

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

March 24, 2014

The special meeting of the City Council of the City of Oak Ridge, Tennessee, convened at 7:00 p.m. on March 24, 2014, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

At the request of the Mayor, Councilmember David N. Mosby led the Invocation, and Mr. Waldemar Kaczocha led the Pledge of Allegiance to the Flag of the United States of America.

**ROLL CALL**

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

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

**SPECIAL REPORTS**

*Presentation and public meeting to provide information concerning the City of Oak Ridge's application for a Clean Water State Revolving Loan Fund (SRF) in the amount of \$3,000,00.00 for the City's remediation plan.*

Public Works Director Gary Cinder provided an overview to the City Council regarding the \$3,000,000.00 Clean Water State Revolving Loan Fund (SRF) including project description, project schedule, EPA sewer projects status as of the March 24, 2014 date, long-term benefits, and short term impacts. Finance Director Janice McGinnis provided advantages of the SRF loan and impact of wastewater rates. Both the Finance Director and the Public Works Director responded to questions and comments of the City Council.

Councilmember Baughn requested that a statement that was included as part of the October 14, 2013 City Council meeting minutes also be included into the record of the March 24, 2014 City Council meeting regarding the October 2013 increase in the water and wastewater rates as was presented by the City Manager. That statement reads:

A better representation for the rates would be a range of percentages beginning with first rate increases experienced in May of 2012. The impact on the rate increases would range from 66% to 101% for water and 102% to 135% for wastewater, with the combined utilities impact ranging from 95% to 106% as the level of usage would cause the percent increase to vary.

The Mayor opened the floor to receive public comments:

Ms. Ellen Smith, 116 Morningside Drive, encouraged City Council to support the loan and noted that the City of Oak Ridge does not have a combined wastewater system as compared to other cities in the nation.

The Mayor closed the floor for public comments.

**RESOLUTIONS**

**Resolution No. 03-20-2014**

**RESOLUTION AUTHORIZING AND PROVIDING FOR THE FINANCING OF THE CONSTRUCTION OF A WASTEWATER FACILITIES PROJECT, INCLUDING AUTHORIZING THE EXECUTION OF APPLICATIONS, CONTRACTUAL AGREEMENTS, AND OTHER NECESSARY DOCUMENTS, AND**

OAK RIDGE CITY COUNCIL SPECIAL MEETING

**MAKING CERTAIN REPRESENTATIONS, CERTIFICATIONS, AND PLEDGES OF CERTAIN REVENUE IN CONNECTION WITH SUCH FINANCING.**

Councilmember Hensley moved, seconded by Councilmember Hope to approve the resolution.

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

Redflex Traffic Solutions, Inc. Agreement:

- Option 1) A RESOLUTION EXTENDING THE AGREEMENT (COR 08-01) BETWEEN THE CITY AND REDFLEX TRAFFIC SOLUTIONS, INC., FOR AUTOMATED RED LIGHT AND SPEED CAMERAS FOR AN ADDITIONAL TWO-YEAR TERM ENDING APRIL 21, 2016.  
(pending approval as amended)
- Option 2) A RESOLUTION TERMINATING THE AGREEMENT (COR 08-01) BETWEEN THE CITY AND REDFLEX TRAFFIC SOLUTIONS, INC., FOR AUTOMATED RED LIGHT AND SPEED CAMERAS ON APRIL 21, 2014.

The City Manager noted that City Council would be considering Option 1, to renew the contract for an additional two-year term, as amended by City Council during the March 3, 2014 City Council meeting. Mr. Watson noted that the three (3) amendments were—location changes, fee renegotiations, and consideration of mobile units. The City Manager explained that if the City were to renegotiate the contract, City Council would have an opportunity to approve the final contract.

The City Attorney clarified his understanding of the new state requirements that new consideration of placements of cameras or change in quantity would require a traffic study beforehand; however, a renewal of the contract without changes would not require said study.

City staff provided explanations and clarifications regarding the proposed resolution as amended, what variables would prompt a traffic study under the state requirements, and other alternatives for consideration of traffic cameras, such as a new Request for Proposal.

City Council discussed either their support or opposition to the traffic cameras at length, as city staff continued to respond to inquiries and comments of the City Council.

Ms. Mary Ann Wildgruber, 122 Connors Drive, asked City Council to keep the traffic cameras as a matter of safety in the community for pedestrians.

Ms. Kay Williamson, 420 Jefferson Avenue, commented that the traffic cameras divert revenues from Oak Ridge, does not assist with traffic safety, and urged City Council to consider different safety options.

Ms. Sharon Crane, 107 Wakefield Road, expressed her opposition to the cameras in regards to their location in Oak Ridge, the expenditure of funds from the cameras for projects located in particular areas of the City, and inquired about obtaining suggestions and input from the Traffic Safety Advisory Board.

Mr. David Mast, West Paducah Kentucky, American Traffic Solutions, explained his understanding that traffic studies are only required by state law for the expansion of a traffic system and requested that City Council consider different companies and technologies offered by different companies.

Mr. Aditya Savara, 109 Trenton Drive, commented about conducting studies for traffic patterns and considering different traffic controlling alternatives.

Mr. Gene Dunaway, 125 Vienna Road, commented about the insurance savings that he has experienced with the traffic cameras being utilized in Oak Ridge.

Mr. Joseph Lee, 99 East Pasadena Road, expressed his support for the traffic cameras and the extension of the contract.

The resolution, as amended, failed by board vote with Councilmembers Hensley, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmembers Baughn, Garcia Garland, Hope, and Mosby voting "Nay."

(Option 2 was not considered by City Council given that the Council had voted not to provide a contract extension thus making consideration of this item unnecessary as the contract would expire April 21, 2014.)

A RESOLUTION TO AUTHORIZE THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF THE OAK RIDGE TURNPIKE AND THE OAK RIDGE HIGH SCHOOL SUBJECT TO APPROVAL OF THE TRAFFIC SIGNAL DESIGN BY THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT), AND APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND TDOT TO ASSIGN PERPETUAL MAINTENANCE RESPONSIBILITY OF SAID TRAFFIC SIGNAL TO THE CITY.

Councilmember Baughn moved, seconded by Councilmember Hensley to approve the resolution.

Discussions occurred amongst the City Council about obtaining additional information or data regarding traffic at this location and the need for traffic signalization of this location. As a result of those discussions, Councilmember Hensley moved to refer the item to the Traffic Safety Advisory Board (TSAB) prior to consideration by City Council and return with information in four (4) months. The motion was seconded by Mayor Pro Tem Miller.

Following additional discussions, the motion passed with Councilmembers Baughn, Garcia Garland, Hensley, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmembers Hope and Mosby voting "Nay."

Councilmember Garcia Garland requested that Council hear from present TSAB members to ensure that the Board would understand the instructions based on discussions held, Mr. Bill Polfus, 110 Victoria Road, commented that the Board would consider alternatives for the Council's approval.

## **FINAL ADOPTION OF ORDINANCES**

### **Public Hearing and Final Adoption of an Ordinance**

#### **Ordinance No. 02-2014**

**AN ORDINANCE TO AMEND ORDINANCE NO. 05-2013, WHICH ORDINANCE IMPOSES A TAX ON ALL PROPERTY WITHIN THE CITY, FIXES THE RATE OF THE TAX, ADOPTS A BUDGET, AND ADOPTS APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, BY AMENDING SAID APPROPRIATIONS.**

Councilmember Hensley moved, seconded by Councilmember Hope that the ordinance be adopted on second reading.

The City Manager explained that the ordinance was under consideration as part of a request from the Board of Education to transfer funds of \$1,750,864 from their fund balance to approve technological infrastructure improvements as part of the school's STEM initiative.

Mayor Beehan opened the floor to receive comments as part of the public hearing for the ordinance:

No citizens participated in the public hearing.

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

Final Adoption of an Ordinance (cont.)

**Ordinance No. 03-2014**

**AN ORDINANCE TO AMEND TITLE 5, TITLED "MUNICIPAL FINANCE AND TAXATION," CHAPTER 1, TITLED "MISCELLANEOUS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE," BY DELETING SECTION 5-102, TITLED "WHEN DUE, DELINQUENT," AND SUBSTITUTING THEREFOR A NEW SECTION 5-102, WITH THE SAME TITLE, TO CHANGE THE DUE DATE AND DELINQUENT DATE FOR TAXES.**

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller that the ordinance be adopted on second reading.

The City Manager noted the benefits of moving the tax date collection which included more accuracy in tax collections and in the budget of the Oak Ridge Schools. Mr. Watson also pointed out that the City is the only city in Tennessee collecting taxes beginning June 1. Mr. Watson also noted that the appropriation ordinance would be considered by City Council in June as opposed to May.

In response to inquiries of Council, Finance Director Janice McGinnis explained that the only losses experienced by the City as a result of this change would occur in the interest earnings as part of the transition of moving tax collection one (1) month and that the City would not have to raise fund balance as a result of this change in tax collection. Additionally, she explained that the fund balance would only be impacted if the collection date were moved further.

Following discussions between city staff and City Council regarding this proposed change, the ordinance was adopted by board vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember Baughn voting "Nay."

**ADJOURNMENT**

The meeting adjourned at 9:20 p.m.

  
Diana R. Stanley, City Clerk

APPROVED BY CITY COUNCIL  
April 14, 2014

  
D. Jane Miller, Mayor Pro Tem