

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

**November 14, 2011**

The regular meeting of the City Council of the City of Oak Ridge, Tennessee, convened at 7:00 p.m. on November 14, 2011 in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

**INVOCATION**

The Invocation was given by Councilmember David N. Mosby.

**PLEDGE OF ALLEGIANCE**

Delores Kuhaida led the Pledge of Allegiance to the Flag of the United States of America.

**ROLL CALL**

Upon roll call, the following members of Council were present: Mayor Thomas Beehan; Anne Garcia Garland; L. Charles Hensley; Charles J. Hope, Jr.; D. Jane Miller; David N. Mosby; and Ellen D. Smith.

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

**APPEARANCE OF CITIZENS**

Ms. Theresa Scott, 102 Victoria Road, expressed concerns over code violations that she has noticed in the community. Ms. Scott further commented that she believes there is no reason for other parties, i.e. phone companies or cable companies, who are not code enforcement to contact Codes regarding infractions. She commented that citizens should not continually call about infractions, and that she believes that enforcements are not happening in a timely manner.

Mr. Andy Marathe, 121 Westlook Circle, congratulated the Mayor and the City Manager for their representation of the City of Oak Ridge in Mexico City, Mexico. Mr. Marathe commented about the quality of the City's government practices and concluded by explaining that he is extremely involved citizen in the community.

Ms. Kay Williamson, 420 Jefferson Avenue, reported on the repeated code violations in and around her neighborhood and the untimely response by Code Enforcement. Ms. Williamson discussed the long-time criminal activities on Jonathan Lane and expressed that she would like to have the activities stopped.

Mr. Joe Lee, 99 East Pasadena Road, noted the increase police patrols in community and expressed his appreciation to the new Police Chief.

**PROCLAMATIONS AND PUBLIC RECOGNITIONS**

A presentation by the City Manager Mark S. Watson of three (3) Four Star Awards by the Tennessee Recreation and Parks Association (TRPA) to Matt Reedy, Recreation Program Supervisor, who received the Special Events Award of a budget over \$10,000 for Graduation Celebration; Jon Hetrick, Parks Supervisor, who received the Renovated Facility Award of a budget of \$500,001-\$1,000,000 for Cedar Hill Park Playground; and Councilmember Chuck Hope, Jr. who received the Individual Service Award for his dedication as a volunteer for the original build of Cedar Hill Park Playground in 1988 and service again as Tools Chairperson for the 2011 renovation.

City Manager Mark S. Watson swore-in Diana R. Stanley as the new City Clerk.

## **SPECIAL REPORTS**

### Heritage Railroad Authority Annual Report 2011

Mr. Gordon Fee, Chairman of the Oak Ridge Heritage Railroad Authority (1064 W. Outer Drive), presented the Board's Report for Fiscal 2011 (July 1, 2010 to June 30, 2011). After brief discussion, Councilmember Smith moved that the report be received for the record. The motion was seconded by Councilmember Hensley and was adopted by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

Mayor Beehan amended the Special Reports to receive two brief reports from Councilmembers David Mosby and Ellen Smith regarding their recent National League of Cities' Congress of Cities and Exposition Conference in Phoenix, Arizona.

The Special Reports section was once again amended by transferring the Public Works Director Report from the Summary of Current Events. Public Works Director Gary Cinder provided an overview on the Winter Operations-Salt Brine, including the different materials (cheap salt, calcium chloride and sand, salt) that the Public Works Department has used to combat winter precipitation, as well as the materials effectiveness and costs. He explained that the cost of salt has risen and that salt brine is a cost effective, productive alternative to clear major roadways in the City, and that the City of Knoxville has had success with the mixture and provided assistance in learning about salt brine. Mr. Cinder continued to explain the operation use for the salt brine mixture, including discussing storage, the mixing process, and implementation.

## **CONSENT AGENDA**

Upon amending the minutes of the October 10, 2011 meeting to correct typographical errors, Councilmember Hensley moved, seconded by Councilmember Smith to approve the Consent Agenda. That motion was carried by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Miller, Mosby, Smith, and Mayor Beehan voting "Aye," thereby:

- a. Approving of the minutes of the October 10, 2011 City Council Meeting.
- b. Adopting Resolution No. 11-99-11 to accept an enforcement initiative grant from the State of Tennessee, Department of Transportation, Governor's Highway Safety Office, in the amount of \$24,977.40 to be used for authorized traffic enforcement and/or training purposes.
- c. Adoption Resolution No. 11-100-11 supporting the establishment of a committee to research the development of a Consolidated Emergency Communications Center for Anderson County, Tennessee.

## **RESOLUTIONS**

### **Resolution No. 11-101-11**

**A resolution approving the Tennessee Oversight Interlocal Agreement between the City of Oak Ridge and the following counties: Anderson, Knox, Loudon, Meigs, Morgan, Rhea and Roane.**

Councilmember Miller moved, seconded by Councilmember Hensley that the resolution be adopted. Mayor Beehan provided a brief overview of the purpose of the resolution and the Tennessee Oversight Interlocal Agreement.

Councilmember Smith expressed opposition against the abolishment of the Local Oversight Committee (LOC) and believes the existence of the organization is beneficial to the area as it is an independent, citizen-based function.

Mayor Beehan opined that the LOC had morphed into a citizen's advisory group more so than a representative of local government, but that the new agreement would reengage local officials.

At the Mayor's request, the City Manager explained that his interest in the actions of the LOC which began with a letter to the Tennessee Department of Environment and Conservation after a request for an endorsement letter for a 5-year funding cycle from the LOC Director. He studied the purpose of this committee in relation to the request versus other groups in the community, such as the Site Specific Advisory Board. He also indicated that he had been unable to find any record in the City Clerk's office of the LOC presenting updates or information to City Council regarding changes in LOC bylaws.

Upon inquiries from the Councilmember Mosby, the City Manager clarified that the resolution is the final step for participation in the new oversight agreement, and no additional requirements are necessary.

The motion was approved by board vote with Councilmembers Hensley, Hope, Miller, Mosby, and Mayor Beehan voting "Aye" and Councilmembers Garcia Garland and Smith voting "Nay."

#### **Resolution No. 11-102-11**

**A resolution to rescind Resolution 10-98-11 which opposed the Local Oversight Committee's (LOC) dissolution until such time as a new organization structure has been defined, a new inter-local agreement has been negotiated and approved by council and the governing bodies of the other involved jurisdictions, and a new grant agreement with the State of Tennessee has been negotiated; and further prohibiting the Mayor or the Mayor's alternate from voting for dissolution of the LOC until such time as these conditions are met.**

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

Councilmember Hensley explained the various reasons for his request for reconsideration, including the resolution's tardiness which did not allow time for him to acquire information, the LOC's resemblance of an environmental advocacy group, and the lack of comments from the LOC regarding the possible Department of Energy consolidation. Lastly, Mr. Hensley expressed concern that the resolution prevented the Mayor from voting on the dissolution of the LOC, but did not affect the other city representative.

After brief deliberation the resolution was adopted by board vote with Councilmembers Hensley, Hope, Miller, Mosby, and Mayor Beehan voting "Aye" and Councilmembers Garcia Garland and Smith voting "Nay."

#### **Resolution No. 11-103-11**

**A resolution awarding a bid in the estimated amount of \$33,320.30 to Ruffin and Associates, Memphis, Tennessee, for the furnishing of 3 phase spacer cable system.**

Councilmember Smith moved, seconded by Councilmember Hope that the resolution be adopted.

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

#### **Resolution No. 11-104-11**

**A resolution awarding a bid in the estimated amount of \$186,762.40 to Stuart C. Irby Company, Johnson City, Tennessee, for the furnishing of underground power cable.**

Councilmember Smith moved, seconded by Councilmember Garcia Garland that the resolution be adopted. Per inquiries from Councilmember Smith, Electric Department Director Jack Suggs discussed the locations of the substations and their service areas. Mr. Suggs explained that the contract overages on the bid sheet relates to the extra wire that is needed for testing purposes and that the excess is billed.

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

#### **Resolution No. 11-105-11**

**A resolution authorizing the City to enter into a contract with the State of Tennessee Department of Transportation for the resurfacing of designated city streets utilizing approximately \$1,203,365.00 of the City's allocated surface transportation program funds to be matched with approximately \$300,841.00 in city funds.**

Councilmember Smith moved, seconded by Councilmember Miller that the resolution be adopted.

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

**Resolution No. 11-106-11**

**A resolution authorizing the purchase of a hydraulic excavator from CMI Equipment Sales, Inc., Nashville, Tennessee, in the estimated amount of \$333,015.00.**

Councilmember Smith moved, seconded by Councilmember Hensley that the resolution be adopted.

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

**Resolution No. 11-107-11**

**A resolution to adopt a debt management policy as required by the Tennessee State Funding Board.**

Councilmember Hope moved, seconded by Councilmember Hensley that the resolution be adopted.

The City Manager discussed that the plan outlines protocols when issuing debt and that the policy will also be used in the City's auditing procedures. Mr. Watson further explained that the policy was updated to address concerns and suggestions from Council, as well as to clarify policy language.

Following several inquiries from Councilmember Mosby, Deputy City Manager Steve Jenkins explained that a credit rating was critical when issuing debt and that an exceptional rating helps to offset additional costs on interest. He went on to explain that the City's credit rating was as high as is possible based on the Department of Energy's presence in the community.

Councilmember Garcia Garland clarified for the record that this was a policy on the City's process for incurring debt, not a debt policy for conditions on the City incurring debt.

Councilmember Smith inquired about the exceptions regarding bullet or balloon maturities described in the policy to which Mr. Jenkins explained that the language is included to allow flexibility without changing the policy.

The motion was approved unanimously by board vote with Councilmembers Garcia Garland, Hensley, Hope, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

**Resolution No. 11-108-11**

**A resolution approving a settlement in the amount of \$44,000.00 with Carolina Transformer Contribution Action Plaintiffs.**

Councilmember Garcia Garland moved, seconded by Councilmember Hope that the resolution be adopted.

After brief discussion regarding the documentation of transformer disposing, as well as the process of properly disposing of transformers, the motion was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Miller, Smith, and Mayor Beehan voting "Aye."

## **Resolution No. 11-109-11**

**Adopted a resolution to adopt the Not in Our City conceptual plan to address drugs and crime, improve housing, and make Oak Ridge a better place to live and invest.**

City Manager Mark Watson provided an overview regarding the *Not in Our City* plan. Mr. Watson explained the resolution would act as an endorsement of the plan so that staff could move forward with planning or making the necessary adjustments to help implement a plan for use across all of Oak Ridge's communities.

Following an inquiry from Councilmember Smith regarding the enforcement of current codes and policies, the City Manager explained that some of the City's ordinances and such would need to be adjusted to help increase efficiency and effectiveness of enforcement.

Ms. Smith asked for staffs' thoughts about the phrase *Not in Our City* and the perceived negativity. The City Manager explained that the term was a reverse psychology approach and that it should emphasize that the community is no longer going to let negative situations continue.

Councilmember Miller expressed her support of tighter policies, particular on abandoned vehicles.

Councilmember Garcia Garland expressed her concerns about the *Not in Our City* phrase, as well as the top five (5) blighted properties and publicity of said properties, but was in favor of celebrating the most improved homes. Ms. Garcia Garland explained that she was supportive of the department's interactions with one another for this plan and inquired about staff preparing a corollary program for enforcement of drug and crime problems. Lastly, Councilmember Garcia Garland suggested that the City publish draft ordinances on its website for citizens' review before they are delivered to council for a vote.

Councilmember Mosby made a motion to adopt the program which was seconded by Councilmember Hensley.

Councilmember Mosby expressed an interest in establishing a matrix for this plan. Councilmember Smith expressed support for the idea as well and suggested focusing on property values and vacancy rates. Councilmember Mosby suggested adding blighted properties and complaints as well.

Mr. Joe Lee, 99 East Pasadena Road, commented that he believes this is a great program. He commended the City Manager and staff for their efforts, as well as stressed the involvement of the communities and residents to make the program a success. Mr. Lee further explained that he supports the idea of the top 10 blighted houses to encourage compliance, and in his experience with the Board of Building and Housing Code Appeals, has seen cases of residents taking initiatives to make improvements to houses.

Ms. Trina Baughn, 119 Newport Drive, agrees with the proposal. Ms. Baughn explained that she gives family from out of town, tours of the City of Oak Ridge and that the appearance of neighborhoods affects their perceptions of areas of Oak Ridge. She explained that individuals who are not familiar with the community and its history can have negative perceptions when viewing the area.

Mr. Don Hurtubise, 114 Mason Lane, spoke in opposition of the proposal. He expressed that his issue with the proposal is that it did not have community engagement in its development; nor did it have a component for crime. Mr. Hurtubise commented that he also does not agree with the slogan.

Councilmember Hensley commented that the City needs to support the plan and in turn get volunteer support in the form of participation from residents on the City's Boards and Commissions.

Ms. Kay Williamson, 420 Jefferson Avenue, supports the proposal and stated that she believes the community will help.

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

## **Resolution No. 11-110-11**

### **Adopted a resolution to adopt an additional initiative – the Residential Properties Utility Program – as part of the Not in Our City conceptual plan.**

Councilmember Hensley moved, seconded by Councilmember Hope that the resolution be adopted. City Manager Mark Watson provided an overview of the program and stressed that the primary importance of this program was safety and condition of utilities.

Councilmember Smith commented that instead of city employees contacting individual residents regarding lateral situations that a plan could be developed that would impact an entire neighborhood. Ms. Smith expressed concern about the inspection process taking place before lateral repairs had an opportunity to be addressed. Additionally, she discussed using coherent language for the inspection guidelines, as well as drafting summations of the policies.

Councilmember Garcia Garland expressed concern that the plan was both developed, but also not developed. Ms. Garcia Garland did not want elements of this plan to be constructed without involving the community or City Council. The City Manager responded by noting that a number of details would return to Council.

Councilmembers Hensley, Hope, Miller, and Mayor Beehan called for the question.

The resolution was adopted by board vote with Councilmembers Hensley, Hope, Miller, Mosby, Smith, and Mayor Beehan voting "Aye," and Councilmember Garcia Garland voting "Nay."

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

The Mayor noted that the official public hearing of the new ordinances would take place during the second reading of the ordinances.

The City Manager clarified that the Woodland Town Center PUD was time critical to allow for development and construction opportunities.

**AN ORDINANCE TO AMEND A USE RESTRICTION REGARDING FAST FOOD RESTAURANTS IN WOODLAND TOWN CENTER PLANNED UNIT DEVELOPMENT PLAN, WHICH FRONTS ON SOUTH ILLINOIS AVENUE AND BACKS UP TO SOUTH PURDUE AVENUE BISECTED BY QUINCY DRIVE ACROSS FROM THE FORMER DEAN STALLINGS FORD SITE, WITH NO CHANGE TO THE ZONING DISTRICT WHICH REMAINS UB-2/PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT DISTRICT OVERLAY.**

Councilmember Hensley moved, seconded by Councilmember Miller that the ordinance be approved on first reading. The City Manager explained that more detail was needed in regards to the definition of fast food restaurants which most often implies drive-thru facilities.

Mr. Walter Wise, Developer, commented that he has several projects in Oak Ridge. He explained that this program first developed years ago with the South Illinois Corridor Study. Mr. Wise indicated that this plan first envisioned retail shops, but with the current economic climate were eliminated. He discussed that the restaurant owners are acquainted and would come to Oak Ridge if both restaurants could be near one another, and that there is potential for other interested businesses if this is developed.

Upon an inquiry from Councilmember Mosby regarding the absence of the Planning Commission's recommendation on the Ordinance, Community Development Director Kathryn Baldwin explained that the Planning Commission is an advisory body and that historically, all ordinances list the Planning Commission's recommendation(s) when their advice is sought. Ms. Baldwin continued to explain that because this project is time critical, staff had not had an opportunity to meet the deadline for a public hearing notification, but that would occur during the second reading.

Councilmember Smith explained that she endorses the idea of a drive-thru for casual, fast food dining, but had some concerns over the criteria outlined in the PUD that defines a fast food restaurant.

Kathryn Baldwin explained that over time, the definition of a fast food restaurant has changed and that staff had reviewed several criterions to redefine the term. Ms. Baldwin commented that staff could amend the ordinance for second reading based on comments received during first reading.

Councilmember Miller commented that this development was an opportunity for a revenue stream for the City of Oak Ridge.

Joy Henderson, 103 Paris Lane, commented that she did not oppose a facility with a drive-thru, but would like for the drive-thru to have restrictions on hours of operation.

The ordinance was approved on first reading by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Miller, Mosby, Smith, and Mayor Beehan 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 PARCEL 1.09, ROANE COUNTY TAX MAP 30, ALSO KNOWN AS ED-4B, LOCATED AT HERITAGE CENTER, FROM F.I.R., FEDERAL INDUSTRY AND RESEARCH TO IND-2, INDUSTRIAL.**

Councilmember Smith moved that the ordinance be approved on first reading. The motion was seconded by Councilmember Garcia Garland and after brief discussion from Community Development Director Kathryn Baldwin the ordinance was approved on first reading by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Miller, Mosby, Smith, and Mayor Beehan 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 PARCELS 10.06 AND 10.07, ROANE COUNTY TAX MAP 29, ALSO KNOWN AS K-792 AREA, LOCATED AT HERITAGE CENTER, FROM F.I.R., FEDERAL INDUSTRY AND RESEARCH TO IND-2, INDUSTRIAL MANHATTAN DISTRICT OVERLAY (IND-2/IMDO).**

Councilmember Smith moved that the ordinance be approved on first reading. The motion was seconded by Councilmember Hensley and after brief discussion from Community Development Director Kathryn Baldwin the ordinance was approved on first reading by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

(Councilmember Hope was absent during the vote of this ordinance.)

### **FINAL ADOPTION OF ORDINANCES**

#### **Ordinance No. 14-11**

**ADOPTED AN ORDINANCE TO AMEND TITLE 3, TITLED "MUNICIPAL COURT," CHAPTER 4, TITLED "COURT ADMINISTRATION," SECTION 3-406, TITLED "COST ESTABLISHED," SUBSECTION (A), TITLED "CITY COURT CLERK FEE," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY INCREASING THE CITY COURT CLERK FEE TO EIGHTY-ONE DOLLARS AND TWENTY-FIVE CENTS (\$81.25).**

Councilmember Smith moved that the ordinance be adopted. The motion was seconded by Councilmember Garcia Garland and was approved on second reading by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

#### **Ordinance No. 15-11**

**ADOPTED 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 PARCELS 1.04, 1.17, AND 1.18, ROANE COUNTY TAX MAP 30, ALSO KNOWN AS BUILDING K-1225, ED-9A, AND ED-9B, LOCATED AT HERITAGE CENTER, FROM F.I.R., FEDERAL INDUSTRY AND RESEARCH TO IND-2, INDUSTRIAL MANHATTAN DISTRICT OVERLAY (IND-2/LMDO).**

Councilmember Smith moved that the ordinance be adopted. The motion was seconded by Councilmember Hensley and after a brief explanation by Community Development Director Kathryn Baldwin was approved on second reading by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

**Ordinance No. 16-11**

**ADOPTED AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," ARTICLE IX, TITLED "SPECIAL DISTRICTS," BY DELETING SECTION 9.07, TITLED "FLOODPLAIN REGULATIONS," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SECTION 9.07, TITLED, "FLOODPLAIN REGULATIONS," TO UPDATE THE PROVISIONS FOR COMPLIANCE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S (FEMA) CURRENT REQUIREMENTS, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN THE CITY'S ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM.**

Councilmember Smith moved that the ordinance be adopted. The motion was seconded by Councilmember Hensley and after a brief explanation by Community Development Director Kathryn Baldwin was approved on second reading by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

**Ordinance No. 17-11**

**ADOPTED 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 AN APPROXIMATE FIFTY-FOOT-WIDE STRIP CROSSING PARCELS 8.00, 9.00, 10.00, AND 12.00, ANDERSON COUNTY TAX MAP 100G, GROUP A, LOCATED ALONG THE SOUTH SIDE OF EMORY VALLEY ROAD FROM FRANKLIN ROAD HEADING EAST TO THE WEST BOUNDARY OF 707 EMORY VALLEY ROAD, THENCE HEADING SOUTH ALONG THE BOUNDARY LINE ENDING AT THE RIGHT-OF-WAY OF FAIRBANKS ROAD, FROM RG-1, RESIDENTIAL, OPEN SPACE AND RESERVED TO IND-1, INDUSTRIAL.**

Councilmember Smith moved that the ordinance be adopted. The motion was seconded by Councilmember Hensley and after a brief explanation by Community Development Director Kathryn Baldwin was approved on second reading by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

**Ordinance No. 18-11**

**ADOPTED AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING SECTION 3.18, TITLED "TEMPORARY USE PERMITS," SUBSECTION (D)(3) TO CLARIFY THAT SALES ARE PERMITTED IN PAVED PARKING AREAS PROVIDED IT DOES NOT INTERFERE WITH VEHICULAR CIRCULATION ON THE SITE; SECTION 13.01, TITLED "INTRODUCTION," SUBSECTION (A) TO ADD THAT SITE PLAN APPROVAL EXPIRES ONE YEAR FROM THE FINAL APPROVAL DATE; SECTION 13.02, TITLED "DESIGN REVIEW STANDARDS," SUBSECTIONS (D)(1), (E)(2), AND (H)(2) TO EXPAND THE APPLICABLE ZONES; SECTION 13.02, TITLED "DESIGN REVIEW STANDARDS," SUBSECTION (E)(3) TO PLACE A REQUIREMENT ON TREE PLANTING IN ISLANDS AND TO PLACE A PAVEMENT DISTANCE FROM REAR AND SIDE LOT LINES; SECTION 13.02, TITLED "DESIGN**

**REVIEW STANDARDS," SUBSECTIONS (F)(2) TO REQUIRE SHRUB ROWS TO BE PLANTED TO SCREEN A PARKING LOT THAT CAN BE VIEWED FROM A PRIVATE STREET AND NOT JUST A PUBLIC STREET; SECTION 13.02, TITLED "DESIGN REVIEW STANDARDS," SUBSECTION (F)(4)(A)(4) TO EXPAND THE APPLICABLE ZONES AND TO REQUIRE THE MAINTENANCE BOND TO BE POSTED FOR TWO YEARS INSTEAD OF ONE IF A PERMANENT IRRIGATION SYSTEM HAS NOT BEEN INSTALLED; SECTION 14.05, TITLED "GENERAL REQUIREMENTS," PART (4) TO INCLUDE SCHOOLS AND CHURCHES AS A BUSINESS THAT CAN BE ISSUED A TEMPORARY PERMIT AND TO LIMIT THE NUMBER OF PERMITS TO ONE DURING ANY THREE MONTH PERIOD INSTEAD OF ONE DURING ANY FOUR MONTH PERIOD; SECTION 14.06, TITLED "SIGNS ALLOWED IN ALL DISTRICTS (EXEMPT SIGNS)," PART (8) TO INCLUDE AUCTION SIGNS; AND SECTION 16.12, TITLED "USES REQUIRING PLANNING COMMISSION APPROVAL," SUBSECTION (A) TO CORRECT THE REFERENCE TO THE OAK RIDGE MUNICIPAL PLANNING COMMISSION.**

Councilmember Hensley moved that the ordinance be adopted. The motion was seconded by Councilmember Hope and after a brief explanation by Community Development Director Kathryn Baldwin was approved on second reading by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Miller, Mosby, Smith, and Mayor Beehan voting "Aye."

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

### Elections/Appointments

The City Manager presented an updated Notice of Elections for boards and commissions that are scheduled for a special meeting of City Council on December 19, 2011. City Clerk Diana Stanley noted the deadline for applications (November 21, 2011 at 5 p.m.) and provided a brief overview of the number of applications received to that point.

Councilmember Miller requested that the Recreation and Parks Board applicants be contacted and encouraged to apply and Councilmember Smith requested that the Industrial Development Board be contacted for the same purpose.

### Announcements

Councilmember Miller announced that the Secret City Festival kick-off event was scheduled for December 5, 2011 at the New Hope Center.

Councilmember Hensley announced that there was a PlanET event on November 15 at 5:30 p.m. at Hailey Farm.

Councilmember Hope announced that he would be speaking to the Young Professionals on Tuesday, November 15 regarding the Boards and Commissions election.

Councilmember Mosby commented about the success of the Community Bike Ride and congratulated the Oak Ridge High School Wildcats on their successes.

### Scheduling (NONE)

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

Councilmember Smith commented that she learned about a situation with a property owner wishing to sub-divide a lot and neighbors concerned by the impact from the minutes of a Planning Commission meeting. Ms. Smith inquired about the Planning Staff reviewing the issue to address those lots that are not suitable for subdivisions.

**SUMMARY OF CURRENT EVENTS**

City Manager's Report

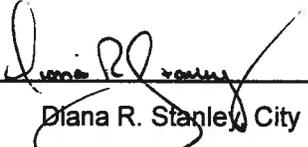
The City Manager reported on the Tech 20/20 Conference in Knoxville on November 16. The City Manager explained that the City is a co-sponsor of said event and Council could contact Amy Fitzgerald to attend the conference luncheon.

City Attorney's Report

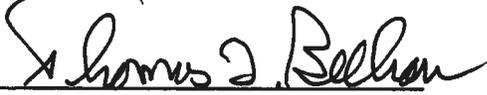
Public Works Director Report  
(moved to Special Reports)

**ADJOURNMENT**

The meeting adjourned at 11:08 p.m.

  
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Diana R. Stanley, City Clerk

APPROVED BY CITY COUNCIL  
DECEMBER 12, 2012

  
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Thomas L. Beehan, Mayor