

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

June 2, 2014

The regular meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on June 2, 2014, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

INVOCATION

The Invocation was delivered by Brian Scott, Pastor of Robertsville Baptist Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was led by Mr. Andrew Crusen.

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.

APPEARANCE OF CITIZENS

Mr. Aditya Savara, 109 Trenton Drive, expressed his concern over a parking ticket citation received by a resident in which the citation did not have a fine listed on the ticket or provide for a warning.

Mr. Martin McBride, 954 West Outer Drive, commented about the Dragon Boat Race event and its success. Additionally, Mr. McBride, commented about a recognition to commemorate the end of World War II next year and the City's possible role and that of Y-12 National Security Complex.

Mr. Boyce Griffith, 107 Beechwood Lane, encouraged the citizens to exercise and commented about his litter pick-up efforts and asked for assistance from residents to keep the greenway clean of litter.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation designating June 21, 2014 as C. Vaughn Leslie & Boys' Night Out Day.

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

The proclamation was accepted by Mr. Jeff Ginsburg with the C. Vaughn Leslie & Boys' Night Out Band.

A proclamation in recognition of Tim and Teresa Myrick.

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

The proclamation was accepted by Tim and Teresa Myrick.

SPECIAL REPORTS

Presentation of the City of Oak Ridge's FY 2015 Proposed Budget by Mark S. Watson, City Manager.

The City Manager presented an overview of the City's proposed FY 2015 Budget noting that the City is proposing to retain the current property tax rate of \$2.39. The budget presentation included a brief progress of the City from the past year, city-wide goals, a breakdown of funds of major city funds, general fund impacts, personnel, waterworks and electric fund summaries, economic development initiatives, projects of state and federal governments in Oak Ridge, Board of Education property tax increase of \$0.32 per \$100.00 and Council's consideration, and lastly information on the budget process and schedule.

Following the presentation, the City Manager responded to inquiries of the City Council.

Next, Board of Education Chairman Keys Fillauer introduced Oak Ridge Schools Superintendent Dr. Bruce Borchers to provide the City Council with a presentation of the Oak Ridge School's FY 2015 proposed budget.

Dr. Borchers provided an overview to City Council on their "Keys" and the STEM (Students Teachers Energizing Minds) programs and their importance to the schools. Additionally, he reviewed the school's focus on 1:1 ratio for technology and the school's personnel, and provided data of technology approaches by neighboring school systems. Dr. Borchers provided information on the school's proposal of a modified budget ("retain") which includes a \$3.2 million increase in the City's funding.

Following the presentation, the Superintendent responded to inquiries of the City Council.

Agenda Addition

Mayor Beehan explained that City Council had received a request to add an item under "Resolution" regarding the Mayors' Maker Challenge, and in order to achieve this, the agenda would need to be amended to include this addition. Mayor Pro Tem Miller moved, seconded by Councilmember Mosby to amend the agenda to include the following resolution to the agenda:

A RESOLUTION ACCEPTING THE MAYORS' MAKER CHALLENGE ORGANIZED BY THE
MANUFACTURING ALLIANCE OF COMMUNITIES AND PLEDGING TO SUPPORT AT LEAST
ONE MAKER INITIATIVE DURING CALENDAR YEAR 2014.

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

CONSENT AGENDA

Councilmember Mosby requested to remove the following resolution from the "Consent Agenda" titled "a resolution awarding a contract (FY2015-002) to Sweeping Corporation of America, Inc., Nashville, Tennessee, for street sweeping services in the estimated amount of \$76,360.58."

Following the removal of the item, Councilmember Hensley moved, seconded by Councilmember Hope to approve the remainder of the "Consent Agenda." The motion was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," thereby:

Approving the May 12, 2014 City Council meeting minutes.

Adopting **Resolution No. 06-40-2014** authorizing the Mayor to execute on behalf of the City of Oak Ridge a Certificate of Good Moral Character for John G. Calvert, Oak Ridge BPOE (Elks) Lodge No. 1684.

Adopting **Resolution No. 06-41-2014** authorizing the purchase of two (2) pickup trucks from Sam Swope Auto Group, Chattanooga; one (1) pickup truck from Ford of Murfreesboro, Murfreesboro; and one (1) dump truck from Rainbow Ford, LaFollette; all for use by the Public Works Department in the grand total

estimated amount of \$119,987.00.

Item Removed from "Consent Agenda"

Resolution No. 06-42-2014

A resolution awarding a contract (FY2015-002) to Sweeping Corporation of America, Inc., Nashville, Tennessee, for street sweeping services in the estimated amount of \$76,360.58.

Public Works Director Gary Cinder responded to inquiries of Councilmember Mosby regarding the City's bid processes.

Following these discussions, Mayor Pro Tem Miller moved, seconded by Councilmember Hensley that the resolution be adopted. The resolution was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

RESOLUTIONS

Resolution No. 06-43-2014

A RESOLUTION AUTHORIZING THE CONVERSION OF EAST MADISON ROAD FROM A ONE-WAY STREET TO A TWO-WAY STREET.

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

Mr. Ken Hollbrook, Representing Owner of Jackson Square Apartments, requested that the item be deferred so as to permit more information to be examined before this conversion of East Madison Road occurs.

Following brief discussions, the resolution was approved by board vote with Councilmembers Baughn, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye, and Councilmember Garcia Garland abstaining.

Resolution No. 06-44-2014

A RESOLUTION AWARDED A CONTRACT (FY2015-004) TO PITTSBURG TANK & TOWER COMPANY, INC., HENDERSON, KENTUCKY, FOR REHABILITATION AND REPAINTING OF THE STEEL POTABLE WATER STORAGE TANK (K-1530) AT THE EAST TENNESSEE TECHNOLOGY PARK (ETTP) WATER TREATMENT PLANT IN THE ESTIMATED AMOUNT OF \$699,200.00.

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

Public Works Director Gary Cinder responded to inquiries of Council regarding the amount being subsidized by the Department of Energy (DOE).

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

Resolution No. 06-45-2014

A RESOLUTION AWARDED A CONTRACT (FY2014-99) TO HURST EXCAVATING, LLC, KNOXVILLE, TENNESSEE, FOR THE WASTEWATER SYSTEM REHABILITATION PROGRAM Y-12 I PROJECT AS REQUIRED FOR COMPLIANCE WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY ADMINISTRATIVE ORDER, SAID CONTRACT IN THE ESTIMATED AMOUNT OF \$1,170,565.00.

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

Upon review of and discussion of the EPA Remediation Plan Cost Analysis as provided by the Public

Works Department, the resolution was approved by board vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember Baughn voting "Nay."

Resolution No. 06-46-2014

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO TENNESSEE MUNICIPAL LEAGUE RISK MANAGEMENT POOL FOR PROPERTY, LIABILITY, AND WORKERS' COMPENSATION INSURANCE FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$1,242,000.00.

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

Mr. Aditya Savara, 109 Trenton Drive, inquired about the City waiving the competitive bidding process for this item and the possibility of other cities pooling together for a bidding process.

City staff outlined the benefits for continuing service with the Tennessee Municipal League Risk Management Pool with regards to service and costs.

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

Resolution No. 06-47-2014

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AWARDS TO INTEGRACON AND OTHER SUITABLE COMPANIES AS NEEDED FOR FURNISHING TEMPORARY TECHNICAL SUPPORT FOR THE INFORMATION SERVICES DEPARTMENT FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$150,000.00.

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

Information Services Manager Adam Fiscor explained that the services offered by Integracon were specialized or for complicated troubleshooting measures outside of staff's resources and that the company would be assisting with migration services ongoing by the department.

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

Resolution No. 06-48-2014

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., FOR FURNISHING OF MAINTENANCE OF THE 800 MHZ TRUNKED COMMUNICATIONS SYSTEM FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$84,000.00.

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

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO TRITECH SOFTWARE SYSTEMS FOR FURNISHING ANNUAL MAINTENANCE FOR THE PUBLIC SAFETY COMPUTER SYSTEM SOFTWARE FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$79,982.86.

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

Information Services Manager Adam Fiscor explained that this company was still being utilized during the transition to a new software migration for the Oak Ridge Police Department. Oak Ridge Police Chief James Akagi further explained that the contract between the Police Department and Spillman

Technologies (the new software provider) took longer to implement than planned and reiterated it was advantageous to continue services with the existing contractor during this interim.

Following discussions of City Council regarding this time lapse of implementation for the new contract with Spillman Technologies, the resolution received "Aye" board votes from the following Councilmembers Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan and a "Nay" vote from Councilmember Baughn.

NOTE: The aforementioned resolution did not pass as it did not receive unanimous consent from the City Council as is required by the Article V, Section 17 of the Oak Ridge City Charter for purchasing requirements.

A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH THE FERGUSON GROUP, LLC, WASHINGTON, D.C., FOR THE PROVISION OF CONSULTING SERVICES TO PROVIDE GRANT SUPPORT AND TO DEVELOP A COMPREHENSIVE FEDERAL GOVERNMENT RELATIONS AGENDA AND ACTION PLAN FOR AGREED UPON PRIORITIES FOR THE CITY IN THE AMOUNT OF \$30,000.00 AT A MAXIMUM RATE OF \$425.00 PER HOUR WITH AN ALLOWANCE OF \$5,000.00 FOR EXPENSES.

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

During discussions on this item, members of City Council raised questions to the Information Services and Public Affairs Director Amy Fitzgerald about the total amount spent on the contract for services during Fiscal Year 2014 and inquired about a report on the services being provided by the Ferguson Group.

Based on these inquiries, the City Manager recommended that City Council consider tabling the item until a later meeting in the month of June so as to allow staff enough time to provide Council with additional information.

Councilmember Garcia Garland moved, seconded by Councilmember Baughn to table consideration of the item until the June 9, 2014 City Council meeting. The motion was approved by board vote with Councilmembers Baughn, Garcia Garland, Hope, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmembers Hensley and Mosby voting "Nay."

Resolution No. 06-49-2014

A RESOLUTION TO APPROVE AN AGREEMENT WITH RAY EVANS FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2015 IN THE AMOUNT OF \$42,000.00.

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

Following discussions from members of City Council regarding Mr. Evans's services and time provided, the resolution was approved by board vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember Baughn voting "Nay."

Resolution No. 06-50-2014

A RESOLUTION TO APPROVE AN AGREEMENT WITH STEVE JONES FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2015 IN THE AMOUNT OF \$42,000.00.

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

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

Added Resolution-Amended Agenda

Resolution No. 06-51-2014

A RESOLUTION ACCEPTING THE MAYORS' MAKER CHALLENGE ORGANIZED BY THE MANUFACTURING ALLIANCE OF COMMUNITIES AND PLEDGING TO SUPPORT AT LEAST ONE MAKER INITIATIVE DURING CALENDAR YEAR 2014.

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

Mayor Beehan provided a review of the initiative and explained the importance of the program to the community.

Members of City Council discussed the potential of delaying consideration of this item to allow more time to review the material.

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

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of an Ordinance

AN ORDINANCE TO AMEND ORDINANCE NO. 21-82, AS AMENDED, BY ADDING A NEW SECTION 13.1, TITLED "FACILITIES CHARGE," PERTAINING TO THE U.S. DEPARTMENT OF ENERGY'S (DOE) WASTEWATER UTILITY BILLINGS FOR COSTS RELATED TO THE EQUALIZATION BASIN THAT WILL SERVICE THE WASTEWATER FLOW FROM DOE FACILITIES.

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

Following brief discussions, the ordinance was unanimously approved on first reading with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

FINAL ADOPTION OF ORDINANCES

Ordinance No. 05-2014

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING THE FOLLOWING: ARTICLE II, TITLED "DEFINITIONS" TO UPDATE THE DEFINITION OF "BUSINESS SERVICES"; SUBSECTIONS 5.07(C), 5.08(C), 6.01(C), 6.02(C), 7.01(C), 7.02(C), 7.03(C), 7.04(C), 7.05(C), 8.01(D), 8.02(D), 8.03(D), 9.02(C), 9.03(C), AND 9.04(F) TO CHANGE THE PHRASE "USES REQUIRING BOARD OF APPEALS PERMIT" TO "SPECIAL EXCEPTION REQUIRING BOARD OF ZONING APPEALS APPROVAL"; SECTION 5.05, TITLED "R-3, MEDIUM RESIDENTIAL DISTRICT" TO CHANGE THE TITLE TO "R-3, MEDIUM DENSITY RESIDENTIAL DISTRICT," TO REVISE THE PERMITTED PRINCIPAL USE OF BUSINESS AND PROFESSIONAL OFFICES IN SUBPART 4; SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS; SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS; AND SECTION 11.02, TITLED "REQUIRED OFF-STREET PARKING," TO CLARIFY THE SIDE AND REAR SETBACK REQUIREMENTS FOR R-1-C AND R-2 IN SUBSECTION (E)(2)(A); ALL FOR THE PURPOSES OF ADDRESSING ITEMS THAT WERE ABSENT FROM THE ORDINANCE AND TO UPDATE PROVISIONS IN NEED OF CLARIFICATION.

Community Development Director Kathryn Baldwin reviewed the zoning ordinance and explained that the Planning Commission would further review the language for the shooting ranges that was included in the zoning ordinance during first reading, but was removed from the substitute ordinance provided by staff.

Councilmember Hensley moved, seconded by Councilmember Baughn to approve the substitute ordinance on second reading.

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

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Announcements

Scheduling

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Councilmember Mosby requested that City Council consider discussing the proposal received from the Board of Education regarding a property tax increase for Fiscal Year 2015 budget. City Council discussed the budget proposal submitted by the Board of Education for the property tax increase with a general consensus noting that the time for those discussion should have occurred much earlier in the fiscal year.

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

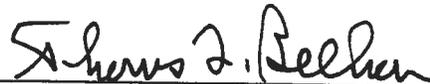
CITY ATTORNEY'S REPORT

ADJOURNMENT

The meeting adjourned at 11:00 p.m.


Diana R. Stanley, City Clerk

APPROVED BY CITY COUNCIL
July 14, 2014


Thomas L. Beehan, Mayor