

**MINUTES OF THE  
OAK RIDGE CITY COUNCIL MEETING  
MARCH 7, 2011**

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

**INVOCATION:** Reverend J.E. Wiseman, Retired Pastor of First Assembly of God

**PLEDGE OF ALLEGIANCE:** John Hurtubise

**ROLL CALL:**

The following Councilmembers were present: Anne Garcia Garland, Thomas Hayes, Charles Hensley, David Mosby, Ellen Smith, and Mayor Thomas Beehan.

Councilmember Jane Miller was absent (sick).

Also present were City Manager Mark Watson, City Attorney Kenneth Krushenski, Deputy City Manager Steven Jenkins, and City Clerk Donna Patterson.

**I. APPEARANCE OF CITIZENS**

Mayor Beehan opened the meeting for public comments. No one came forward to speak.

**II. PROCLAMATIONS AND PUBLIC RECOGNITIONS**

1. PROCLAMATION – ‘NATIONAL LIBRARY WEEK’ APRIL 10-16, 2011

City Clerk Donna Patterson read the proclamation proclaiming the week of April 10 – 16 as ‘National Library Week’.

A motion was made by Councilmember Hensley, seconded by Councilmember Smith, to approve the proclamation as read.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

Mayor Beehan presented the proclamation to Susie Stooksbury, Assistant Director of the Oak Ridge Public Library. He expressed appreciation to all the librarians and library workers that make Oak Ridge Public Library so outstanding.

2. 2011 SECRET CITY FESTIVAL

Jane Gibson, Aquatics Supervisor and Secret City Festival Coordinator, came forward to update the Council on the 2011 Secret City Festival being held on June 17 & 18. This year’s entertainment will be ‘The Village People’ on Friday night and Ricky Skaggs and his band ‘Kentucky Thunder’ on Saturday night.

Ms. Gibson also stated that the Southeast Festival and Events Association presented the Secret City Festival with six Kaleidoscope awards at their February 2011 conference. The awards include the Silver Award for Best Festival; the Silver Award for Best Sponsor – Oak Ridge Chapter of Credit Unions; the Silver Award for Best Green Component; the Bronze Award for Best Volunteer – Jane Miller; the Gold Award for Best Other Merchandise; and the Silver Award for Best T-Shirt.

### 3. CEDAR HILL PARK PLAYGROUND UPDATE

Parks Supervisor John Hetrick came forward to give an update on the Cedar Hill Park Playground Rebuild project and the 'Community Build Week' scheduled for May 18-22, 2011. The new schematic of the playground has been designed with input from Oak Ridge school children with the help of Leathers and Associates, a playground design firm. The new logo was designed by Middle School teacher Jim Dodson. Construction on the newly designed Cedar Hill Park Playground is scheduled during the 'Community Build Week' and the steering committee is seeking volunteers to help make the vision a reality. Among the committees needing volunteers are the Volunteer Committee, Construction Committee, Public Relations Committee, Food Committee, Design Committee, Childcare Committee, and several other groups that require community involvement.

#### III. SPECIAL REPORTS [none]

#### IV. CONSENT AGENDA

A motion was made by Councilmember Hensley, seconded by Councilmember Smith, to approve the consent agenda as presented.

A motion was made by Councilmember Hensley, seconded by Councilmember Hayes, to remove the following items from the Consent Agenda:

- Resolution – 'Safe Route to Schools' Grant Project
- Resolution – 'Our Town' Planning Grant Application

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

The Consent Agenda was approved, as amended, with Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan voting 'for' thereby:

- Approving the Minutes of the February 14, 2011 City Council Meeting; and
- Adopting **Resolution No. 3-13-11 / ACCEPTANCE OF DOE/TEMA GRANT**

The Council then discussed the items removed from the agenda as follows:

- **Resolution No. 3-14-11 / 'SAFE ROUTE TO SCHOOLS' GRANT PROJECT**

City Manager Mark Watson explained that this is a resolution to approve a contract with Rogers Group, Inc. for the construction of infrastructure improvements to benefit Robertsville Middle School, in the estimated amount of \$198,262.82, which project will be funded through a 'Safe Route to Schools' grant from the Tennessee Department of Transportation (TDOT).

After discussion, a motion was made by Councilmember Mosby, seconded by Councilmember Smith, to adopt the resolution as presented.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

- **Resolution No. 3-15-11 / 'OUR TOWN' PLANNING GRANT APPLICATION**

City Manager Mark Watson explained that this is a resolution to apply for an 'Our Town' planning grant from the National Endowment for the Arts for Jackson Square in the amount of \$125,000 and to accept said grant if the application is approved.

After discussion, a motion was made by Councilmember Hayes, seconded by Councilmember Hensley, to adopt the resolution as presented.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

**V. RESOLUTIONS**

**1. RESOLUTION NO. 3-16-11 / RETAIL SALE OF ALCOHOLIC BEVERAGES RENEWALS**

City Manager Mark Watson stated that this resolution grants renewal permits to persons engaged in the retail sale of alcoholic beverages for one year and waives the residency requirement for nonresident applicants.

A motion was made by Councilmember Smith, seconded by Councilmember Hensley, to adopt the resolution as presented.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

**2. RESOLUTION NO. 3-17-11 / MAYOR'S SIGNATURE & CERTIFICATES OF COMPLIANCE  
RETAIL SALE OF ALCOHOLIC BEVERAGES**

City Manager Mark Watson stated that this is a resolution authorizing the Mayor to sign and issue Certificates of Compliance for persons granted permits to engage in the retail sale of alcoholic beverages for two years.

A motion was made by Councilmember Hayes, seconded by Councilmember Garcia Garland, to adopt the resolution as presented.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

**3. RESOLUTION NO. 3-18-11 / KNOX BRADLEY MECHANICAL CONTRACTORS, INC.  
CONTRACT**

City Manager Mark Watson explained that this is a resolution approving a contract with Knox Bradley Mechanical Contractors, Inc., for the design, purchase, and installation of a direct digital control system for the air handling units and specified lighting panels at the Central Services Complex, in the estimated amount of \$141,184.00, which project is partially funded by a grant from the Tennessee Department of Economic and Community Development Energy Policy Office.

Councilmember Smith stated that the contractor estimates a return on investment of 18% to 22% on the HVAC controls and 25% to 30% for the combined HVAC and lighting controls.

A motion was made by Councilmember Smith, seconded by Councilmember Hensley, to adopt the resolution as presented.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

#### **4. RESOLUTION NO. 3-19-11 / AMEND CONTRACT WITH TENNESSEE VALLEY AUTHORITY**

City Manager Mark Watson stated that this is a resolution to amend the power contract with the Tennessee Valley Authority (TVA) in order to establish new wholesale and resale rate schedules.

A motion was made by Councilmember Hayes, seconded by Councilmember Smith, to adopt the resolution as presented.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

#### **5. RESOLUTION / AUTHORIZING EXPENDITURES FROM SPECIAL PROGRAMS FUND**

City Manager Mark Watson stated that this resolution authorizes approval of expenditures from the Special Programs Fund for transportation enhancement projects to improve traffic capacity/safety, school crossing, and bicycle/pedestrian safety improvements at multiple locations in the City.

A motion was made by Councilmember Hensley, seconded by Councilmember Smith, to adopt the resolution as presented.

City Manager Mark Watson stated that the source of funding for the 'Special Programs Fund' is red light and speed camera monies. Based on previous work sessions with the Council, staff revisited the enhancement project list and made revisions that will allow some flexibility in the type of traffic control measures implemented and in the project rankings subject to future available funds, completion of additional data collection, evaluations and possibly engineering design services. All of the funds will be utilized for traffic safety/pedestrian improvements and enhancement. He further explained that any expenditure over the \$25,000 level would be presented to Council for discussion and approval.

Councilmember Garcia Garland stated that she had heard from citizens requesting that this be postponed until a public meeting could be held to obtain input from the citizens.

Councilmember Smith stated that she supports approving the resolution tonight and moving forward, but she also agrees that the community should be allowed equitable input before approving the entire Transportation Enhancement Project list and before funds over \$25,000 are expended.

Mayor Beehan stated that the project list has been discussed several times and he relies on professional staff to compile and rank the projects based on the input received from the Council.

Councilmember Hensley concurred with Mayor Beehan.

Councilmember Mosby stated his concerns with making a policy decision on the use of the funds for traffic safety, when that had not been decided as yet. He would like for item to be postponed to obtain public input for other possible uses of the funds.

Trina Baughn, 119 Newport Drive, came forward and stated that the reasons the cameras were installed in the beginning was to improve safety. One of the main complaints from those against the cameras is that if the cameras were installed for safety then why haven't the funds been designated for safety improvements? She feels that the longer it is put off to spend the funds for safety, the greater the controversy.

Councilmember Hensley agreed with Ms. Baughn completely. He stated that the funds have always been designated for safety and he doesn't understand continually putting off spending the money in that manner.

Joseph Lee, 99 E. Pasadena Road, came forward and stated that the cameras were installed for safety and the Council needs to go ahead and start spending the money for the items designated on the list (Transportation Enhancement Project list) generated by City Engineer Steven Byrd. If a public meeting is held, it will be spent rehashing all the debate and opinions concerning the traffic cameras.

Kay Williamson, 420 Jefferson, came forward and stated that she is against the red light cameras and the City Council spending funds too quickly.

Councilmember Smith stated that during the first year, the revenue from the cameras went into the City General Fund. During discussion of the FY2011 budget, City Council instructed that the funds be set into a separate account. She feels that if the funds are spent on safety issues, maybe eventually the cameras will no longer be necessary.

After discussion, a motion was made by Councilmember Hensley, seconded by Councilmember Garcia Garland, to postpone this item until the next regular Council Meeting on April 11.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, and Mayor Beehan.

Those voting against: Councilmember Smith.

The motion carried.

#### **6. RESOLUTION NO. 3-20-11 / AUTHORIZING SUBMITTAL OF COMMENT LETTER TO D.O.E.**

City Clerk Donna Patterson read the title of the resolution as follows: A resolution authorizing submittal of a comment letter to the U.S. Department of Energy (D.O.E.) regarding two reports entitled 'Draft Feasibility of Interpretation of the Manhattan Project, Oak Ridge, Tennessee' (Informal Learning Experiences, Inc. December 2010) and 'K-25 Historical Preservation Alternatives: Draft Structural Evaluation' (Degenkold Engineers, December 2010).

A motion was made by Councilmember Hayes, seconded by Councilmember Smith, to adopt the resolution as presented.

Amy Fitzgerald, Government and Public Affairs Coordinator, came forward and explained that this has been an ongoing process the City has been engaged in for approximately 10 years. In 2010, the City Council adopted a resolution concurring with the U.S. Department of Energy's "Bridge" Memorandum of Agreement, which was needed for the Oak Ridge Office to remain in compliance with the National Historic Preservation Act as the agency proceeds with decontamination, decommissioning and demolition at the East Tennessee Technology Park. The Memorandum of Agreement also provided additional time for the completion of a feasibility study, which was to help evaluate mitigation alternatives for interpreting the significant historic roles played by the K-25 facility.

In addition to the feasibility study, the Department of Energy commissioned a structural evaluation of several historic preservation alternatives with K-25 with estimated costs. The Department of Energy has requested comments on the documents.

The Department of Energy Oak Ridge Office intends to engage the Signatory and concurring parties for a new, final Memorandum of Agreement regarding any mitigation measures, which will then be brought back to the City Council for consideration.

Mayor Beehan acknowledged Anderson County Commissioner Tracy Wandell, who was present and also involved with this issue.

There being no further discussion, Mayor Beehan called for a vote.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

**7. RESOLUTION NO. 3-21-11 / AUTHORIZING PURCHASE OF POLICE VEHICLES - \$231,140**

City Manager Mark Watson stated that this is a resolution waiving the competitive bid process and authorizing the purchase of ten (10) Ford Crown Victoria Police Interceptor vehicles from Alexander Automotive, Murfreesboro, Tennessee, for use by the Oak Ridge Police Department, in the estimated amount of \$231,140.

He explained that the Police Department's older vehicles will be retained for lighter use. Even though the Ford Motor Company will discontinue the production of the Interceptor vehicles, parts for repairs and routine maintenance will continue to be readily available and the company will continue to service the vehicles as long as they remain in law enforcement fleets. It is anticipated that purchasing these vehicles now will result in the Police Department not needing any replacement police cruisers until FY2013.

A motion was made by Councilmember Hensley, seconded by Councilmember Hayes, to adopt the resolution as presented.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

**8. RESOLUTION NO. 3-22-11 / REPEAL RESOLUTION 12-133-03 TAX ABATEMENTS  
OAK RIDGE MALL**

City Manager Mark Watson stated that this resolution repeals resolution 12-133-03 which authorized the Industrial Development Board of the City of Oak Ridge, Tennessee, to negotiate and accept payments in lieu of ad valorem tax from Oak Ridge City Center, LLC, with respect to the retail shopping area known as the Oak Ridge Mall.

Mr. Watson explained that the City of Oak Ridge supports private sector, free market system development of commercial property, including the re-investment in the land currently occupied by the Oak Ridge Mall. At this time, however, the Oak Ridge Mall has not proceeded forward in recent years despite \$5 million in environmental grants or sale of property to willing investors. The City needs to be in the position to negotiate with any and all investors willing to improve the retail market anywhere in Oak Ridge.

Mayor Beehan stated that any new abatements offered to Oak Ridge Mall should be brought before the City Council for approval.

A motion was made by Councilmember Smith, seconded by Councilmember Hensley, to adopt the resolution as presented.

After discussion, a motion was made by Councilmember Smith, seconded by Councilmember Garcia Garland, to amend the resolution by removing all of the language pertaining to future financial incentives for the Oak Ridge Mall being governed by the 2010 PILOT Reauthorization documents.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

Mayor Beehan called for a vote on the resolution as amended.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

**9. RESOLUTION NO. 3-23-11 / AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS**

City Clerk Donna Patterson read the title of the resolution as follows: A resolution authorizing the issuance of General Obligation Refunding Bonds, Series 2011, in the aggregate principal amount of, not to exceed, seven-million, seven-hundred, fifty-thousand dollars (\$7,750,000) of the City of Oak Ridge, Tennessee; making provision for the issuance, sale and payment of said bonds; establishing the terms thereof and the disposition of proceeds therefrom; and providing for the levy of taxes for the payment of principal, of premium, if any, and interest on the bonds.

City Manager Mark Watson stated that the City has an opportunity to refinance outstanding debt in the amount of \$7,470,000 on the City's Series 2001 debt. The estimated net present value benefit from the proposed refinancing ranges from \$375,000 to \$400,000 depending on the interest rate at the time of the sale. The estimated savings are net of any costs for issuance of the refinanced bonds.

Chris Bessler with Morgan Keegan & Company, Inc., the City's financial advisor, was present to provide an overview of the plan of refunding as required by *Tennessee Code Annotated* Section 9-21-903. The report does not constitute approval or disapproval for the proposed plan or a determination that a refunding is advantageous or necessary nor that any of the outstanding obligations should be called for redemption on the first or any subsequent available redemption date or remain outstanding until their respective dates of maturity. The City's purpose in performing this refunding is to restructure debt service capacity to fund a pledged donation to Roane State Community College.

After discussion, a motion was made by Councilmember Smith, seconded by Councilmember Hensley, to adopt the resolution as presented.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

**VI. PUBLIC HEARINGS AND 1<sup>ST</sup> READING OF ORDINANCES**

**1. 1<sup>st</sup> READING / AMEND USE DESIGNATION / PORTION OF HENDRIX CREEK PUD  
[THE PUBLIC HEARING FOR THIS ORDINANCE WILL BE HELD ON THE 2<sup>ND</sup> READING]**

City Clerk Donna Patterson read the title of the ordinance as follows: An ordinance to amend a use designation on a portion of Parcel 59.00, Map 100J, Group A, in Hendrix Creek Planned Unit Development, Phase 1, located at 123 Hendrix Drive, from Open Space to Residential, with the overall zoning district remaining R-1-C/PUD, One-Family Residential with a Planned Unit Development Overlay.

A motion was made by Councilmember Hensley to amend the ordinance to include the provision of providing a 10-foot wide access easement to the John Hendrix gravesite on the property.

There was no second on the motion.

A motion was made by Councilmember Garcia Garland, seconded by Councilmember Smith, to approve the ordinance as presented.

Community Development Director Kathryn Baldwin came forward to explain and answer questions concerning the rezoning request. She also stated that the owner of the property has agreed to the 10-foot wide access easement.

A motion was made by Councilmember Hensley to amend the ordinance to provide for a 10-foot wide access easement to the John Hendrix gravesite; seconded by Councilmember Smith for discussion.

Councilmember Smith stated that an easement could be required by the Planning Commission when approving the plat, instead of complicating the zoning request at this time. Easements are not usually part of the zoning, but are part of the subdivision plat.

Councilmember Mosby noted that he is the owner of an adjoining property - Lot 28.

After further discussion, Mayor Beehan called for a vote.

Those voting for: Councilmembers Hayes, Hensley, and Mosby.

Those voting against: Councilmembers Garland, Smith, and Mayor Beehan.

The motion failed.

Attorney Ken Krunshenski stated that this could be discussed further and provisions made during the Public Hearing at the second reading of the ordinance at the April 11 City Council Meeting.

Mayor Beehan called for a vote on the motion to approve the ordinance as presented.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

## **VII. FINAL ADOPTION OF ORDINANCES**

### **1. REZONING ORDINANCE / HERITAGE CENTER / ROANE COUNTY TAX MAP 30, PARCELS ED-8 A, B, C, D, E & 1.01, 1.02, 1.03, 1.07 / From IND-2 INDUSTRIAL to IND-2 INDUSTRIAL MANHATTAN DISTRICT OVERLAY**

City Clerk Donna Patterson read the title of the ordinance as follows: 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 the buildings designated as Parcels 1.01, 1.02, 1.03, and 1.07, Roane County Tax Map 30, and the real property designated by the United States Department of Energy as Parcels ED-8A, ED-8B, ED-8C, ED-8D, And ED-8E, which buildings and properties are located at Heritage Center, from IND-2, Industrial to IND-2, Industrial Manhattan District Overlay (IMDO).

A motion was made by Councilmember Hensley, seconded by Councilmember Smith, to adopt the ordinance as presented.

Community Development Director Kathryn Baldwin came forward and explained that this rezoning is part of a continuing process that the U.S. Department of Energy and Heritage Center have undertaken to privatize property within the Heritage Center.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

**2. ORDINANCE TO AMEND CITY CODE §2-203 (EQAB) AND §8-603(1) (BEER BOARD)  
CHANGE TO CALENDAR YEAR TERMS**

City Clerk Donna Patterson read the title of the ordinance as follows: An ordinance to amend Title 2, titled "Boards and Commissions, etc.," Chapter 2, titled "Environmental Quality Advisory Board," Section 2-203, titled "Terms of Members," of the Code of Ordinances, City of Oak Ridge, Tennessee, by adding a new paragraph; and to amend Title 8, titled "Alcoholic Beverages," Chapter 6, titled "Beer and other Light Beverages – generally," Section 8-603, titled "Beer Permit Board," Subsection (1), to change the commencement date for terms of office for EQAB (except student members) and Beer Board to now be January 1, with current members' terms being extended through to December 31 following their current term of office, all for the purpose of consistency and simplification of the election process.

A motion was made by Councilmember Hayes, seconded by Councilmember Garcia Garland, to adopt the ordinance as presented.

City Manager Mark Watson stated that this ordinance is to simplify the election process for the Oak Ridge Beer Permit Board and the Environmental Quality Advisory Board.

Councilmember Smith noted that staff has provided a substitute ordinance that will allow possible future changes to terms be made by resolution instead of by ordinance.

A motion was made by Councilmember Smith, seconded by Councilmember Hensley, to amend the ordinance with a substitute ordinance that allows terms to be set in the future by resolution.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

Mayor Beehan called for a vote to adopt the ordinance as amended.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

**3. ORDINANCE TO AMEND CITY CODE TITLE 12 – ABOLISH THE BOARD OF  
ELECTRICAL EXAMINERS AND THE BOARD OF PLUMBING EXAMINERS, AND  
CREATE A NEW TRADE LICENSING BOARD**

City Clerk Donna Patterson read the title of the ordinance as follows: An ordinance to amend Title 12, titled "Building, Utility, Etc. Codes," of the Code of Ordinances, City of Oak Ridge, Tennessee, by deleting Chapter 4, titled "Board of Electrical Examiners," in its entirety; by renumbering Chapter 3, titled "Electrical Code," as the new Chapter 4 keeping the same title; by creating a new Chapter 3, titled "Trade Licensing Board"; by deleting Chapter 8, titled "Board of Plumbing Examiners," in its entirety; by renumbering the following chapters with all titles remaining the same: Chapter 9, titled "Plumber's License," as the new Chapter 8; Chapter 10, titled "Plumber's

Work Permit," as the new Chapter 9; Chapter 11, titled "Mechanical Code," as the new Chapter 10; Chapter 12, titled "Residential Code," as the new Chapter 11; and Chapter 13, titled "Citations And Ordinances Summonses," as the new Chapter 12; by deleting Section 12-302 (New Section 12-402), titled "Definitions," Subsection (2), titled "Board," and substituting therefor a new Subsection 12-402(2), titled "Board"; and by deleting Section 12-702, titled "Definitions," Subsection (2), titled "Board," in its entirety and substituting therefor a new Subsection 12-702(2), titled "Board," all for the purpose of abolishing the Board of Electrical Examiners and the Board of Plumbing Examiners and creating a new Trade Licensing Board which combines the responsibilities of both boards into one.

A motion was made by Councilmember Smith, seconded by Councilmember Garcia Garland, to adopt the ordinance as presented.

Councilmember Smith stated that this ordinance consolidates the Board of Electrical Examiners and the Board of Plumbing Examiners into a new board called the Trade Licensing Board. She also said that staff had discovered an error in the title of Chapter 12 after the 1<sup>st</sup> reading and has provided a substitute ordinance with the correction for tonight's meeting.

A motion was made by Councilmember Smith, seconded by Councilmember Hayes, to amend the ordinance with a substitute ordinance that corrects the title of Title 12, Chapter 12, which is the 'Residential Code' and not the 'Gas Code'.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

Mayor Beehan called for a vote to adopt the ordinance as amended.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

#### **4. ORDINANCE TO ADOPT NEW RULES AND REGULATIONS GOVERNING DISTRIBUTION OF ELECTRIC POWER**

City Clerk Donna Patterson read the ordinance title as follows: An ordinance to repeal Ordinance No. 30-00 which adopted the rules and regulations governing distribution of electric power, and to adopt new rules and regulations governing the distribution of electric power with the City of Oak Ridge.

A motion was made by Councilmember Garcia Garland, seconded by Councilmember Hayes, to adopt the ordinance as presented.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

### **VIII. ELECTIONS & APPOINTMENTS / ANNOUNCEMENTS / SCHEDULING**

#### **1. ELECTIONS & APPOINTMENTS**

##### **ELECTIONS**

Board of Electrical Examiners

Board of Plumbing Examiners

City Attorney Ken Krushenski stated that since the Board of Electrical Examiners and the Board of Plumbing Examiners will not be meeting in March and the Trade Licensing Board was created and approved by the City Council tonight, these vacancies will not be filled. No further action is necessary.

#### Highland View Redevelopment Advisory Board

City Clerk Donna Patterson stated that this is for the election of three members to serve on the Highland View Redevelopment Advisory Board. Two seats are designated for residents of the Highland View neighborhood. The term of office is three years. The incumbents are Sharon Crane and J.W. Moore, Jr. and both have agreed to serve again if Council so desires. In addition, one seat is designated for either a social services representative or a realtor; however, if no individual meeting these criteria apply, the Council may appoint a person who does not possess such qualifications. Laurel Patrick has applied for this position and if elected she will serve an unexpired term of office ending March 31, 2013.

A motion was made by Councilmember Smith, seconded by Councilmember Hayes, to elect by acclamation Sharon Crane, J.W. Moore, Jr., and Laurel Patrick to the Highland View Redevelopment Advisory Board.

Those voting for: Councilmembers Garcia Garland, Hayes, Hensley, Mosby, Smith, and Mayor Beehan.

The motion carried.

#### Trade Licensing Board

City Clerk Donna Patterson stated that this is for the election of seven members to serve on the Trade Licensing Board. This board combines the responsibilities of the Electrical Examiners and Board of Plumbing Examiners. The terms of office for this board will be three year staggered terms. In order to accomplish staggered terms, the initial membership is created as follows:

- Three members will serve through December 31, 2014: One of whom shall be an electrician holding a current and valid Class I or II electrical license from the City and one of whom shall be a plumber holding a current and valid plumber's license from the City and one member at large.
- Two members will serve through December 31, 2013: One of whom shall be an electrician holding a current and valid Class I or II electrical license from the City and one of whom shall be a plumber holding a current and valid plumber's license from the City.
- Two members at large will serve through December 31, 2012; there are no special qualifications for these seats.

The first ballot was for the election of one licensed plumber and one licensed electrician to three-year terms.

<u>Candidate</u>	<u>Vote by Councilmember</u>	<u>Total</u>
Brian Hayden	Beehan/Garcia Garland/Hayes/Hensley/Mosby/Smith	6
Jeff Lewis	Beehan/Garcia Garland/Hayes/Hensley/Mosby	5
Joe McCarty	Smith	1

Brian Hayden and Jeff Lewis were elected to serve three-year terms ending on December 31, 2014.

The second ballot was for the election of one licensed plumber and one licensed electrician to two-year terms.

<u>Candidate</u>	<u>Vote by Councilmember</u>	<u>Total</u>
Jason Brian Boyd	Mosby	1
Joe McCarty	Beehan/Garcia Garland/Hensley/Smith	4
Philip Nipper	Beehan/Garcia Garland/Hayes/Hensley/Mosby/Smith	6
Jerry Seiber	Hayes	1

Joe McCarty and Philip Nipper were elected to serve two-year terms ending on December 31, 2013.

The third ballot was for the election of one member-at-large to serve a three-year term.

<u>Candidate</u>	<u>Vote by Councilmember</u>	<u>Total</u>
Jason Boyd	Garcia Garland	1
Jerry Seiber	Beehan/Hayes/Hensley	3
Wayne Garber	Smith/Mosby	2

No candidate received four votes. City Attorney Ken Krushenski explained that the only candidates for the Council to consider on the next ballot for the three-year term would Boyd, Seiber, and Garber. Mayor Beehan called for another vote.

<u>Candidate</u>	<u>Vote by Councilmember</u>	<u>Total</u>
Jerry Seiber	Beehan/Garcia Garland/Hayes/Hensley/Smith	5
Wayne Garber	Mosby	1

Jerry Seiber was elected to serve a three-year term ending on December 31, 2014.

The fourth ballot was for the election of two members-at-large to serve one-year terms.

<u>Candidate</u>	<u>Vote by Councilmember</u>	<u>Total</u>
Jason Boyd	Beehan/Garcia Garland/Hayes/Smith	4
Wayne Garber	Beehan/Garcia Garland/Hayes/Hensley/Mosby/Smith	6

Jason Boyd and Wayne Garber were elected to serve one-year terms ending on December 31, 2012.

#### NOTICE OF ELECTIONS FOR MARCH 28, 2011

Mayor Beehan announced that one election is scheduled for the March 28, 2011 Special Called City Council meeting to appoint nine members to serve on the Recreation and Parks Advisory Board. There are no special qualifications for these seats.

The deadline for filing is 5:00 p.m. on *Friday, March 18, 2011*.

Mayor Beehan announced that two elections are scheduled for the April 11, 2011 City Council meeting as follows:

- One seat remains vacant on the Environmental Quality Advisory Board for an unexpired term of office ending December 31, 2013. No special qualifications required.
- Two seats remain vacant on the Traffic Safety Advisory Board. One seat is designated for an Oak Ridge High School student to serve an unexpired term of office ending May 31, 2011. The other seat is to serve an unexpired term of office ending December 31, 2013. As of this date, there are no new candidates for either the student seat or the regular seat.

The deadline for filing is 5:00 p.m. on *Friday, April 1, 2011*.

## 2. ANNOUNCEMENTS

Councilmember Hayes announced that there will be a meeting of the City Manager Evaluation Committee on Wednesday March 16, 2011 at noon in the Mayor's Office.

## 3. SCHEDULING

## IX. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

## X. SUMMARY OF CURRENTS EVENTS

### 1. CITY MANAGER'S REPORT

City Manager Mark Watson announced that his son was featured in the Oregon City/County Management Magazine. The front of the magazine features photographs of Buford Watson, Mark Watson, and Kevin Watson. Kevin Watson is a "third generation" manager in the making, now working as Assistant to the City Manager of Keizer, Oregon.

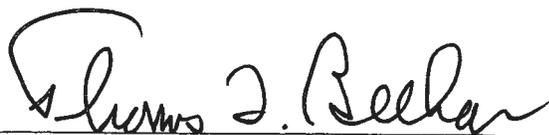
### 2. CITY ATTORNEY'S REPORT

City Attorney Ken Krushenski announced that it was tax time again. Delinquent taxes will be advertised in the legal organ soon.

## XI. ADJOURNMENT

There being no further business, the meeting adjourned at 10:10 p.m.

Approved this 11 day of April, 2011.



Thomas L. Beehan, Mayor



Donna L. Patterson, City Clerk