

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

March 12, 2018

Minutes

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on March 12, 2018 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

INVOCATION

The invocation was given by Pastor Robert May with the Oak Ridge Family Bible Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Aaliyah Herron, a student at Jefferson Middle School.

ROLL CALL

Upon roll call the following councilmembers were present: Councilmember Kelly Callison; Mayor Pro Tem Rick Chinn, Jr.; Councilmember Jim Dodson; Mayor Warren L. Gooch; Councilmember Charles J. Hope, Jr.; and Councilmember Hans Vogel. Councilmember Ellen Smith was absent due to her representing the City of Oak Ridge at the National League of Cities Conference.

Also present were Mark S. Watson, City Manager; Kenneth R. Krushenski, City Attorney, Mary Beth Hickman, City Clerk; and Janice McGinnis, Finance Director.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

Public Recognitions

Proclamations

A proclamation recognizing the Jefferson Middle School Atomic Eagles FIRST Lego League Team for their advancement to the World Festival competition in Houston, Texas.

Mayor Pro Tem Chinn moved for approval of the proclamation, and Councilmember Dodson seconded. The proclamation was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

A proclamation honoring Steve Reddick for his selection as Oak Ridge Schools' Teacher of the Year.

Mayor Pro Tem Chinn moved for approval of the proclamation, and Councilmember Hope seconded. The proclamation was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

A proclamation paying tribute to Roane County Commissioner Stephen Kelley.

Mayor Pro Tem Chinn moved for approval of the proclamation, and Councilmember Hope seconded. The proclamation was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

A proclamation honoring Japan consul-General Masami Kinefuchi.

Mayor Pro Tem Chinn moved for approval of the proclamation, and Councilmember Callison seconded. The proclamation was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

A proclamation designating April 8-14, 2018 as Library Week.

Mayor Pro Tem Chinn moved for approval of the proclamation, and Councilmember Vogel seconded. The proclamation was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

SPECIAL REPORTS

Mayor Gooch requested that the agenda be amended to allow Tom Hanrahan to come forward and present an update regarding local housing initiatives, including development at the Preserve at Clinch River. Mayor Pro Tem Chinn moved to amend the agenda to include Mr. Hanrahan's report, and Councilmember Callison seconded. The motion to amend the agenda passed unanimously. Mr. Hanrahan's report was received for the record.

Final Report on the Make Oak Ridge Energy Efficient (MORE₂) Program

Administrative Services Director Bruce Applegate provided a final report on the results of the MORE₂ Program. Mr. Applegate recognized the many partners that assisted with making the program a success, in particular Gilmartin and Associates. Councilmember Callison asked how many homes were served by the program, and Mr. Applegate stated 118. The report was received for the record.

CONSENT AGENDA

Mayor Pro Tem Chinn requested that the following item be removed from the Consent Agenda for discussion:

A RESOLUTION AMENDING THE TRADE LICENSING BOARD'S RULES AND PROCEDURES RELATIVE TO THE RESIDENCY REQUIREMENT FOR MEMBERS.

Councilmember Callison moved for adoption of the Consent Agenda, and Mayor Pro Tem Chinn seconded.

The Consent Agenda was adopted unanimously by voice vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

Approval of the February 12, 2018 City Council regular meeting minutes

Approval of the February 16, 2018 City Council special meeting minutes

Approval of the February 20, 2018 City Council special meeting minutes

Resolution No. 3-12-2018

A RESOLUTION GRANTING RENEWAL PERMITS TO PERSONS ENGAGED IN THE RETAIL SALE OF ALCOHOLIC BEVERAGES IN THE CITY FOR ONE YEAR.

Resolution No. 3-13-2018

A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH GRESHAM, SMITH AND PARTNERS, KNOXVILLE, TENNESSEE, FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES RELATED TO THE MELTON LAKE DRIVE LIGHTING PROJECT FOR THE ELECTRIC DEPARTMENT IN THE ESTIMATED AMOUNT OF \$48,500.00.

Resolution No. 3-14-2018

A RESOLUTION AUTHORIZING THE TRANSFER OF A SURPLUS VEHICLE TO THE CITY OF HARRIMAN, TENNESSEE, AT NO COST FOR THEIR USE.

Resolution No. 3-15-2018

A RESOLUTION AUTHORIZING THE TRANSFER OF A SURPLUS ASPHALT ROLLER TO THE ANDERSON COUNTY WATER AUTHORITY AT NO COST FOR THEIR USE.

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 1.30, TAX MAP 30, APPROXIMATELY 5.88 ACRES) FROM FIR, FEDERAL INDUSTRY AND RESEARCH DISTRICT, TO IND-2, IMDO INDUSTRIAL MANHATTAN DISTRICT OVERLAY, SAID PARCEL BEING LOCATED AT 615 AMERICUS AVENUE.

Councilmember Dodson moved to open the public hearing, and Councilmember Vogel seconded. Seeing no citizens wishing to speak, Councilmember Hope moved to close the public hearing, and Councilmember Vogel seconded. The motion to close the public hearing passed unanimously by voice vote.

Mayor Pro Tem Chinn moved for approval of the ordinance, and Councilmember Dodson seconded. Community Development Director Wayne Blasius provided an overview of the ordinance and answered questions from Council.

The ordinance was approved unanimously by board vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

There was a break in the agenda to consider the following item, which had been removed from the Consent Agenda:

Resolution No. 3-16-2018

A RESOLUTION AMENDING THE TRADE LICENSING BOARD'S RULES AND PROCEDURES RELATIVE TO THE RESIDENCY REQUIREMENT FOR MEMBERS.

Councilmember Dodson moved for approval of the resolution, and Councilmember Callison seconded. City Attorney Ken Krushenski provided an overview of the resolution and answered questions from Council.

Mayor Pro Tem Chinn expressed his concerns about setting a precedent for allowing non-residents to serve on City Boards. Mr. Krushenski pointed out that an exception to the residency requirement currently exists for hotel representatives on the Convention and Visitors Bureau/Explore Oak Ridge Board and that the suggested amendment to the Trade Licensing Board's bylaws provides that preference be given to City residents.

The resolution was approved by board vote with Councilmembers Callison, Dodson, Hope, Vogel and Mayor Gooch voting "Aye" and Mayor Pro Tem Chinn voting "No." Councilmember Smith was absent.

First Reading

AN ORDINANCE TO AMEND TITLE 10, TITLED "ANIMAL CONTROL," CHAPTER 1, TITLED "GENERAL PROVISIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SECTION 10-118, TITLED "IMPROPER CARE OF ANIMALS PROHIBITED," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SECTION 10-118, TITLED "IMPROPER CARE OF ANIMALS PROHIBITED," TO SET FORTH SPECIFICATIONS FOR DOGHOUSES AND SIMILAR SHELTERS TO PROVIDE INSULATION AND PROTECTION FROM THE ELEMENTS.

Mayor Pro Tem Chinn moved for approval of the ordinance, and Councilmember Vogel seconded. Police Chief James Akagi provided an overview of the ordinance and answered questions from Council.

The ordinance was approved unanimously by board vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

AN ORDINANCE TO AMEND TITLE 2, TITLED "BOARDS AND COMMISSIONS, ETC.," CHAPTER 1, TITLED "MISCELLANEOUS," SECTION 2-101, TITLED "MEMBERSHIP TO BOARDS AND COMMISSIONS; RESIDENCY REQUIRED," TO WAIVE THE RESIDENCY REQUIREMENT FOR THE TRADE LICENSING BOARD UPON CERTAIN CONDITIONS.

Councilmember Dodson moved for approval of the ordinance, and Councilmember Callison seconded. City Attorney Ken Krushenski provided an overview of the ordinance and answered questions from Council.

The ordinance was approved by board vote with Councilmembers Callison, Dodson, Hope, Vogel, and Mayor Gooch voting "Aye" and Mayor Pro Tem Chinn voting "No." Councilmember Smith was absent.

AN ORDINANCE ABANDONING A PORTION OF WEST MADISON LANE RIGHT-OF-WAY UPON CERTAIN CONDITIONS BEING MET BY THE ADJACENT PROPERTY OWNER.

Mayor Pro Tem Chinn moved for approval of the ordinance, and Councilmember Vogel seconded. Community Development Director Wayne Blasius provided an overview of the ordinance and answered questions from Council.

The ordinance was approved unanimously by board vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY DELETING SUBSECTION 1.C.(1) OF SECTION 14.12, TITLED "SIGNS FOR COMMUNITY BUSINESS DISTRICTS," AND SUBSTITUTING THEREFOR A NEW SUBSECTION 1.C.(1) TO CORRECT A CONFLICT REGARDING WALL SIGNS IN COMMUNITY BUSINESS DISTRICTS FOR BUILDINGS WITH STREET FRONTAGE ON MORE THAN ONE STREET.

Councilmember Vogel moved for approval of the ordinance, and Councilmember Callison seconded. Community Development Director provided an overview of the ordinance and answered questions from Council.

The ordinance was approved unanimously by board vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

FINAL ADOPTION OF ORDINANCES

Ordinance No. 2-2018

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SECTION 15-209, TITLED "RESTRICTION OF RED LIGHTS VISIBLE FROM FRONT," AND SUBSTITUTING THEREFOR A NEW SECTION 15-209, TITLED "RESTRICTION OF STEADY-BURNING LIGHTS VISIBLE FROM FRONT"; BY DELETING SECTION 15-210, TITLED "RESTRICTION OF BLUE LIGHTS VISIBLE FROM FRONT," AND SUBSTITUTING THEREFOR A NEW SECTION 15-210, TITLED "RESTRICTION OF FLASHING LIGHTS VISIBLE FROM FRONT"; BY CREATING SECTION 15-301, TITLED "PROHIBITED USE OF HAND-HELD MOBILE TELEPHONE IN MARKED SCHOOL ZONE; PROHIBITED USE OF MOBILE TELEPHONE WITH HANDS-FREE DEVICE BY PERSON UNDER 18," WHICH SECTION WAS PREVIOUSLY RESERVED FOR FUTURE USE; AND BY ADDING VARIOUS SUBPARTS TO SECTION 15-349, TITLED "TEXTING WHILE DRIVING PROHIBITED"; ALL FOR THE PURPOSE OF ADDING NEW STATE LAW PROVISIONS INTO THE CITY CODE WHICH TOOK EFFECT JANUARY 1, 2018 AND FOR STATE LAW COMPLIANCE.

Mayor Pro Tem Chinn moved for adoption of the ordinance, and Councilmember Vogel seconded.

The ordinance was adopted unanimously by board vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

Ordinance No. 3-2018

AN ORDINANCE TO AMEND ORDINANCE NO. 27-85, TITLED "A PERSONNEL PLAN FOR EMPLOYEES OF THE CITY OF OAK RIDGE, TENNESSEE," AS AMENDED, BY DELETING SECTION 5.3, TITLED "ENTRY LEVEL SALARY RATES," SUBSECTIONS C.2. AND D, AND SUBSTITUTING THEREFOR NEW SUBSECTIONS C.2. AND D, AND BY DELETING SECTION 6.9, TITLED "TEMPORARY ASSIGNMENT/ACTING PAY," AND SUBSTITUTING THEREFOR A NEW SECTION 6.9 WITH THE SAME TITLE, FOR THE PURPOSE OF UPDATING THE PERSONNEL PLAN.

Mayor Pro Tem Chinn moved for adoption of the ordinance, and Councilmember Callison seconded.

The ordinance was adopted unanimously by board vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

Ordinance No. 4-2018

AN ORDINANCE TO AMEND TITLE 12, TITLED "BUILDING, UTILITY, ETC. CODES," CHAPTER 12, TITLED "ENERGY CONSERVATION CODE," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SECTION 12- 1201, TITLED "ENERGY CONSERVATION CODE ADOPTED," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SECTION 12-1201, TITLED "ENERGY CONSERVATION CODE ADOPTED," AND BY CREATING A NEW SECTION 12-1202, TITLED "AMENDMENTS," ALL FOR THE PURPOSE OF ADOPTING THE 2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE FOR COMPLIANCE WITH TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE, DIVISION OF FIRE PREVENTION, REQUIREMENTS.

Councilmember Dodson moved for adoption of the ordinance, and Councilmember Callison seconded.

The ordinance was adopted unanimously by board vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

RESOLUTIONS

3-17-2018

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO INFOR (US), INC., FOR A THREE-YEAR RENEWAL OF SOFTWARE MAINTENANCE OF THE ASSET MANAGEMENT SYSTEM IN THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEARS 2019-2021 IN THE ESTIMATED AMOUNT OF \$86,987.73.

Mayor Pro Tem Chinn moved for approval of the resolution, and Councilmember Callison seconded. Public Works Director Shira McWaters provided an overview of the resolution and answered questions from Council.

The resolution was adopted unanimously by board vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

Resolution No. 3-18-2018

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO SPECIALIZED OPERATIONS SERVICES, CLEVELAND, TENNESSEE, FOR THE FURNISHING OF CERTAIN CHEMICALS FOR THE WATER TREATMENT PLANT FOR THE REMAINDER OF FISCAL YEAR 2018 IN THE ESTIMATED AMOUNT OF \$67,500.00.

Mayor Pro Tem Chinn moved for approval of the resolution, and Councilmember Vogel seconded.

The resolution was approved unanimously by board vote with Councilmembers Callison, Dodson, Hope,

Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.” Councilmember Smith was absent.

Resolution No. 3-19-2018

A RESOLUTION TO AMEND THE ENERGY SAVINGS PROJECT AGREEMENT (FY2018-045) WITH ENERGY SYSTEMS GROUP, LLC, TO ADD UPGRADES FOR TWO (2) CHILLERS AND TO ADD REPLACEMENTS FOR TWO (2) ADDITIONAL HVAC UNITS IN THE TOTAL AMOUNT OF \$295,365.00.

Mayor Pro Tem Chinn moved for approval of the resolution, and Councilmember Dodson seconded. City Manager Mark Watson provided an overview of the resolution, and Public Works Director Shira McWaters answered questions from Council.

The resolution was approved unanimously by board vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.” Councilmember Smith was absent.

Resolution No. 3-20-2018

A RESOLUTION TO AMEND THE CONTRACT BETWEEN THE CITY AND THE OAK RIDGE BOARD OF EDUCATION PERTAINING TO THE SCHOOLS’ ANNUAL REIMBURSEMENT OBLIGATION TO THE CITY FOR THE ENERGY SAVINGS PROJECT, SAID AMENDMENT TO ADDRESS THE REIMBURSEMENT FOR ADDITIONAL PROJECT COSTS REQUESTED BY THE SCHOOLS FOR JEFFERSON MIDDLE SCHOOL.

Mayor Pro Tem Chinn moved for approval of the resolution, and Councilmember Vogel seconded. City Manager Mark Watson provided an overview of the resolution and answered questions from Council.

The resolution was approved unanimously by board vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.” Councilmember Smith was absent.

Resolution No. 3-21-2018

A RESOLUTION TO APPROVE A MASTER AGREEMENT WITH NATIONAL JOINT POWERS ALLIANCE TO ALLOW THE CITY TO BE A PARTICIPATING MEMBER IN A PURCHASING COOPERATIVE.

Mayor Pro Tem Chinn moved for approval of the resolution, and Councilmember Callison seconded. City Manager Mark Watson provided an overview of the resolution.

The resolution was approved unanimously by board vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.” Councilmember Smith was absent.

APPEARANCE OF CITIZENS

Joy Henderson, 103 Paris Lane, Oak Ridge, thanked City Council for the opportunity to participate in the MORE₂ Program. She also addressed Council regarding speeding near her street and a leak in the parking lot of the Subway on the east end of Oak Ridge. City Manager Mark Watson asked Public Works Director Shira McWaters to discuss the parking lot leak with Ms. Henderson and get some additional information.

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Announcements

Councilmember Vogel reported on the most recent Planning Commission meeting pertaining to the next phase of development of the mall area and stated that the Planning Commission was working hard to ensure that connectivity and landscaping ideas become a reality. He also reminded Council of the next Blueprint meeting to take place on March 29th.

Councilmember Dodson thanked the participants of the recent Leadership Oak Ridge class and pointed out that fifty percent of this year's class were Oak Ridge residents.

Councilmember Dodson also thanked Chief Akagi for working with the schools to address student safety concerns. He presented a petition brought forth by Robertsville Middle School student Thomas McWaters requesting that a school resource officer be assigned to each middle school. He asked that copies of the petition be distributed to Councilmembers.

Scheduling

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

City Manager Mark Watson requested Council action on transmittal of a letter to Tennessee's congressional delegation outlining the City's opposition to the proposed sale of Tennessee Valley Authority assets and elimination of the Low-Income Home Energy Assistance Program (LIHEAP). He pointed out that 131 customers in Oak Ridge have made use of this program.

Mayor Gooch made a motion that the letter be transmitted, and Mayor Pro Tem Chinn seconded. The motion passed unanimously by voice vote with Councilmembers Callison, Dodson, Hope, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye." Councilmember Smith was absent.

Mr. Watson also thanked Electric Department Director Jack Suggs for serving on a Tennessee Municipal League Committee dealing with the issue of small-cell towers.

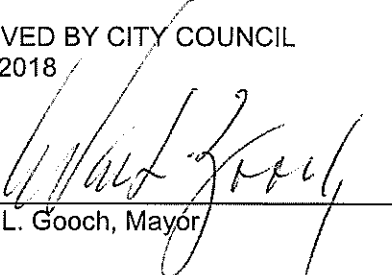
Mr. Watson also stated that he hopes to have Jacene Phillips from Studio Four Design on the March 20, 2018 work session agenda to discuss the Pre-K and senior center projects.

Mr. Watson reported on a meeting with senior management officials of the Tennessee Valley Authority pertaining to the power line issue and to discuss ways to improve future communication with the City.

CITY ATTORNEY'S REPORT

ADJOURNMENT: 8:25 p.m.

APPROVED BY CITY COUNCIL
April 9, 2018



Warren L. Gooch, Mayor



Mary Beth Hickman, City Clerk