

**MINUTES OF THE
OAK RIDGE CITY COUNCIL**

June 8, 2015

The regular meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on June 8, 2015, in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

INVOCATION

The Invocation was delivered by Joseph Westfall, Itinerate Minister with Christian Church Disciples of Christ.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was led by Councilmember Charles J. Hope, Jr.

ROLL CALL

Upon roll call the following councilmembers were present: Councilmember Trina Baughn; Councilmember Kelly Callison; Councilmember Rick Chinn, Jr.; Mayor Warren L. Gooch; Councilmember L. Charles Hensley; Councilmember Charles J. Hope, Jr.; and Mayor Pro Tem Ellen D. Smith.

Also present were Mark S. Watson, City Manager; Janice E. McGinnis, Finance Director; and Diana R. Stanley, City Clerk.

City Attorney Kenneth R. Krushenski was absent.

APPEARANCE OF CITIZENS

Ms. Gail Walker, 105 Bennett Lane, commented that the Scarboro Neighborhood was petitioning the Department of Energy (DOE) to not allow a landfill of nuclear waste to be located near the Scarboro Neighborhood and adjacent sites, and that she was also requesting the assistance of the City Council to not allow the landfill to be located in the neighborhood.

Mr. Andrew Hayes, 110 Tabor Road, expressed his opposition to a nuclear waste landfill being located in proximity to the Scarboro Neighborhood.

Mr. Kenneth Crane, 227 Wadsworth Place, requested consideration of a traffic light for a turn lane on Georgia Avenue.

Mr. Randy Stevens, 103 Columbia Drive, inquired about learning of an environmental assessment study regarding the potential location of a nuclear waste site and whether monitoring devices existed in the City to detect any, possible, current waste.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

(NONE)

SPECIAL REPORTS

(NONE)

CONSENT AGENDA

Councilmember Chinn moved, seconded by Councilmember Hope to approve the Consent Agenda. Following the motion, Mayor Pro Tem Smith requested to remove "a resolution waiving competitive bids

and making an award to Waste Management for the disposal of biosolids at the Chestnut Ridge Landfill for the Public Works Department for Fiscal Year 2016 in the estimated amount of \$125,000.00,” and Mayor Gooch requested to remove the following resolutions from the Consent Agenda:

A resolution waiving competitive bids and making awards to Rogers Group, Inc., J.G. Mullins Construction Company, APAC Tennessee, and other suitable companies as needed for emergency street resurfacing for the Public Works Department for Fiscal Year 2016 in the estimated amount of \$175,000.00.

A resolution waiving competitive bids and making awards to Poore’s Tree Service, Blank’s Tree Service, Wolf Tree Experts, Inc., and other suitable companies as needed for tree removal and trimming services for the Public Works Department for Fiscal Year 2016 in the estimated amount of \$30,000.00.

A resolution waiving competitive bids and making an award to Spillman Technologies, Inc., Salt Lake City, Utah, for furnishing maintenance services for the public safety computer system software for Fiscal Year 2016 in the estimated amount of \$45,000.00.

A resolution waiving competitive bids and making an award to Motorola Communications and Electronics, Inc., for furnishing of maintenance of the 800 MHz trunked communications system for Fiscal Year 2016 in the estimated amount of \$84,000.00.

The remainder of the Consent Agenda was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting “Aye;” thereby, approving the May 21, 2015 City Council Special Meeting Minutes.

Items Removed from the Consent Agenda

Resolution No. 06-51-2015

A resolution waiving competitive bids and making an award to Waste Management for the disposal of biosolids at the Chestnut Ridge Landfill for the Public Works Department for Fiscal Year 2016 in the estimated amount of \$125,000.00.

Mayor Pro Tem Smith moved, seconded by Councilmember Hensley that the resolution be approved.

Following discussions with Public Works Director Gary Cinder and City Council, the resolution was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting “Aye.”

Resolution No. 06-52-2015

Adoption of a resolution waiving competitive bids and making awards to Rogers Group, Inc., J.G. Mullins Construction Company, APAC Tennessee, and other suitable companies as needed for emergency street resurfacing for the Public Works Department for Fiscal Year 2016 in the estimated amount of \$175,000.00.

Councilmember Hope moved, seconded by Mayor Pro Tem Smith that the resolution be approved.

Following responses from Public Works Director Gary Cinder to inquiries of City Council, the resolution was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting “Aye.”

Resolution No. 06-53-2015

Adoption of a resolution waiving competitive bids and making awards to Poore’s Tree Service, Blank’s Tree Service, Wolf Tree Experts, Inc., and other suitable companies as needed for tree removal and trimming services for the Public Works

Department for Fiscal Year 2016 in the estimated amount of \$30,000.00.

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

Following responses from Public Works Director Gary Cinder to inquiries of City Council, the resolution was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Resolution No. 06-54-2015

A resolution waiving competitive bids and making an award to Spillman Technologies, Inc., Salt Lake City, Utah, for furnishing maintenance services for the public safety computer system software for Fiscal Year 2016 in the estimated amount of \$45,000.00.

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

Oak Ridge Police Chief James Akagi responded to questions and comments of City Council.

Following discussions, the resolution was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Resolution No. 06-55-2015

Adoption of a resolution waiving competitive bids and making an award to Motorola Communications and Electronics, Inc., for furnishing of maintenance of the 800 MHz trunked communications system for Fiscal Year 2016 in the estimated amount of \$84,000.00.

Mayor Pro Tem Smith moved, seconded by Councilmember Callison that the resolution be approved.

Following discussions with Oak Ridge Police Chief James Akagi and City Council, the resolution was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

RESOLUTIONS

Resolution No. 06-56-2015

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) TRACK LOADER, ONE (1) MINI EXCAVATOR, ONE (1) PORTABLE CCTV INSPECTION SYSTEM AND ONE (1) DUMP TRUCK FOR THE PUBLIC WORKS DEPARTMENT IN THE ESTIMATED TOTAL AMOUNT OF \$270,293.44.

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

Public Works Department Director Gary Cinder provided an overview of the necessity and utilization of the requested equipment.

Following additional discussions with City Council, the resolution was approved by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Resolution No. 06-57-2015

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AWARDS TO STOWERS, BOBCAT, CONTRACTORS MACHINERY, UNITED RENTALS, NORTRAX, AND OTHER SUITABLE COMPANIES AS NEEDED FOR THE RENTAL OF HEAVY EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2016 IN THE ESTIMATED AMOUNT OF \$50,000.00.

Councilmember Hensley moved, seconded by Mayor Pro Tem Smith that the resolution be approved.

Following an overview by Public Works Director Gary Cinder, Councilmember Chinn moved, seconded by Mayor Gooch, to reduce the estimated amount from \$70,000.00 to \$50,000.00 as a result of action on the previous resolution which allows for the purchasing of equipment that was also to be rented as part of this resolution.

The amendment was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

The resolution, as amended, was approved by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Resolution No. 06-58-2015

A RESOLUTION AWARDED A BID IN THE ESTIMATED AMOUNT OF \$169,221.00 TO SWIFT INDUSTRIES, INC. OF KNOXVILLE, TENNESSEE FOR BATTERY SYSTEM REPLACEMENT AT ELECTRIC SUBSTATIONS IN OAK RIDGE.

Mayor Pro Tem Smith moved, seconded by Councilmember Callison that the resolution be approved.

Following an overview by Electric Department Director Jack Suggs and discussions with City Council, the resolution was unanimously approved by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Resolution No. 06-59-2014

A RESOLUTION AWARDED BIDS IN THE ESTIMATED AMOUNT OF \$155,848.00 TO WESCO DISTRIBUTION, INC., CHATTANOOGA, TENNESSEE, AND IN THE ESTIMATED AMOUNT OF \$24,084.00 TO ERMCO DISTRIBUTION TRANSFORMERS, DYERSBURG, TENNESSEE, FOR THE FURNISHING OF SINGLE-PHASE POLE MOUNTED TRANSFORMERS FOR USE BY THE ELECTRIC DEPARTMENT.

Mayor Pro Tem Smith moved, seconded by Councilmember Hope that the resolution be approved.

Following an overview by Electric Department Director Jack Suggs, the resolution was unanimously approved by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Resolution No. 06-60-2015

A RESOLUTION AWARDED A BID IN THE ESTIMATED AMOUNT OF \$55,000.00 TO BAKER AND TAYLOR BOOKS, CHARLOTTE, NORTH CAROLINA FOR THE FURNISHING OF BOOKS FOR THE OAK RIDGE PUBLIC LIBRARY.

Councilmember Baughn moved, seconded by Mayor Pro Tem Smith that the resolution be approved.

Oak Ridge Library Director Kathy McNeily provided explanations as to staff's selection to Baker and Taylor Books which was due in part to the vendor's alternative bid and their services and discounts.

Following additional discussions, the resolution was unanimously approved by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

Public Hearing and First Reading of an Ordinance

AN ORDINANCE TO CARRY-OVER A TEMPORARY TAX RATE FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, BY IMPOSING A TEMPORARY TAX RATE ON ALL

PROPERTY WITHIN THE CITY, AND ADOPTING APPROPRIATIONS.

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

City Manager Mark Watson explained that City Staff had submitted a budget that included a \$0.01 property tax increase that also included the Oak Ridge Schools request of a \$0.07 increase. Mr. Watson noted that the City was experiencing complexities in determining a certified tax rate at the present time due to the delay in Roane County's appraisals.

Mayor Gooch opened the floor to receive comments as part of the scheduled public hearing:

Mr. David Kitzmiller, 144 Wellington Circle, remarked about costing savings that could be experienced if unplanned spending does not occur so as to avoid a property tax increase. Additionally, Mr. Kitzmiller commented about capital projects being a spending priority for the City.

Ms. Myra Mansfield, 103 Hendrix Drive, commended efforts for employee raises and inquired about mechanisms for maintaining the tax rate or possibly decreasing the rate.

Ms. Anne Garcia Garland, 120 Outer Drive, expressed her concern about the reason for \$0.01 tax increase and the City following a spending plan.

Ms. Melinda Hillman 832 West Outer Drive, speaking as the Chair of the Oak Ridge Chamber of Commerce (ORCC), indicated that the Board of Directors of the ORCC had developed a prioritized list as it relates to the upcoming budget: (1) development and funding of prioritized capital improvement plan for infrastructure that includes City of Oak Ridge and Oak Ridge City Schools; pay increases for Oak Ridge City Schools—teachers and staff—and City of Oak Ridge staff; and waterfront improvements that have been proposed. Additionally, Ms. Hillman spoke as a resident that amenities needed to be funded as an attraction for the City.

Mr. Bob Eby, Vice Chair of the Board of Education, recited a communication from Oak Ridge National Laboratory (ORNL) Director Dr. Thomas Mason in which Dr. Mason remarked that the community is now in a position to do less with less. Mr. Eby commented about ensuring that the City is properly funded for services and amenities as it relates to the community and marketing.

Following comments from the public, Mayor Gooch closed the scheduled public hearing.

City Council held discussions regarding an internal billing mechanism of city departments and city projects; analysis of sales tax and property taxes, particularly in Roane County; development of the Capital Improvement Project (CIP); salary raises; and an adequate tax rate for city services and amenities. During these discussions, the City Manager noted that the City Charter included a clause that the appropriations of the current fiscal year would be carried forward to the new fiscal year until such time that a budget could be adopted.

As part of the budget discussions, City Council expressed their interest in scheduling a Work Session between the June 8 and the June 15 City Council meetings to discuss the proposed Fiscal Year 2016 Budget, eventually scheduling the Work Session for Monday, June 15, 2015 from 5:00 p.m. to 7:00 p.m.

Ms. Anne Garcia Garland, 120 Outer Drive, remarked about efficiencies in the City budget, utilizing a volunteer program to complete work of the City, and determining a means to track spending funds.

In order to have an opportunity to have a better understanding of the City's revenues given the delay of re-appraisals of Roane County properties, Mayor Gooch moved to defer first reading of the presented ordinance to the June 15, 2015 City Council and schedule a June 15 Work Session prior to the voting

meeting. The motion was seconded by Councilmember Hensley.

The motion was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting Aye.”

First Reading of an Ordinance

AN ORDINANCE TO AMEND TITLE 5, TITLED “MUNICIPAL FINANCE AND TAXATION,” CHAPTER 1, TITLED “MISCELLANEOUS,” OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE,” BY DELETING SECTION 5-102, TITLED “WHEN DUE, DELINQUENT,” AND SUBSTITUTING THEREFOR A NEW SECTION 5-102, WITH THE SAME TITLE, TO ALLOW COUNCIL, AT THE REQUEST OF THE CITY MANAGER AND FINANCE DIRECTOR, TO MODIFY, BY RESOLUTION, THE DUE DATE AND DELINQUENT DATE OF CITY TAXES WHEN THE STATE OR COUNTY RE-APPRAISAL TIMETABLE FOR ANY FISCAL YEAR FALLS BEHIND THE CITY’S DUE DATE AND DELINQUENT DATE.

The City Manager explained that this code change would allow for better logistical scheduling in the event that the City experiences any future budget issue that impact the collection of taxes.

Councilmember Hensley moved, seconded by Mayor Pro Tem Smith to approve the ordinance on first reading.

The ordinance was approved on first reading by unanimous board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting “Aye.”

FINAL ADOPTION OF ORDINANCES

Ordinance No. 09-2015

AN ORDINANCE TO REPEAL ORDINANCE NO. 05-11 WHICH ADOPTED THE RULES AND REGULATIONS GOVERNING DISTRIBUTION OF ELECTRIC POWER, AND TO ADOPT NEW RULES AND REGULATIONS GOVERNING DISTRIBUTION OF ELECTRIC POWER WITHIN THE CITY OF OAK RIDGE, TENNESSEE.

Mayor Pro Tem Smith moved, seconded by Councilmember Hensley to approve the ordinance during second reading. The ordinance was approved by unanimous show of hands with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Beehan indicating “Aye.”

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Announcements

Councilmember Hensley announced that the June 11, 2015 Oak Ridge Municipal Planning Commission Meeting was canceled.

Scheduling

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

SUMMARY OF CURRENT EVENTS

CITY MANAGER’S REPORT

City Manager Mark Watson requested that City Council provide direction and/or inquiries to either himself

or the Finance Director in preparation for the June 15, 2015 City Council Work Session. Additionally, he announced that he received a second place finish for the International City Management Association Board President and expressed his appreciation to the City Council for their support.

CITY ATTORNEY'S REPORT

ADJOURNMENT

The meeting adjourned at 10:00 p.m.

(Signature on file) _____
Diana R. Stanley, City Clerk

APPROVED BY CITY COUNCIL
July 13, 2015

(Signature on file) _____
Warren L. Gooch, Mayor