

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

September 8, 2014

The regular meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on September 8, 2014, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

**INVOCATION**

The Invocation was delivered by Mayor Pro Tem D. Jane Miller.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag of the United States of America was led by Ben Stephens.

**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**

Mr. Andy Marathe, 121 Westlook Circle, commented about the reason that people choose to live in Oak Ridge and remarked that there was no correlation between the tax rate and the appeal of the Oak Ridge School System.

**PROCLAMATIONS AND PUBLIC RECOGNITIONS**

Councilmember Mosby requested that the proclamation for the Historically Black College and Universities Expo Weekend be removed from the Consent Agenda and acknowledged as part of this section of the agenda. No opposition was expressed by the councilmembers.

**Agenda Amendment**

A proclamation was requested to be added to the September 8, 2014 agenda, at the call of Mayor Pro Tem D. Jane Miller designating Sunday, September 14, 2014 as "*Sing-It America*" *Star-Spangled America Day*.

Councilmember Hope moved, seconded by Mayor Pro Tem D. Jane Miller to amend the agenda to include the above-referenced proclamation to the September 8, 2014 agenda. The motion was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Following the agenda amendment, Mayor Pro Tem Miller moved, seconded by Councilmember Hope that the proclamation be approved. The proclamation was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

The proclamation was presented to Mr. Martin McBride.

*Proclamation designating September 26 and 27, 2014, as "Historically Black Colleges and Universities Expo Weekend."*

Councilmember Mosby moved, seconded by Councilmember Hensley that the proclamation be approved. The proclamation was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

### **SPECIAL REPORTS**

City Manager Mark Watson requested time during this section of the agenda to review his recent travels to the City of Hera Nugrahayu, Indonesia as part of the International City Management Association (ICMA) Exchange Program and presented the City Council with tokens of appreciation from the Indonesian government.

#### **"2013-2014 State of the Youth Address" delivered by the Chair of the Youth Advisory Board.**

Ms. Shane Harris, Vice Chair, delivered the State of the Youth Address to the City Council. The report was received for the record.

#### *City Attorney Evaluation Committee Chair Trina Baughn*

Adoption of **Resolution No. 09-84-2014** to amend the City Attorney's Employment Agreement to provide for an equivalent two percent (2%) salary increase retroactive to March 2, 2014.

Committee Chair Trina Baughn provided an overview of the evaluation process for the City Attorney for FY 2014. Following this overview, Councilmember Hensley moved, seconded by Mayor Pro Tem Miller to approve the resolution as presented. The resolution was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

### **CONSENT AGENDA**

Councilmember Hensley moved, seconded by Councilmember Garcia Garland to approve the Consent Agenda, minus the proclamation for the "Historically Black Colleges and Universities Expo Weekend" that was approved as part of "Proclamations and Public Recognitions." The motion was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye;" thereby:

- Approving the August 11, 2014 City Council meeting minutes.
- Adopting **Resolution No. 09-85-2014** authorizing the City to submit an employee safety grant application to the Tennessee Municipal League Risk Management and accept said grant if approved.
- Adopting **Resolution No. 09-86-2014** authorizing the City to submit a driver safety grant application to the Tennessee Municipal League Risk Management and accept said grant if approved.
- Adopting **Resolution No. 09-87-2014** to accept a \$34,000.00 Assistance to Firefighter Grant Award from the Department of Homeland Security Federal Emergency Management Agency (FEMA) for smoke alarms.
- Adopting **Resolution No. 09-88-2014** authorizing the City to utilize the services of Ross Meter Service, Inc., Morristown, Tennessee, to repair, replace, test, and inspect oil-filled equipment and substation systems for the Electric Department in an amount not to exceed \$60,000.00.
- Adopting **Resolution No. 09-89-2014** to approve a master agreement with U.S. Communities Government Purchasing Alliance to allow the City to be a participating member in a purchasing

cooperative.

## **RESOLUTIONS**

Councilmember Garcia Garland requested that the resolution titled “A resolution to create a budget and finance committee, to establish monthly activity reports and quarterly reports to council by the city manager, and to establish access by council to the mayor’s calendar of city activities and events,” be considered first on the agenda under “Resolutions.” No opposition was expressed by the other members of City Council

### **Resolution No. 09-90-2014**

**A RESOLUTION TO CREATE A BUDGET AND FINANCE COMMITTEE, TO ESTABLISH MONTHLY ACTIVITY REPORTS AND QUARTERLY REPORTS TO COUNCIL BY THE CITY MANAGER, AND TO ESTABLISH ACCESS BY COUNCIL TO THE MAYOR’S CALENDAR OF CITY ACTIVITIES AND EVENTS.**

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

During discussions of the resolution, Mayor Beehan requested consideration that the resolution request for access the Mayor’s calendar by the City Council be addressed to all future Mayors and all members of City Council, similarly, grant access to calendars regarding their city business.

Councilmember Garcia Garland moved, seconded by Councilmember Baughn to change the verbiage, as referenced in the title of the resolution, to *financial* quarterly reports. The motion was approved by voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, and Mayor Pro Tem Miller voting “Aye,” and Mayor Beehan voting “Nay.”

Councilmember Hensley moved to divide the question, seconded by Councilmember Mosby, into the following divisions:

1. Consideration of reinstating the Budget and Finance Committee
2. Consideration of establishing monthly activity and quarterly financial reports
3. Consideration of establishing access to the Mayor’s Calendar

The motion to divide the question was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting “Aye.”

1. Consideration of reinstating the Budget and Finance Committee  
Andy Marathe, 121 Westlook Circle, commented about the past composition and purpose of previous Budget and Finance Committees and its inefficiencies, and suggested the consideration of goals and objectives by the Committee for the budget.

The above consideration passed by board vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, and Mayor Pro Tem Miller voting “Aye,” and Mayor Beehan voting “Nay.”

2. Consideration of establishing monthly activity and quarterly financial reports

Councilmember Mosby moved, seconded by Councilmember Baughn to approve the consideration listed above.

Ms. Ellen Smith, 116 Morningside Drive, commented about the current account systems utilized by the City of Oak Ridge that is used to produce quarterly financial report, as required by the City Charter, noting that sometimes there were past idiosyncrasies that did not allow said reports to produce and that the City may need to pursue an upgrade of the system.

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

3. Consideration of establishing access to the Mayor's Calendar

Mayor Pro Tem Miller moved, seconded by Councilmember Hope to approve the consideration listed above.

During consideration of this item, City Council discussed the idea that all of City Council would have to all councilmember calendars and that it would be a tool in a succession plan from Mayor's participation and commitments as the current Mayor's term comes to an end.

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

(Resolution Postponed)

A RESOLUTION MAKING AWARDS TO ALTERNATE STAFFING, INC.; EXPRESS EMPLOYMENT PROFESSIONALS; FIRST PLACE FINISH; ROBERT HALF INTERNATIONAL (ACCOUNTemps AND OFFICE TEAM); STAFFING SOLUTIONS; TEMP SYSTEMS, INC.; AND QUALIFIED TECHNICAL FIRMS SUCH AS RECRUITWISE FOR FURNISHING AS NEEDED TEMPORARY EMPLOYMENT SERVICES FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$175,000.00.

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

Following discussions regarding the monetary reduction in FY2014 from FY2015 contractual temporary services with the Finance Director and the Personnel Director, the City Manager requested that City Council consider postponing this item to allow staff enough time to provide information to City Council.

Councilmember Hope removed his motion for his consideration of the resolution at the request of the City Manager.

Councilmember Hope moved, seconded by Councilmember Baughn to postpone consideration of the item until the next council meeting.

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

**Resolution No. 09-91-2014**

**A RESOLUTION APPROVING A RIGHT-IN/RIGHT-OUT ACCESS TO SOUTH ILLINOIS AVENUE FROM ANDERSON COUNTY TAX MAP 106A, GROUP A, PARCELS 39.00 AND 40.00, SUBJECT TO APPROVAL BY THE TENNESSEE DEPARTMENT OF TRANSPORTATION.**

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

Community Development Director Kathryn Baldwin responded to questions regarding the Planning Commission's review of the access as part of the process for the Master Development Plan.

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

**Resolution No. 09-92-2014**

**A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR A GRANT FROM THE JAPAN WORLD EXPOSITION 1970 COMMEMORATIVE FUND FOR MATCHING FUNDS TO REBUILD THE FRIENDSHIP BELL HOUSE, SAID GRANT REQUIRING A 50/50 MATCH.**

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

The City Manager explained that this grant application is due by September 30, 2014 and due to the specifications required as part of the grant, and not currently available by city staff, the grant application would be submitted next year. The City Manager noted, however, that he would like to move forward with dedicating \$50,000.00 of city funds to the rebuild project. Additionally, Mr. Watson noted that the grant application specifics do not permit a fund match of community-raised funds.

Councilmember Garcia Garland moved to amend the resolution to include language that the City commits no less than \$50,000.00 from the FY2015 Capital Projects Fund to be used at an appropriate time in securing funds to reinstall the Friendship Bell. Councilmember Baughn seconded the motion for discussion purposes.

Upon discussions of language presented in the resolution and a means to incorporate the amendment into the resolution, the City Attorney noted that the language for the amendment would replace the presented language following "Now, therefore, be it resolved. . ."

The amendment passed by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

The resolution, as amended, was adopted 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. 09-93-2014**

**A RESOLUTION AWARDED A CONTRACT (FY2015-005) TO MORGAN CONTRACTING, INC., BAKER, FLORIDA, FOR CONSTRUCTION OF THREE (3) NEW EQUALIZATION BASINS AND ASSOCIATED MECHANICAL, ELECTRICAL, AND INSTRUMENTATION APPURTENANCES IN THE ESTIMATED AMOUNT OF \$6,472,000.00.**

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

Public Works Director Gary Cinder provided an overview of the construction and its schedule, as well as responded to questions regarding staff's plan to move forward with the project to meet deadline and financial obligations.

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

### **PUBLIC HEARINGS AND FIRST READING OF ORDINANCES**

#### **First Reading of An Ordinance**

AN ORDINANCE TO AMEND TITLE 2, TITLED "BOARDS AND COMMISSIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING CHAPTER 2, TITLED "ENVIRONMENTAL QUALITY ADVISORY BOARD," AND SUBSTITUTING THEREFORE A NEW CHAPTER 2 OF THE SAME TITLE TO ADDRESS UPDATES REQUESTED BY EQAB.

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

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

**FINAL ADOPTION OF ORDINANCES**

**Ordinance No. 10-2014**

**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 to approve the ordinance on second reading.

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

**Ordinance No. 11-2014**

**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 Hope moved, seconded by Councilmember Hensley to approve the ordinance on second reading.

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

**Ordinance No. 12-2014**

**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 to approve the ordinance on second reading.

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

**ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

- a. Elections/Appointments

- b. Announcements
- c. Scheduling

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

Mayor Pro Tem Miller encouraged everyone to join the Oak Ridge Heritage and Preservation Association (ORHPA), September 11, 2014 from 6:00 p.m. to 8:00 p.m. for their 15<sup>th</sup> Anniversary Celebration and join the “Sing-It America” event on Sunday, September 14, 2014 at 4:30 p.m. at the Secret City Commemorative Walk.

Councilmember Hensley wished to clarify that he requested to reschedule his request for a special-called meeting in October to discuss Department of Energy relationships and that a Work Session on the matter should be scheduled prior to the special-called meeting. Councilmember Baughn seconded Councilmember Hensley’s clarification and request for a special-called meeting in October.

Councilmember Garcia Garland requested interest from City Council to appoint a committee to study fluoride in water. No action was taken regarding this request.

**SUMMARY OF CURRENT EVENTS**

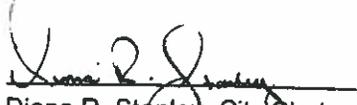
**CITY MANAGER’S REPORT**

The City Manager commented about the soon-to-be retirement of Recreation and Parks Director Josh Collins and that Mr. Jon Hetrick would be serving an Interim Director during the recruitment phase. Mr. Watson also requested any interest from a councilmember to attend the Energy Communities Alliance (ECA) Annual Intergovernmental Meeting in New Orleans in November. Lastly, the City Manager noted that the City of Oak Ridge has applied for Tennessee Valley Authority Extreme Energy Makeover Grant.

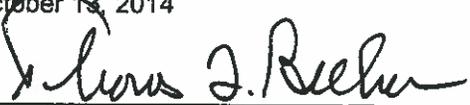
**CITY ATTORNEY’S REPORT**

**ADJOURNMENT**

The meeting adjourned at 9:40 p.m.

  
Diana R. Stanley, City Clerk

APPROVED BY CITY COUNCIL  
October 13, 2014

  
Thomas L. Beehan, Mayor