

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

November 11, 2013

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on November 11, 2013, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

**INVOCATION**

The Invocation was delivered by Reverend David Allred with High Places Church.

**PLEDGE OF ALLEGIANCE**

Mr. Bill Moehl 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; Janice E. McGinnis, Finance Director; Kenneth R. Krushenski, City Attorney; and Diana R. Stanley, City Clerk

**APPEARANCE OF CITIZENS**

No citizen comments presented.

**PROCLAMATIONS AND PUBLIC RECOGNITIONS**

*A proclamation designating November 2013 as "Contact Care Line" month.*

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller to adopt the proclamation as presented. 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 Ms. Deb Patterson, Executive Director of Contact Care Line.

**SPECIAL REPORTS**

*Oak Ridge Heritage Railroad Authority Annual Report 2013 from Gordon Fee, Chairman of the Board of Directors.*

The City Attorney noted that Mr. Fee was unable to attend the meeting to deliver the report in-person and advised that the City Council should accept the 2013 Oak Ridge Heritage Railroad Authority Annual Report for the record.

Councilmember Garcia Garland moved, seconded by Councilmember Hensley to accept the report presented in the agenda packet for the record. 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."

*City Manager Evaluation Committee Chair Charles J. Hope, Jr.*

**Resolution No. 11-103-2013**

**A resolution to amend the City Manager's Employment Agreement to provide for an equivalent ten percent (10%) salary increase.**

Items Removed from the Consent Agenda

*Approval of the October 14, 2013 City Council meeting minutes.*

Councilmember Baughn moved to amend the minutes to retain her original statement regarding the water rates, but to also include the statement provided by the City Manager in the November 11, 2013 agenda packet related to the range of percentages as follows:

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

**A resolution awarding a contract (FY2014-66) to Ronald Franks Construction Co., LLC, Savannah, Tennessee, for the construction of pedestrian safety improvements in the estimated amount of \$364,655.07.**

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

Councilmember Baughn moved to postpone the item indefinitely given that the Special Programs Fund was being exhausted, the contract with RedFlex was up for consideration in the coming months, and that a better use for the funds was warranted. The motion was seconded by Councilmember Hope.

Discussions followed between city staff and the City Council regarding the pedestrian improvements and the use of the Special Programs Funds.

Ms. Ellen Smith, 116 Morningside Drive, urged City Council to not postpone consideration of this item given that the monies in the Special Programs Fund have accumulated over the years and had not been spent at any particular moment in time before the pedestrian safety improvements. Ms. Smith concluded by stating that the improvements were of benefit to the community.

City Engineer Steve Byrd responded to inquires about the process for bidding a project and what monies have already been spent in preparation for the bid. Additionally, Mr. Byrd responded to questions and comments of City Council regarding the details of the proposed pedestrian safety improvements.

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

The main motion to approve the resolution 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."

**Resolution No. 11-107-2013**

**A RESOLUTION APPROVING THE 2013 PILOT REAUTHORIZATION DOCUMENTS FOR USE BY THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF OAK RIDGE (IDB) AS A GUIDELINE FOR TAX ABATEMENTS AND PAYMENTS IN LIEU OF TAXES FOR QUALIFYING ENTITIES IN OAK RIDGE FOR THE PERIOD OF JANUARY 1, 2014 THROUGH DECEMBER 31, 2016.**

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

Councilmember Baughn presented inquiries regarding the measurability of the success of the PILOT program and the impact on the City's revenues for providing tax abatements. The City Manager explained that the City has a confirmation process that the investment is still being maintained and the parameters of the PILOT agreement are being met.

Following discussions on the aforementioned inquiries, Councilmember Baughn moved to postpone the consideration of the main motion so as to provide the Industrial Development Board (IDB) with an opportunity to demonstrate the progress of the program. The motion was seconded by Councilmember Garcia Garland for discussion.

Mr. David Wilson, Chair of the IDB, 1079 West Outer Drive, reviewed the history of the revised PILOT reauthorization that was approved three (3) years ago. Mr. Wilson explained the qualifications reviewed by the IDB—creation of a tax base and jobs—when issuing abatements. He also indicated that the IDB could provide information to City Council upon the request of a measurable—qualitative and/or quantitative—and stressed the importance of the looming deadline of the Pilot Reauthorization Document.

Following discussions between City Council and Mr. Wilson on the proposed motion to postpone consideration and the success of tax abatements, Councilmember Baughn rescinded her motion to postpone consideration, but introduced a new motion to amend the resolution by extending the current PILOT guidelines for six (6) months so as to allow Council to receive data on the program's success. Councilmember Garcia Garland agreed to the rescinding, and seconded the new amendment presented by Councilmember Baughn.

Following discussions with City Council, City Staff, and Mr. Wilson on the amendment, the motion to amend the resolution failed by board vote with Councilmembers Baughn and Garcia Garland voting "Aye," and Councilmembers Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Nay."

The main motion to approve the resolution, as presented, passed by board vote with Councilmembers Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," Councilmember Baughn voting "Nay," and Councilmember Garcia Garland abstaining.

**Resolution No. 11-108-2013**

**A RESOLUTION TO ESTABLISH QUALIFICATION PREFERENCES FOR THE OAK RIDGE LAND BANK CORPORATION BOARD OF DIRECTORS, TO ESTABLISH GOALS AND OBJECTIVES FOR THE OAK RIDGE LAND BANK CORPORATION, AND TO PRIORITIZE THE DISPOSITION OF PROPERTIES HELD IN THE LAND BANK.**

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

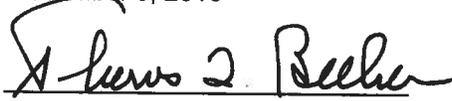
Councilmember Garcia Garland moved to amend the resolution to include a second hierarchical ranking of priorities (last "be it further resolved" paragraph) that reads:

"Convert emptied small lots to: 1) increase neighboring lot sizes; 2) open neighborhood space for mini-parks or gardens; 3) create additional off-street parking; or 4) similar kinds of community enhancements."

**ADJOURNMENT**

The meeting adjourned at 10:40

APPROVED BY CITY COUNCIL  
December 9, 2013

  
Thomas L. Beehan, Mayor

  
Diana R. Stanley, City Clerk