

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

December 8, 2014

The regular meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on December 8, 2014, in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

INVOCATION

The Invocation was delivered by Tandy Scheffler, Associate Minister at Unitarian Universalist Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was led by Councilman Hensley.

ROLL CALL

Upon roll call the following councilmembers were present: Councilwoman Trina Baughn; Councilman Kelly Callison; Councilman Rick Chinn, Jr.; Mayor Warren L. Gooch; Councilman L. Charles Hensley; Councilman Charles J. Hope, Jr.; Mayor Pro Tem Ellen D. Smith.

Also present were Mark S. Watson, City Manager; Kenneth R. Krushenski, City Attorney; Janice E. McGinnis, Finance Director; Alexander J. Ford, Acting City Clerk.

APPEARANCE OF CITIZENS

Mr. Aditya Savara, of 109 Trenton Drive, encouraged the Council to remain open to citizen comment.

Mr. Gary Love, of 373 East Drive, wanted the Council to discover why 3M Company decided to locate its new manufacturing facility in Clinton, Tennessee and not Oak Ridge.

Dr. Jim Horton, of 106 Carson Lane, discussed property taxes.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation paying tribute and expressing appreciation to Dan Gigregorio.

Mayor Pro Tem Smith moved, seconded by Councilman Hensley, that the proclamation be adopted.

The proclamation was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

Mr. Dan Gigregorio, former Oak Ridge Board of Education member, accepted the proclamation.

A proclamation paying tribute and expressing appreciation to Jenny Richter.

Councilman Hensley moved, seconded by Councilman Hope, that the proclamation be adopted.

The proclamation was approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

Ms. Jenny Richter, former Oak Ridge Board of Education member, accepted the proclamation.

SPECIAL REPORTS

Oak Ridge Heritage Railroad Authority Annual Report by Chairman Gordon G. Fee

Council accepted the report.

CONSENT AGENDA

Councilman Chinn moved, seconded by Councilman Hope, to approve the Consent Agenda, thereby:

- Approving the November 24, 2014 City Council Meeting minutes.
- Adopting **Resolution No. 12-113-2014** authorizing the City to enter into an agreement with the Tennessee Valley Authority (TVA) to amend the Green Power Providers Program.
- Adopting **Resolution No. 12-114-2014** authorizing the City to enter into a wholesale billing adjustment agreement with the Tennessee Valley Authority (TVA) which provides for billing of power provided through TVA's renewable standard offer program.
- Adopting **Resolution No. 12-115-2014** authorizing the City to enter into an agreement with the Tennessee Valley Authority (TVA) to participate in the eScore Program.
- Adopting **Resolution No. 12-116-2014** awarding a bid in the amount of \$66,686.70 to WESCO Distribution, Inc., Chattanooga, Tennessee, for the furnishing of 6,300 feet of 500 MCM copper underground cable.
- Adopting **Resolution No. 12-117-2014** authorizing the transfer of a surplus 1991 International 4700 Fire Truck (#376) to Medford Volunteer Fire Department, Rocky Top, Tennessee, at no cost for their use.

The consent agenda was approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

Items Removed from the Consent Agenda

(None)

RESOLUTIONS

Resolution 12-118-2014

A RESOLUTION TO SUPPORT CONSIDERATION OF MARK S. WATSON, CITY MANAGER, TO BE PRESIDENT-ELECT OF THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION (ICMA).

Councilman Chinn moved, seconded by Councilman Hensley, that the resolution be adopted.

City Manager S. Mark Watson addressed questions from Council regarding the International City/County Management Association and what his responsibilities would be as President.

The resolution was approved with Councilmembers Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye." Councilwoman Baughn voted "Nay."

Resolution No. 12-119-2014

A RESOLUTION TO TRANSFER SIX (6) CITY-OWNED REAL PROPERTIES TO THE OAK RIDGE LAND BANK CORPORATION FOR DISPOSITION AS SET FORTH IN RESOLUTION 11-108-2013.

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

The resolution was approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

Resolution No. 12-120-2014

A RESOLUTION AUTHORIZING AGREEMENTS WITH THE EMORY VALLEY CENTER AND AID TO DISTRESSED FAMILIES OF APPALACHIAN COUNTIES, INC., IN THE AMOUNT OF \$18,577.00 AND \$15,500.00 RESPECTIVELY, FOR SOCIAL SERVICES PROJECTS.

Mayor Pro Tem Smith moved, seconded by Councilman Hope, that the resolution be adopted.

Community Development Director Kathryn G. Baldwin addressed questions from Council regarding the expenditure of the Community Development Block Grant money on the social services projects.

Ms. Zabrina Minor, of 101 Norwood Lane, thanked City Council and City Staff for their assistance to the homeless on behalf of TORCH as their Executive Director.

The resolution was approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

Resolution No. 12-121-2014

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO SUTPHEN CORPORATION FOR FURNISHING EQUIPMENT UPGRADES FOR THE FIRE DEPARTMENT'S TOWER TRUCK 10 IN THE ESTIMATED AMOUNT OF \$36,863.22.

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

Fire Chief Darryl R. Kerley addressed questions from Council regarding the upgrades.

The resolution was approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

Resolution No. 12-122-2014

A RESOLUTION AWARDDING A CONTRACT (FY2015-179) TO MORGAN CONTRACTING, INC., BAKER, FLORIDA, FOR THE WASTEWATER SYSTEM REHABILITATION PROGRAM TURTLE PARK I PROJECT AS REQUIRED FOR COMPLIANCE WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY ADMINISTRATIVE ORDER, SAID CONTRACT IN THE ESTIMATED AMOUNT OF \$1,864,513.00.

Mayor Pro Tem Smith moved, seconded by Councilman Hope, that the resolution be adopted.

Public Works Director Gary M. Cinder addressed questions from Council regarding the rehabilitation plan required by the Environmental Protection Agency.

The resolution was approved with Councilmembers Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye." Councilwoman Baughn voted "Nay."

Resolution No. 12-123-2014

A RESOLUTION AWARDDING A BID IN THE ESTIMATED AMOUNT OF \$238,822.00 TO CONSOLIDATED ELECTRICAL DISTRIBUTORS, KNOXVILLE, TENNESSEE, FOR THE FURNISHING OF LED REPLACEMENT LIGHTING FOR THE OAK RIDGE PUBLIC LIBRARY.

Councilman Hensley moved, seconded by Mayor Pro Tem Smith, that the resolution be adopted.

Public Works Director Gary M. Cinder and Public Works Manager Patrick H. Fallon addressed questions from Council, including concerns over the cost.

Mr. Aditya Savara, of 109 Trenton Drive, told the Council that he thought the light study should not be done at this time.

Mr. Gary Love, of 373 East Drive, expressed his concern over the cost of the project and told Council that they should consider postponing action at this time.

The resolution was approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

A RESOLUTION ACCEPTING INFRASTRUCTURE FOR OAK RIDGE SUMMIT SUBDIVISION FOR PERPETUAL MAINTENANCE.

Mayor Gooch recused himself due to a potential conflict of interest. Therefore, Mayor Pro Tem Smith presided over the meeting during the consideration of the resolution. Councilman Hensley moved, seconded by Councilman Callison, that the resolution be adopted.

City Engineer Steven R. Byrd addressed questions from Council.

After a discussion of the resolution Councilwoman Baughn moved, seconded by Councilman Chinn, to table the resolution. Staff advised Councilwoman Baughn to change her motion after she explained her intention to hear the resolution next meeting. She withdrew her motion with Councilman Chinn's consent. Thereafter, Councilwoman Baughn moved, seconded by Councilman Chinn to defer the resolution to the January City Council Meeting.

Mr. Harold Osucha, of 249 Gum Hollow Road and member of the Industrial Development Board, voiced his support for the resolution.

Mr. Gary Love, of 373 East Drive, asked City Staff about the site's existing infrastructure.

After continued discussion. Councilmembers Baughn, Callison, Chinn, and Hope called the question. The motion was approved, moving the resolution to the January meeting, with Councilmembers Baughn, Chinn, Hope, and Mayor Pro Tem Smith voting "Aye." Councilmen Callison and Hensley voted "Nay."

Resolution No. 12-124-2014

A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE ARTS COUNCIL OF OAK RIDGE TO PROVIDE ENTERTAINMENT, PRODUCTION SUPPORT, ACTIVITIES AND PROGRAMS RELATED TO THE UPCOMING 2015 SECRET CITY FESTIVAL AND AUTHORIZING THE REIMBURSEMENT OF ACTUAL COSTS INCURRED IN AN AMOUNT NOT TO EXCEED \$150,000.00.

Mayor Pro Tem Smith moved, seconded by Councilman Hensley, that the resolution be adopted.

Mr. David Kitzmiller, of 144 Wellington Circle, expressed his concern over the cost of the resolution.

Recreation and Parks Interim Director Jon Hetrick and City Manager Mark S. Watson addressed questions from Council, including concerns over the cost of the resolution.

Councilman Hensley moved, seconded by Mayor Pro Tem Smith, to amend the motion to provide that the Council have a Work Session early in 2015 to discuss planning for the 2016 Secret City Festival. The motion was approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

Returning to the original motion, the resolution was adopted as amended with Baughn, Callison, Chinn, Mayor Gooch, Hensley, and Mayor Pro Tem Smith voting "Aye." Councilman Hope voted "Nay."

Council took a brief recess at 9:23 p.m. and reconvened at 9:32 p.m.

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of Ordinances

AN ORDINANCE TO AMEND ORDINANCE NO. 06-2014, WHICH ORDINANCE IMPOSES A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, BY AMENDING SAID APPROPRIATIONS.

Councilman Hensley moved, seconded by Mayor Pro Tem Smith, that the ordinance be approved on first reading.

Mayor Gooch opened the floor to public comment for the public hearing and requested City Manager Mark S. Watson to explain the budget amendment to Council. Upon completion of the explanation, Mayor Gooch requested citizen input. After a reasonable time, seeing and hearing no citizen input, the Mayor ended the public hearing on the ordinance.

The ordinance was approved unanimously on first reading with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

AN ORDINANCE TO AMEND TITLE 11, TITLED "MUNICIPAL OFFENSES," CHAPTER 8, TITLED "WEAPONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SECTION 11-802, TITLED "CARRYING KNIFE WITH BLADE EXCEEDING FOUR INCHES," IN ITS ENTIRETY WITHOUT REPLACEMENT.

Mayor Pro Tem Smith moved, seconded by Councilman Hope, that the ordinance be approved on first reading.

Police Chief James T. Akagi, City Manager Mark S. Watson, and City Attorney Kenneth R. Krushenski addressed questions from Council regarding compliance with State law.

The ordinance was approved unanimously on first reading with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," CHAPTER 1, TITLED "IN GENERAL," SECTION §15-101, TITLED "DEFINITIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY UPDATING THE INTRODUCTORY LANGUAGE OF THE SECTION AND BY ADDING A NEW DEFINITION FOR THE WORD "CITATION"; AND TO AMEND TITLE 3, TITLED "MUNICIPAL COURT," CHAPTER 4, TITLED "COURT ADMINISTRATION," BY CREATING A NEW SECTION 3-410, TITLED "ELECTRONIC TRAFFIC CITATION REGULATIONS AND FEES."

Mayor Pro Tem Smith moved, seconded by Councilman Hope, that the ordinance be approved on first reading.

Police Chief James T. Akagi, City Manager Mark S. Watson, and City Attorney Kenneth R. Krushenski addressed questions from Council regarding electronic citations.

The ordinance was approved unanimously on first reading with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

AN ORDINANCE TO AMEND TITLE 6, TITLED "LAW ENFORCEMENT," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY CREATING CHAPTER 1, TITLED

“COMMUNITY NOTIFICATION SYSTEM,” TO ESTABLISH A NOTIFICATION SYSTEM FOR SCHOOLS AND CHILD CARE FACILITIES THAT A SEXUAL OFFENDER OR VIOLENT SEXUAL OFFENDER IS RESIDING WITHIN THE CITY LIMITS, AND TO ESTABLISH A NOTIFICATION FEE TO DEFRAY NOTIFICATION COSTS, ALL IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED §40-39-217.

Councilwoman Baughn moved, seconded by Councilman Callison, that the ordinance be approved on first reading.

Police Chief James T. Akagi, City Manager Mark S. Watson, and City Attorney Kenneth R. Krushenski addressed questions from Council regarding a sexual offender database.

The ordinance was approved unanimously on first reading with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting “Aye.”

FINAL ADOPTION OF ORDINANCES

Ordinance No. 15-2014

AN ORDINANCE TO AMEND TITLE 12, TITLED “BUILDING, UTILITY, ETC. CODES,” OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING CHAPTER 13, TITLED “MECHANICAL CODE,” IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW CHAPTER 13, TITLED “MECHANICAL CODE”; BY DEDICATING CHAPTER 14, PREVIOUSLY RESERVED, TO BE A NEW CHAPTER 14, TITLED “LICENSES FOR MECHANICAL CONTRACTORS;” AND BY DEDICATING CHAPTER 15, PREVIOUSLY RESERVED, TO BE A NEW CHAPTER 15, TITLED “MECHANICAL WORK PERMIT,” ALL FOR THE PURPOSES OF ESTABLISHING NEW PROVISIONS TO THE MECHANICAL CODE TO ESTABLISH A LICENSING/PERMITTING AND INSPECTION PROGRAM FOR COMPLIANCE WITH STATE LAW; AND TO AMEND TITLE 3, TITLED “MUNICIPAL COURT,” CHAPTER 6, TITLED “ADMINISTRATIVE HEARING OFFICER,” OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, TO AMEND SECTION 3-601(1)(E), TITLED “ADMINISTRATIVE HEARING OFFICER,” TO ADD THE NEW CHAPTERS OF THE MECHANICAL CODE TO THE LIST OF VIOLATIONS THE ADMINISTRATIVE HEARING OFFICER IS AUTHORIZED TO HEAR.

Councilman Hensley moved, seconded by Councilman Callison, that the ordinance be adopted on second reading.

Community Development Director Kathryn G. Baldwin addressed questions from Council regarding the Mechanical Code.

The ordinance was adopted unanimously on second reading with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting “Aye.”

Ordinance No. 16-2014

AN ORDINANCE TO AMEND TITLE 13, TITLED “PROPERTY MAINTENANCE REGULATIONS,” OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING CHAPTER 2, TITLED “OAK RIDGE PROPERTY MAINTENANCE CODE,” IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW CHAPTER 2, TITLED “OAK RIDGE PROPERTY MAINTENANCE CODE,” TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, INCLUDING APPENDIX A, AND TO PROVIDE FOR ANY NECESSARY AMENDMENTS THERETO.

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

Community Development Director Kathryn G. Baldwin addressed questions from Council regarding the International Property Maintenance Code and suggested Council substitute the ordinance for consideration with one provided by City Staff.

Mayor Pro Tem Smith moved, seconded by Councilman Hensley, to replace the ordinance with the substitute ordinance provided by City Staff. The motion was approved with Councilmembers Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye." Councilwoman Baughn voted "Nay."

The substitute ordinance was adopted on second reading with Councilmembers Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye." Councilwoman Baughn voted "Nay."

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Announcements

Scheduling

2014 Board and Commission Elections

City Manager Mark S. Watson addressed questions from Council regarding Boards and Commissions.

Councilman Callison moved, seconded by Councilman Chinn, to reopen the applications for Board and Commissions till December 31, 2014, and have elections to fill the vacancies on January 12, 2015.

Mayor Pro Tem Smith moved, seconded by Councilman Hensley, to amend the motion by extending the terms of all expiring Board Members until January 13, 2015.

The amendment was approved with Councilmembers Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye." Councilwoman Baughn voted "Nay."

Ms. Zabrina Minor of 101 Norwood Lane asked whether current applicants could amend their applications if the motion was approved.

The original motion was approved as amended with Councilmembers Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye." Councilwoman Baughn voted "Nay."

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

(NONE)

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

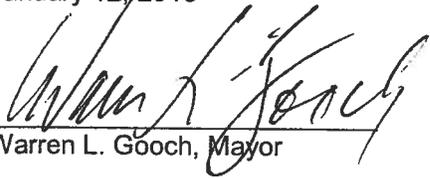
ADJOURNMENT

The meeting adjourned at 10:30 p.m.



Bruce M. Applegate Jr., Acting City Clerk
CITY OF OAK RIDGE, TENNESSEE

APPROVED BY CITY COUNCIL
January 12, 2015



Warren L. Gooch, Mayor