

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

January 13, 2014

The regular meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on January 13, 2014, in the Courtroom of the Municipal Building with Mayor Pro Tem D. Jane Miller presiding.

**INVOCATION**

Dr. Tim Borchert of First Baptist Church delivered the Invocation.

**PLEDGE OF ALLEGIANCE**

Mr. David Joy 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; Councilmember Anne Garcia Garland; Councilmember L. Charles Hensley; Councilmember Charles J. Hope, Jr.; Mayor Pro Tem D. Jane Miller; and Councilmember David N. Mosby.

Mayor Thomas L. Beehan was absent.

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**

Mr. Dave Shepard, 127 Pembroke, expressed his concern over recent coyote sightings.

Ms. Kay Williamson, 420 Jefferson Avenue, expressed her concern over the living conditions of both the Applewood and Jackson Square Apartments and outlined her involvement about looking into the issue.

Mr. Dan Mantooth, 144 Montana Avenue, expressed his concern of coyote sightings in his neighborhood.

Mr. Martin McBride, 954 West Outer Drive, commented about an International Global Peace Celebration in 2015 which would mark the 70<sup>th</sup> anniversary without a global war.

Mr. Andrew Howe, 115 East Maiden Drive, commented about setting a standard for data being included in the agenda packet when items are before City Council's consideration.

**PROCLAMATIONS AND PUBLIC RECOGNITIONS**

*A proclamation designating January 2014 as "Red Ribbon Month" in Oak Ridge.*

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, and Mayor Pro Tem Miller voting "Aye."

Mr. Michael Foster, Prevention Coordinator for Allies for Substance Abuse Prevention of Anderson County and fellow associates accepted the proclamation.

**SPECIAL REPORTS**

*FY 2013 Independent Audit Report from Mr. Ted Hotz with Pugh & Company, P.C.*

Mr. Hotz provided an overview of the highlights of the FY2013 City of Oak Ridge's Audit Report including,

a status report of the audit, components of the audit, and key financial figures. Mr. Hotz emphasized that the audit revealed no significant concerns or deficiencies. Additionally, Mr. Hotz responded to questions and comments of City Council at the conclusion of the presentation.

At the recommendation of the City Manager, Councilmember Hensley moved, seconded by Councilmember Baughn to acknowledge the presentation of the report as provided by Mr. Hotz with Pugh & Company, P.C. for the record. The motion was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, and Mayor Pro Tem Miller voting "Aye."

*Presentation of State Forms CT-0253 Report on Debt Obligation the Lease Purchase of Two Fire Trucks in the amount of \$964,291.34.*

Finance Director Janice McGinnis provided brief remarks regarding the lease purchase, noting that this presentation at a public meeting was part of a new requirement from the State of Tennessee Comptroller's Office when a city issues debt and that the item was presented for informational and discussion purposes of City Council. Additionally, Ms. McGinnis responded to inquiries of City Council.

### **CONSENT AGENDA**

Councilmember Garcia Garland requested to remove a resolution from the Consent Agenda titled "a resolution authorizing the City to apply for a grant from the Tennessee Department of Environment and Conservation (TDEC), Clean Tennessee Energy Program, in the estimated amount of \$250,000.00 with a sixty percent (60%) local match, and accepting said grant if awarded."

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

- Approving the December 9, 2013 City Council meeting minutes.
- Approving two (2) minutes from December 16, 2013 City Council Special Meetings.
- Adopting **Resolution No. 01-01-2014** authorizing the Mayor to execute on behalf of the City of Oak Ridge Certificates of Good Moral Character for Pamela Ann Morton, Oak Ridge Moose Lodge No. 1316; and Barry C. Bergren, Atomic City Eagles No. 2514.
- Adopting **Resolution No. 01-02-2014** awarding a bid in the amount of \$141,080.00 to Stuart C. Irby Co., Johnson City, Tennessee, for the furnishing of four (4) Interruption Pulsecloser devices.

### **Item Removed from the Consent Agenda**

#### **Resolution No. 01-03-2014**

**Adoption of a resolution authorizing the City to apply for a grant from the Tennessee Department of Environment and Conservation (TDEC), Clean Tennessee Energy Program, in the estimated amount of \$250,000.00 with a sixty percent (60%) local match, and accepting said grant if awarded.**

Public Works Director Gary Cinder explained that the City was using the grant to begin the replacement process as opposed to using a 100% of city funds, as well as noted that a replacement plan for the HVAC units was included in the Capital Improvement Plan (CIP).

Councilmember Baughn inquired about consideration of using the grant monies marked by the City for use with the grant to help replace the HVAC system at Robertsville Middle School that was also in need of replacement.

Discussions followed between City Council and City Staff regarding a joint effort of prioritizing and completing projects, such as the HVAC replacement, between the City and the Schools. Additionally, an in-depth discussion developed regarding the possibility of completing a grant application to help replace the heating system at Robertsville.

Ms. Ellen Smith, 116 Morningside Drive, commented that the HVAC system was identified as a priority as part of the Climate Action Plan by the Environmental Quality Advisory Board (EQAB) due to its remarkably high energy use. Additionally, Ms. Smith noted that the State would require data specifics regarding energy usage that might not be readily available on the heating system at the middle school.

The City Manager noted that based on conversations, his recommendation was for City Council to approve the City's authorization to apply and accept the TDEC grant as presented, and, secondarily, City Council would provide concurrence and approval to apply for a grant with the Schools.

Councilmember Baughn moved to amend the resolution to replace the Central Services Complex as the recipient with that of Robertsville Middle School.

The motion failed for lack of a second.

The resolution passed by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, and Mayor Pro Tem Miller voting "Aye," and Councilmember Baughn voting "Nay."

## **RESOLUTIONS**

### **Resolution No. 01-04-2014**

#### **A RESOLUTION TO AMEND RESOLUTION 4-26-2013 TO PROVIDE FOR A CHANGE IN THE PROTOMET PHASE II EXPANSION EQUIPMENT LEASE.**

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

Mr. Jeff Bohanan, President of Protomet, explained that the amendment being considered was for clarification that the equipment being purchased from Protomet would be parallel to the five (5) year term of the PILOT program that was approved by City Council in April of 2013 as it was not evident in the existing description and procedures concerning the equipment lease. Additionally, Mr. Bohanan reviewed the success of his business in Oak Ridge and his success in completing his first PILT agreement.

The City Attorney clarified that the reason for consideration by City Council was because the terms were outside of the matrix procedures as the approved abatement was a 100% abatement and a flat five-year term when approved in April 2013, and the applicant—Mr. Bohanan—was requesting that the abatement begin as of the last date of equipment acquisition.

Discussions proceeded between Mr. Bohanan and the City Council regarding the terms of the PILT application for the Phase II Expansion Equipment Lease as was approved in April of 2013.

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

### **Resolution No. 01-05-2014**

#### **A RESOLUTION TO DISSOLVE THE HIGHLAND VIEW REDEVELOPMENT ADVISORY BOARD CREATED BY RESOLUTION 2-17-05.**

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

Following clarifications from the City Attorney explaining that there was no public hearing requirement for the dissolution of this board, the resolution was approved by unanimous voice vote with Councilmembers

Baughn, Garcia Garland, Hensley, Hope, Mosby, and Mayor Pro Tem Miller voting "Aye."

**Resolution No. 01-06-2014**

**A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OAK RIDGE, TENNESSEE, AND THE OAK RIDGE SCHOOL BOARD OF EDUCATION CONCERNING THE INSTALLATION AND OPERATION OF A FIBER OPTIC NETWORK DESIGNED TO MEET THE TECHNOLOGICAL NEEDS OF BOTH PARTIES.**

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

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

**Resolution No. 01-07-2014**

**A RESOLUTION TO AUTHORIZE THE HIRING OF ONE ADDITIONAL POLICE OFFICER OVER AND ABOVE THE CURRENT BUDGETED NUMBER OF POLICE OFFICERS IN ORDER TO ASSIGN AN EXISTING POLICE OFFICER AS A SCHOOL RESOURCE OFFICER.**

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

Councilmember Garcia Garland moved to table discussions of this resolution due to a lack of data and/or information not being submitted regarding the need or benefit of an additional School Resource Officer (SRO) in the schools, and information regarding the additional funding for this position.

The City Manager clarified that monies were available in FY2014 for this hiring due to savings resulting from police personnel turnovers.

The motion introduced by Councilmember Garcia Garland failed for lack of second.

Discussions took place between the City Council, City Manager, and Oak Ridge Police Chief James Akagi regarding funding for the officer in FY2014 and FY2015, equipment to outfit the officer, and the utilization of the officers in the schools and their mobility to others schools.

Councilmember Baughn moved to increase the number of proposed SROs under consideration from one (1) to two (2) based on recommendations of the Chief of Police and the School Board to address safety at the schools. The motion failed for lack of a second.

Members of City Council discussed the need for obtaining additional information to determine the safety needs of the schools and the funding associated with the needs. Councilmember Baughn made a request for a special-called meeting within the next month for the City Council and the School Board to meet to address the aforementioned needs. The request was supported by Councilmember Garcia Garland.

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

**PUBLIC HEARINGS AND FIRST READING OF ORDINANCES**

(NONE)

**FINAL ADOPTION OF ORDINANCES**

(NONE)

**ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

Elections/Appointments

Announcements

Scheduling

**COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS**

Councilmember Hensley announced that the Oak Ridge Land Bank had met one week prior to elect officers and to discuss goals and potential future partnerships. Councilmember Hensley noted that another meeting had been scheduled for January 15, 2014.

Councilmember Mosby requested that the City Manager give consideration to items that were mentioned by citizens during "Appearance of Citizens" that included code violations, coyotes, and consideration to the 70<sup>th</sup> anniversary planning of no global war.

**SUMMARY OF CURRENT EVENTS**

CITY MANAGER'S REPORT

(NONE)

CITY ATTORNEY'S REPORT

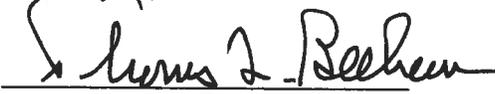
(NONE)

**ADJOURNMENT**

The meeting adjourned at 9:10 p.m.

  
Diana R. Stanley, City Clerk

APPROVED BY CITY COUNCIL  
February 10, 2014

  
Thomas L. Beehan, Mayor