

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

August 11, 2104

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on August 11, 2014, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

**INVOCATION**

The Invocation was delivered by Father Dustin Collins, St. Mary's Catholic Church.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag of the United States of America was given by Mr. Tom Rowe.

**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; Kenneth R. Krushenski, City Attorney; Janice E. McGinnis, Finance Director; Diana R. Stanley, City Clerk.

**APPEARANCE OF CITIZENS**

Ms. Doka, 255 Gum Hollow Road, expressed her concerns about the lack of crossing guards at the roads within schools and inquired about the increased presence of Tennessee Highway Patrol Officers. The City Manager outlined the recruitment and active presence of the crossing guards and noted that the increased patrol was an effort by the City for increased safety with the start of the new school year.

Mr. Jim Horton, 106 Carson Lane, expressed his opposition to the change in property tax and delinquent property tax date changes and the calculations utilized. Mr. Horton also commented regarding storage of commodities for sale by residents in city rights-of-way.

**PROCLAMATIONS AND PUBLIC RECOGNITIONS**

*Appreciation from the Oak Ridge Girl Scout hostesses and Oak Ridge Middle School student participants for their involvements in the 2014 Sister City Partners Exchange Program.*

Ms. Jerry Luckman, President and Mr. Sean Seyfert, Co-President of the Sister City Partners Exchange Program spoke to the success and community impact of the Sister City Exchange Program along with special thanks expressed from two (2) student participants. Ms. Luckman additionally commented that the Oak Ridge Naka Girl Scout Group 37 and the Oak Ridge Girl Scouts have contributed \$1,000.00 toward the rebuild of the Friendship Bell.

**SPECIAL REPORTS**

(NONE)

**CONSENT AGENDA**

Councilmember Hensley requested that the July 28, 2014 City Council Work Session meeting minutes be removed from the Consent Agenda. With no other items being removed from the Consent Agenda, Councilmember Hensley moved, seconded by Councilmember Hope, to approve the remainder of the Consent Agenda, thereby:

- Approving the July 14, 2014 City Council meeting minutes.
- Approving the July 21, 2014 City Council Special Meeting minutes.
- Adopting **Resolution No. 08-78-2014** awarding a contract (FY2015-135) to Hydro Meter Service, Inc., Pontiac, Michigan, for water meter testing and repair services in the estimated amount of \$30,000.00.
- Adopting **Resolution No. 08-79-2014** awarding a bid in the estimated amount of \$55,860.00 to Graybar Electric, Knoxville, Tennessee, for the furnishing of three (3) 480 volt electrical switchgears for the Wastewater Treatment Plant.

Councilmember Hensley moved to include language in the July 28, 2014 Work Session Minutes that comments were received from the Oak Ridge Sportsman Association (ORSA) to the Oak Ridge Municipal Planning Commission and those comments were incorporated in the submitted ordinance related to indoor/outdoor shooting ranges. The motion was seconded by Councilmember Garcia Garland.

Councilmember Baughn requested that the communications from ORSA be attached to the Work Session Minutes in lieu of inserted remarks. During discussions of this request, Councilmember Hensley withdrew his original motion and then moved to amend the July 28, 2014 Work Session Minutes by attaching communication(s) received from ORSA and their legal representation regarding their comments of provided changes for the ordinance. The motion was seconded by Councilmember Baughn and approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

## **RESOLUTIONS**

### **Resolution No. 08-80-2014**

**A RESOLUTION APPROVING INSTALLATION OF A TRAFFIC SIGNAL ON THE OAK RIDGE TURNPIKE AT THE OAK RIDGE HIGH SCHOOL CONDITIONED UPON DESIGN APPROVAL BY THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) AND EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND TDOT ASSIGNING PERPETUAL MAINTENANCE OF THE TRAFFIC SIGNAL TO THE CITY.**

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

Mayor Pro Tem Miller moved to provide a substitute motion to allocate \$25,000.00 for a flashing beacon alternative at the location and provide \$200,000.00 in funding to the School's transportation (bus) program. The motion was seconded by Councilmember Hensley.

City Engineer Steve Byrd responded to inquiries of City Council regarding the traffic signalization design as proposed by the resolution.

City Council discussed the proposed substitute motion, as well as the presented resolution for a permanent traffic signal.

Ms. Kimberly Bell, 103 Case Lane, commented that she supports a permanent solution for a traffic signal at the discussed location for the safety of the students.

Mr. David Kitzmiller, 144 Wellington Circle, requested that City Council consider studies and data for a traffic signal at the discussed intersection, and that the Council also give consideration to the amount of money that was being considered for the installation of the proposed traffic signal.

Ms. Doka, 255 Gum Hollow Road, commented that City Council consider some type of traffic

enhancement at the discussed intersection for the safety of the students.

Mr. Tom Rowe, requested that City Council consider some safety enhancement at the intersection discussed.

Mr. Mason Forbes, 118 Jellico Lane, requested that City Council consider pedestrian improvements for the students throughout other intersections in Oak Ridge.

Following explanations from the City Engineer regarding the design and mechanics of alternative pedestrian signalizations, Mayor Pro Tem Miller clarified that her interest was in consideration of a flashing pedestrian warning sign, that flashes yellow, for approximately \$25,000.00.

Councilmember Baughn moved to divide the question of the substitute motion—one was consideration of the approximate \$25,000.00 for a flashing pedestrian warning sign; and the other approximate \$200,000.00 funding to the School's for the transportation (bus) program. The motion was seconded by Councilmember Hensley and passed by board vote with Councilmembers Baughn, Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember Hope voting "Nay."

The motion to consider the flashing pedestrian alternative for \$25,000.00 failed by board vote with Councilmember Hensley, Mayor Beehan, and Mayor Pro Tem Miller voting "Aye," and Councilmembers Baughn, Garcia Garland, Hope, and Mosby voting "Nay." Given the condition that the substitute motion contained two (2) components for consideration, the second question was not considered by City Council and the original motion was moved back to the floor.

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

**Resolution No. 08-81-2014**

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF UP TO \$99,176.00 FROM THE EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE AND EQUIPPING OF TWO (2) PATROL VEHICLES FOR THE POLICE DEPARTMENT.**

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

The City Manager provided an overview of the program and responded to inquires of the Council regarding the Equipment Replacement Fund, replacement of patrol vehicles, the take home program, and police personnel.

Councilmember Baughn moved to table consideration of the item until further discussions of the purchasing of the two (2) additional patrol vehicles occurred at a Work Session. The motion was seconded by Councilmember Garcia Garland. The motion to table failed by board vote with Councilmembers Baughn and Mosby voting "Aye," and Councilmembers Garcia Garland, Hensley, Hope, Mayor Pro Tem Miller, and Mayor Beehan voting "Nay."

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

**Resolution No. 08-82-2014**

**A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS WITH VARIOUS QUALIFIED CONSULTANTS FOR AS-NEEDED ENGINEERING SERVICES FOR THE ELECTRIC DEPARTMENT IN THE ESTIMATED AMOUNT OF \$85,000.00.**

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

The motion passed by unanimous board vote with Councilmember Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

**Resolution No. 8-83-2014**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO CONDUCT FURTHER DISCUSSIONS WITH THE U.S. DEPARTMENT OF ENERGY'S OAK RIDGE SITE MANAGER ON THE DISPOSITION OF CLARK CENTER PARK.**

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

Mr. David Allred, 105 Cornell Lane, inquired about the possibility of citizen input on the future of the park.

Mr. David Kitzmiller, 144 Wellington Circle, requested that Council consider full utilization of all existing parks in the City of Oak Ridge.

Mr. Len Hart, 433 West Outer Drive, commented about his concern of a deed restriction on the park.

Ms. Kris Light, 113 West Irving Lane, expressed her concern about potential commercial development of the park.

Mr. Mike Marsh, 132 Timbercrest Drive, provided remarks about the community being business friendly.

Councilmember Garcia Garland moved to amend the resolution to allow for public input opportunities in a public meeting. The motion was seconded by Councilmember Hensley and approved by unanimous voice vote with Councilmember Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Councilmember Baughn moved to amend the resolution to include at least two (2) public meetings that allow for public input between the discussions of the City Manager and the Department of Energy and recommendations of the City Manager. The motion was seconded by Councilmember Hope and approved by unanimous voice vote with Councilmember Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

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

**PUBLIC HEARINGS AND FIRST READING OF ORDINANCES**

**AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF PARCEL 039.00, ANDERSON COUNTY TAX MAP 106A, GROUP A, FROM R, RESIDENTIAL TO B, GENERAL BUSINESS.**

Mayor Pro Tem Miller moved, seconded by Councilmember Hensley that the ordinance be approved on first reading.

Community Development Director Kathryn Baldwin provided an overview of the land use amendment and rezoning changes. Ms. Baldwin introduced Mr. Bill Seeley with Rudd Seeley Wallis, LLC, Nashville, Tennessee, whose firm was exploring the development of the property.

Mayor opened the floor for the scheduled public hearing:

No citizens participated during the public hearing

The ordinance was approved unanimously by board vote on first reading with Councilmember Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

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 039.00, ANDERSON COUNTY TAX MAP 106A, GROUP A, FROM R-2 MDO, LOW DENSITY RESIDENTIAL IN THE MANHATTAN DISTRICT OVERLAY, AND RG-1, RESIDENTIAL, OPEN SPACE, AND RESERVED, TO UB-2 PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY; CHANGING THE ZONING DISTRICT OF PARCEL 040.00, ANDERSON COUNTY TAX MAP 106A, GROUP A, FROM R-2 MDO, LOW DENSITY RESIDENTIAL IN THE MANHATTAN DISTRICT OVERLAY, TO UB-2 PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY; AND APPROVING THE PLANNED UNIT DEVELOPMENT PRELIMINARY MASTER PLAN FOR SAID PARCELS.

Councilmember Hensley moved, seconded by Councilmember Hope that the resolution be approved on first reading.

Community Development Director Kathryn Baldwin provided an overview of the rezoning changes.

Mayor opened the floor for the scheduled public hearing:

No citizens participated during the public hearing.

The ordinance was approved unanimously by board vote on first reading with Councilmember Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING THE FOLLOWING: ARTICLE II, TITLED "DEFINITIONS" TO ADD DEFINITIONS FOR "INDOOR SPORT SHOOTING RANGE" AND "OUTDOOR SPORT SHOOTING RANGE;" ARTICLE III, TITLED "GENERAL PROVISIONS," TO ADD A NEW SECTION 3.26, TITLED "SPORT SHOOTING RANGES"; SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," TO ADD "INDOOR SPORT SHOOTING RANGES" AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; AND SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," TO ADD "INDOOR SPORT SHOOTING RANGES" AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; ALL FOR THE PURPOSE OF ESTABLISHING PROVISIONS FOR SPORT SHOOTING RANGES.

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

Mayor opened the floor for the scheduled public hearing:

No citizens participated during the public hearing.

The ordinance was approved unanimously by board vote on first reading with Councilmember Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

#### **FINAL ADOPTION OF ORDINANCES**

##### **Ordinance No. 08-2014**

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," CHAPTER 5, TITLED "SPEED REGULATIONS," SECTION 15-502, TITLED "SCHOOL ZONE SPEED LIMITS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, TO CREATE A NEW SUBSECTION (3) REGARDING THE DISPOSITION OF TRAFFIC CITATIONS FOR SCHOOL

**ZONE SPEED VIOLATIONS.**

Mayor Pro Tem Miller moved, seconded by Councilmember Hope that the ordinance be approved.

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

**Ordinance No. 09-2014**

**AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," CHAPTER 5, TITLED "SPEED REGULATIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SECTION 15-802, TITLED "RIGHT-OF-WAY IN CROSSWALKS," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SECTION 15-802, TITLED "RIGHT-OF-WAY IN CROSSWALKS," FOR THE PURPOSE OF CREATING ADDITIONAL PEDESTRIAN PROTECTION IN SCHOOL ZONES.**

Mayor Pro Tem Miller moved, seconded by Councilmember Hope that the ordinance be approved.

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

**ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

Elections/Appointments

Announcements

Scheduling

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

*Invitation to Senior DOE Officials to discuss Clark Center Park and other pending DOE issues.*

City Council and the City Manager had an in-depth discussion regarding the City Council's approach to engage the Department of Energy (DOE) officials in related areas of the National Nuclear Security Administration (NNSA), Y-12, and the Office of Science and Environmental Management as requested by Councilmember Baughn. Additionally, City Council discussed the governmental agencies with whom they would like to meet, identifying the topics of interest for discussions, and the logistics of scheduling.

Councilmember Baughn moved, seconded by Councilmember Hensley for the City Manager to begin drafting a communication/document to submit to the DOE to begin meeting discussions.

Mr. Martin McBride, 954 West Outer Drive, commended City Council for beginning these discussions on meeting with the DOE and trying to engage the agency's interest.

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

**SUMMARY OF CURRENT EVENTS**

**CITY MANAGER'S REPORT**

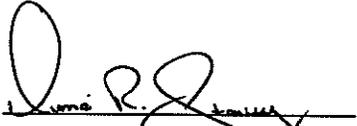
The City Manager announced that the next American Museum of Science and Energy (AMSE) Community Meeting was scheduled for August 19, 2014 and explained that the City can explore holding a public meeting on Clark Center Park in lieu of the August City Council Work Session.

CITY ATTORNEY'S REPORT

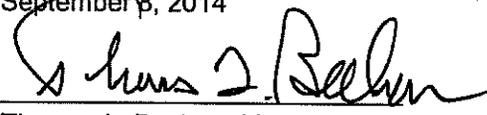
(NONE)

ADJOURNMENT

The meeting adjourned at 10:15 p.m.

  
Diana R. Stanley, City Clerk

APPROVED BY CITY COUNCIL  
September 8, 2014

  
Thomas L. Beehan, Mayor