

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

That the City Manager is authorized to submit the attached letter to the Tennessee Valley Authority (TVA) as the official comments of the City of Oak Ridge on TVA's draft Programmatic Environmental Impact Statement for the Clinch River Nuclear Site Advanced Nuclear Reactor Technology Park.

This 11th day of April 2022.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. Dunn, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

April 7, 2022

J. Taylor Cates
NEPA Specialist
1101 Market Street, BR 2C-C
Chattanooga, TN 37402

VIA EMAIL: nepa@tva.gov

**City of Oak Ridge, Tennessee Comments on the
*Clinch River Nuclear Site Advanced Nuclear Reactor Technology Park
Draft Programmatic Environmental Impact Statement (PEIS) (February 2022)***

Dear Mrs. Cates,

On behalf of the City of Oak Ridge, the community appreciates the opportunity to review the Draft Programmatic Environmental Impact Statement. The City has previously transmitted Resolution Numbers 5-41-2017 and 7-66-2018 in support of utilization of the Clinch River Site, located in the Oak Ridge city limits, for possible construction of one of more Small Modular Reactors (SMRs) to provide reliable low carbon electricity. The City is supportive of the development of advanced SMR technology as may be observed. These resolutions are included as part of the City's official comments on the Draft PEIS.

- The Draft PEIS supplements TVA's Early Site Permit Application (ESPA) Plant Parameter Envelope (PPE) with information about advanced nuclear reactor technologies not discussed in the EPSA, as well as additional areas of potential disturbance for transmission lines and site access. TVA's preferred Alternative D—Nuclear Technology Park at Area 1 and Area 2 with SMRs and/or Advanced non-Light Water Reactors appears to maximize the opportunity of demonstrating the feasibility of supplying clean and secure power that is less vulnerable to disruption. While the City generally supports the PPE approach that allows TVA maximum flexibility regarding selection of reactor designs, the City urges TVA to communicate regularly with city officials and the public as designs are evaluated and more specific information becomes available (suggestion: 6 month timeframe).
- Table 2-5 on Page 39 summarizes information and the proposed Emergency Planning Zone (EPZ). Emergency protection by Oak Ridge Fire Department and emergency personnel requires highly trained individuals. Joint training and clear understanding of built in systems is essential. The City urges TVA to brief Oak Ridge emergency planning staff in a pre-planning mode as soon as possible to provide input and information regarding the proposed reduced area EPZ, waste storage, and a training program that would support the proposed suite of possible reactor designs. With additional advanced



nuclear reactor technologies under consideration, close coordination with local responders is essential for host community and public acceptance.

- On page 250, paragraph 6 incorrectly states that all federal land in Oak Ridge has the same designation.

*“Although the CRN Site is within the city limits of Oak Ridge, local zoning laws and regulations or regional land use plans **do not apply to federal property**. The City of Oak Ridge designates **federally controlled lands** within its city limits as “Federal Industry and Research” lands. These lands only become subject to local zoning regulations upon transfer from federal ownership.”*

Local zoning laws apply to all land within the municipal boundaries. Specifically, the U.S. Department of Energy’s Oak Ridge Reservation is subject to the following section, whereas all other land is zoned according to the City of Oak Ridge Zoning Map.

Oak Ridge Zoning Ordinance (adopted 1959, with subsequent amendments)
Section 9.06 FIR, Federal Industry and Research

Purpose

*The Federal Industry and Research District Classification is established for the United States Government **Oak Ridge Reservation and operations within its boundaries**. Whenever land is transferred from the United States Government Oak Ridge Reservation to the City of Oak Ridge or a private owner for purposes not directly related to the mission of the United States Department of Energy, the City of Oak Ridge Regional Planning Commission shall study and make recommendations to City Council concerning the appropriate zoning district designation. Upon receipt of such recommendation, the City Council shall, after public hearings as required by law, adopt an ordinance establishing the zoning district classification as other than FIR.*

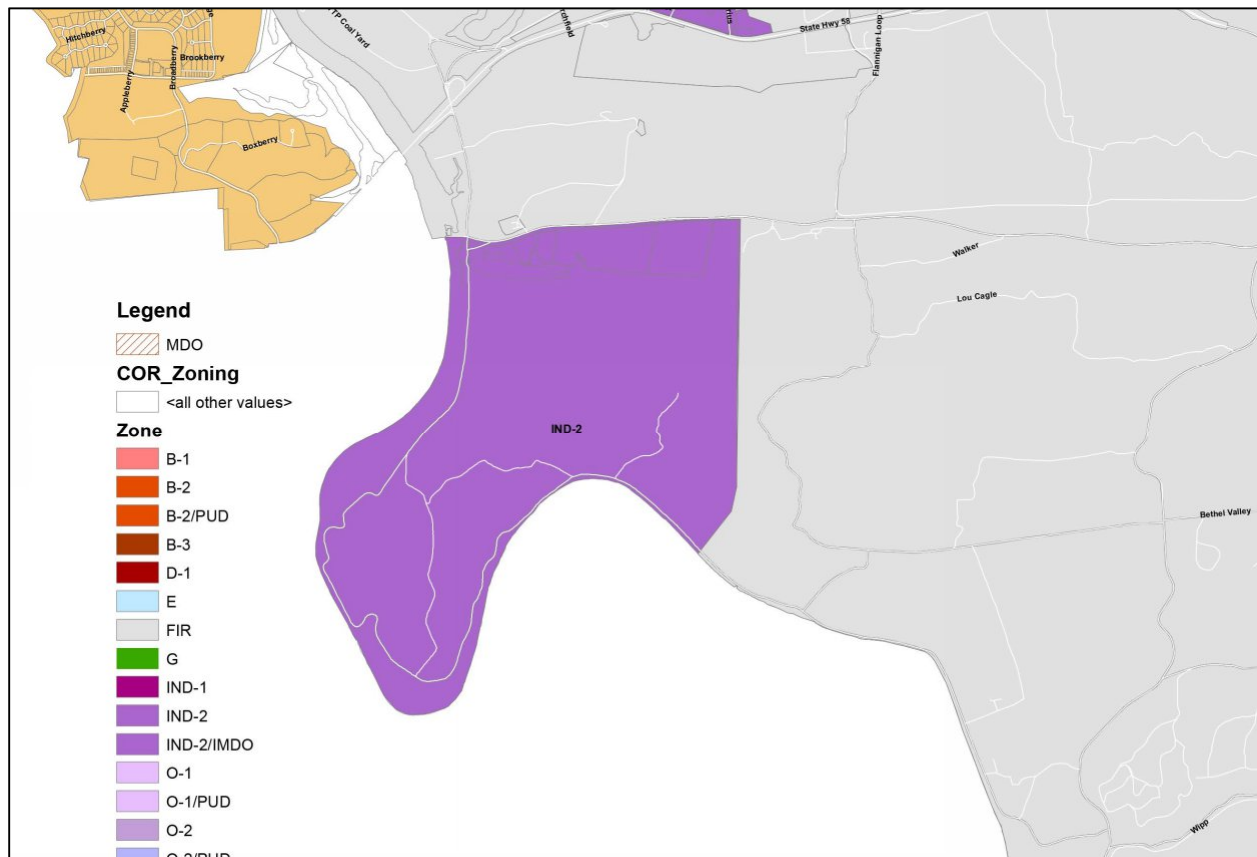
(Ord No. 10-02 Revised Effective 6/13/02)

City of Oak Ridge Zoning Map (clip of CRN project area)

The main CRN project site is zoned IND-2, Industrial District, which permits uses within major group 332 of the North American Industrial Classification System (NAICS). The 2022 NAICS Code classifies ‘Nuclear Reactors Manufacturing’ under code 332410, meaning the manufacture of nuclear reactors, without power generation, is permitted in the district.

The use description in the PEIS does not indicate ongoing power generation in the CRN project, but zoning verification by the City of Oak Ridge Planning and Development Department is advised.

Power generation, or a use determined to be a “power plant,” requires IND-3 zoning (rezoning of property by the City Council) and Special Exception approval by the Board of Zoning Appeals.



- The 2020 Census has provided updated data for population and growth rates, indicating higher population in Anderson County and Oak Ridge than the PEIS reports.

Total Population in Oak Ridge Area						
	2020	2010	2000	1990	Change, 2020-2010	Change, 2020-1990
Anderson	77,123	75,129	71,330	68,250	2.65%	13.00%
Roane	53,404	54,181	51,910	47,227	-1.43%	13.08%
Oak Ridge	31,402	29,330	27,387	27,310	7.06%	14.98%

- In Oak Ridge, residential construction has increased significantly over the past 2-3 years, as well as site approvals for new development. In CY2021 (post-2020 Census), 310 permits were issued for new single-family homes, with 110 located in Roane County and within the six-mile radius of the CRN project site. These developments in Roane

County –The Preserve at Clinch River and Forest Creek Village – currently own land that may potentially yield 2,500 additional residential units over the coming decades.

- The Oak Ridge Municipal Planning Commission is currently preparing an update to the City's 20-year Comprehensive Plan for growth and development, beginning with the Land Use and Infrastructure Element, in order to guide a healthy and thriving community into the future.
- Sections 3.21.2.2.2.2 on *Radioactive Waste* and 3.21.2.2.3 on *Spent Fuel Storage* Pages 344-345 describes, in general, the plans for treatment of waste in either a licensed waste processing facility or a licensed low-level radioactive disposal facility, but also states that "Additionally, if required, the impacts of construction and operation of onsite Low-Level Waste (LLW) storage facilities are considered to be minor." Further, the analyses states that TVA is not considering off-site storage of spent fuel at this time. ***The City of Oak Ridge does not support indefinite storage or disposal of low-level waste or spent fuel in the city, or waste generated at another location.*** The federal government is obligated to take title to spent fuel under the Nuclear Waste Policy Act. The final PEIS should address decommissioning and waste/fuel disposal in greater detail.

Please contact the City Manager's Office at (865) 425-3550 if I can provide additional information or the City can participate in any planning effort.

Very truly yours,

Mark S. Watson
City Manager

cc: Mayor Warren Gooch
Oak Ridge City Council
County Executive Ron Woody

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: April 11, 2022

TO: Mark S. Watson, City Manager

FROM: Beth Hickman , City Clerk

SUBJECT: Mayoral Appointments to the Anderson County Development Corporation Board of Directors Operating Committee

Introduction

At the April 11.2022 City Council meeting, City Council will be asked to confirm the Mayor's appointments to the Anderson County Community Development Corporation Board of Directors Operating Committee.

Funding

N/A

Background

The bylaws of the Anderson County Development Corporation stipulate that the Mayor of Oak Ridge shall appoint two members to the Operating Committee of the Anderson County Development Corporation Board of Directors to four-year terms. Appointments to the Anderson County Development Corporation Board of Directors will take place at the time of the 2022 end-of-year elections, as those appointments are co-extensive with the Mayor's term of office.

The Mayor is asking City Council to confirm his reappointment of Mr. Richard Chinn to the Development Corporation Operating Committee and his appointment of Ms. Terri Daugherty to replace Mr. Thomas Tuck, who recently retired from years of distinguished service in the banking sector, on the Operating Committee. Ms. Daugherty submitted her application for three city boards earlier this year, and she has expressed a willingness to serve. Mr. Chinn meets the special qualifications outlined in the Development Corporation charter as a representative of the industrial and/or commercial development field, and Ms. Daugherty is an attorney with experience in commercial real estate transactions and numerous other legal specialties.

Recommendation

Ratification of the proposed appointments is recommended.