

**MINUTES OF THE
OAK RIDGE CITY COUNCIL**

August 13, 2012

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on August 13, 2012, 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

The Pledge of Allegiance to the Flag of the United States of America was led by Mr. Barry Vickers.

ROLL CALL

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

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

At the request of Mayor Beehan, City Manager Mark Watson explained that the reason Charles Hope's name was not announced during roll call was because the recent August 2, 2012 election results, in which Mr. Hope was declared a winner, had not been certified in time for the Council meeting.

Mayor Beehan requested that Mr. Hope be allowed to participate with City Council during the meeting given that he had been won the Council seat from the August 2 election, but clarified that Mr. Hope would be unable to vote. No dissention was expressed regarding this request.

APPEARANCE OF CITIZENS

(NONE)

PROCLAMATIONS AND PUBLIC RECOGNITIONS

(NONE)

SPECIAL REPORTS

(NONE)

CONSENT AGENDA

At the request of Councilmember Smith item c titled, "Adoption of a resolution authorizing the submittal of a grant application for FY2013 to the Tennessee Department of Transportation (TDOT) for an Operating Assistance Grant to reimburse the City for up to fifty percent (50%) of the net operating expenses of the City's Public Transportation Program in the estimated amount of \$268,424.00, and to accept said grant if approved by TDOT" was removed from the Consent Agenda.

The City Clerk also noted that Councilmember Smith had requested three (3) corrections in the July minutes for clarifications purposes prior to the beginning of the meeting which had been communicated to City Council via e-mail:

- (1) Include the word "by" in the Pledge of Allegiance sentence.
- (2) Under Resolution No. 7-56-2012, second paragraph, reference the titles of the three

- salaried Fire Department personnel who would issue citations.
- (3) Under Resolution No. 7-57-2012, first paragraph, redraft the first sentence into two for improved coherence.

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller to approve the minutes as noted. The minutes, as amended, were approved by unanimous voice vote with Councilmember Garcia Garland, Hensley, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Following removal of the resolution and approval of the amended minutes, Councilmember Hensley moved, seconded by Councilmember Smith to approve the remainder of the Consent Agenda as amended. The motion was unanimously approved by voice vote with Councilmember Garcia Garland, Hensley, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," thereby:

Adopting Resolution No. 8-62-2012 awarding bids in the estimated amount of \$20,859.00 to Wesco Distribution, Inc., Chattanooga, Tennessee, and in the estimated amount of \$25,116.00 to Ermco Distribution Transformers, Dyersburg, Tennessee, for the furnishing of single-phase pole mounted transformers for use by the Electric Department.

Resolution Removed from Consent Agenda

Resolution No. 8-63-2012

Adoption of a resolution authorizing the submittal of a grant application for FY2013 to the Tennessee Department of Transportation (TDOT) for an Operating Assistance Grant to reimburse the City for up to fifty percent (50%) of the net operating expenses of the City's Public Transportation Program in the estimated amount of \$268,424.00, and to accept said grant if approved by TDOT.

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

The City Attorney briefly reviewed the inspections process of the taxicabs, as well as ownership. Mr. Krushenski also noted that the cab owners were aware of the City's no smoking policy.

Following an inquiry from Councilmember Smith, the City Manager announced that any concerns regarding the taxicabs should be addressed to the City Manager's Office.

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

RESOLUTIONS

Resolution No. 8-64-2012

Adoption of a resolution to amend the Power Contract with TVA in order to establish a new wholesale rate structure.

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

Electric Department Director Jack Suggs provided an overview of the wholesale rate structure, as well as was responded by questions and comments of City Council.

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

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

(NONE)

FINAL ADOPTION OF ORDINANCES

Ordinance No. 09-2012

AN ORDINANCE TO AMEND ORDINANCE NO. 27-85, TITLED “A PERSONNEL PLAN FOR EMPLOYEES OF THE CITY OF OAK RIDGE, TENNESSEE,” AS AMENDED, BY AMENDING SECTION 11.1, TITLED “GENERAL LEAVE,” SUBSECTION B., TITLED “CREDITING GENERAL LEAVE,” TO ADJUST THE LEAVE ACCRUAL RATES FOR POLICE DEPARTMENT PATROL SHIFT EMPLOYEES AND FIRE DEPARTMENT STATION-BASED SHIFT EMPLOYEES, AND BY AMENDING SECTION 11.3, TITLED “HOLIDAY LEAVE,” TO ADD A NEW HOLIDAY, PRESIDENTS’ DAY, IN CHRONOLOGICAL ORDER.

Councilmember Smith moved, seconded by Councilmember Hensley that the ordinance be approved.

The ordinance was approved as presented by voice vote with Councilmembers Garcia Garland, Hensley, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting “Aye.”

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

(NONE)

Announcements

(NONE)

Scheduling

Discussion on potential election impacts causing rescheduling of the November 12, 2012 City Council Meeting.

The City Manager explained that because city elections now coincide with state and national elections, and that by law, the Election Commission has up to three (3) Mondays to certify the election results, it would be unlikely that the newly elected councilmembers would be able to take office in time for the November 12 City Council meeting.

The City Manager provided two options: (1) defer city business to December, or (2) reschedule the November City Council meeting to November 5, 2012. Mr. Watson suggested that the second option be pursued based on the pace of city business and a resolution be presented to City Council in September to reschedule the November Council meeting.

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Councilmember Hensley inquired about a City Council visioning session, to which the City Manager replied that the Council Work Session will deal with discussion on visioning.

Councilmember Garcia Garland requested a list of blighted properties before the August work session or retreat.

Councilmember Hope requested to receive the notes from the last City Council Retreat prior to the work session.

Councilmember Smith requested a report on the City’s leave policy in terms of its practice. The City

Manager provided some information to Councilmember's Smith request by highlighting employee satisfaction, clerical work improvement, and leave type definitions.

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

The City Manager provided an update on the Department of Energy's Memorandum of Agreement (MOA) regarding the Alexander Inn property.

CITY ATTORNEY'S REPORT

The City Attorney briefly noted that the tax sale for Anderson County delinquent property taxes would occur in October.

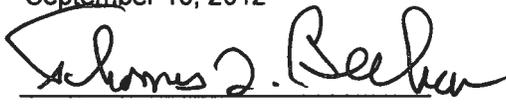
ADJOURNMENT

The meeting adjourned at 7:40 p.m.



Diana R. Stanley, City Clerk

APPROVED BY CITY COUNCIL
September 10, 2012



Thomas L. Beehan, Mayor