

**MINUTES OF THE
OAK RIDGE CITY COUNCIL**

June 15, 2015

The regular meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on June 15, 2015, in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

INVOCATION

The Invocation was delivered by Ms. Myra Mansfield, Living Water Christian Fellowship.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was led by Councilmember L. Charles Hensley

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

APPEARANCE OF CITIZENS

No citizens participated during "Appearance of Citizens."

PROCLAMATIONS AND PUBLIC RECOGNITIONS

Mayor Gooch noted that he had received a request to proclaim June 2015 as "Dairy Month" and that if City Council had no objections, the proclamation would be properly formatted and issued. Following his remarks, Mayor Gooch moved to request that June 2015 be proclaimed "Dairy Month" and to allow the provided template proclamation to be formatted accordingly and signed. The motion was seconded by Councilmember Hensley and approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

SPECIAL REPORTS

(NONE)

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

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.

The City Manager explained that the appropriation was being submitted for City Council's consideration during first reading and a final reading would occur at a later date which would allow for final amendments, specifically a certified tax rate. Additionally, Mr. Watson noted that in accordance with State Statute, the City Council must approve a continuing resolution that informs the State of Tennessee that the City of Oak Ridge is continuing appropriations until such time that a final determination on the tax rate can be made. Mr. Watson further explained that he would be sending the same continuing resolution to the Tennessee State Board of Education for their information.

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

Mr. Bob Eby, 101 Winston Lane, Vice Chair of the Board of Education, remarked about City Council considering a property tax increase for the needs of the community.

Mr. Tracy Larabee, 103 Chester Lane, commented that City Council consider a property tax rate in correlation with the needs and growth of the community.

Mr. Matt Bailey, 17 Riverside Drive, remarked about “big” thinking and investment for the community.

Ms. Myra Mansfield, 103 Hendrix Drive, spoke in favor of a temporary tax rate being approved at this point in the budget process.

Mr. Joe Lee, 99 East Pasadena Road, encouraged long-term investing and thinking for the future of the community.

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

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

Councilmember Hensley moved to amend the ordinance to set a new, temporary property tax rate of \$2.47 in anticipation of the property tax increase that was included in the proposed FY2016 Budget. The motion failed for lack of a second.

Mayor Pro Tem Smith moved to amend Section 2 of the ordinance by deleting the references to a temporary tax rate and including language that the City would impose a tax levy at a certified rate, to be determined by the State of Tennessee, plus an additional \$0.08 so as to commit the City Council to a tax rate that is equivalent to City's presented spending plan. The motion was seconded by Councilmember Hensley.

Following discussions regarding a means to approve the presented appropriation ordinance on first reading given the lack of a certified tax rate, the motion failed by board vote with Councilmembers Baughn, Callison, Chinn, Hope, and Mayor Gooch voting “Nay,” and Councilmember Hensley and Mayor Pro Tem Smith voting “Aye.”

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

Resolution Associated with the FY2016 Budget

Resolution No. 06-61-2015

A RESOLUTION TO ADOPT A CONTINUING APPROPRIATION AND BUDGET FOR FISCAL YEAR 2016 (JULY 1, 2015 THROUGH JUNE 30, 2016) UNTIL SUCH TIME AS A NEW APPROPRIATION AND BUDGET ORDINANCE IS ADOPTED.

Mayor Pro Tem Smith moved, seconded by Councilmember Hensley to approve the resolution as presented by city staff.

The City Manager explained that the City would be transmitting a certified copy of the presented resolution to the State of Tennessee Office of the Comptroller and Tennessee State Board of Education informing them of the budget challenges that the City of Oak Ridge was currently facing.

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

RESOLUTIONS

Resolution No. 06-62-2015

A RESOLUTION APPROVING THE FY2015-2016 ANNUAL ACTION PLAN AND PROPOSED ALLOCATIONS OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT FUNDS FOR FY2016 ESTIMATED AT \$210,796.00.

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

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

No citizens participated during the scheduled public hearing.

Mayor Gooch closed the scheduled public hearing.

Community Development Director Kathryn Baldwin and City Contractor Sherith Colverson responded to questions and comments of City Council.

Mayor Pro Tem Smith disclosed that she is a member of the Trinity Out-Reach Center of Hope (TORCH) Board which is mentioned in the Annual Action Plan, but the organization is not receiving funding. She further indicated that she would be participating in the vote of the resolution.

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. 06-63-2015

A RESOLUTION TO CERTIFY THAT THE CITY WILL AFFIRMATIVELY FURTHER FAIR HOUSING AND WILL TAKE APPROPRIATE ACTION AS IDENTIFIED IN THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CONDUCTED BY THE CITY IN 2015.

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

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. 06-64-2015

A RESOLUTION TO APPROVE AN AGREEMENT WITH RAY EVANS FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2016 IN THE AMOUNT OF \$54,000.00.

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

During consideration of the resolution, the following residents expressed their support for the agreement with Mr. Evans:

Mr. David Kitzmiller, 144 Wellington Circle
Mr. Joe Lee, 99 East Pasadena Road
Mr. Tracy Larabee, 103 Chester Lane

Ms. Myra Mansfield, 103 Hendrix Drive, commented about being able to examine data on economic development that occurs in the City.

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

Resolution No. 06-65-2015

A RESOLUTION TO APPROVE AN AGREEMENT WITH STEVE JONES FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2016 IN THE AMOUNT OF \$54,000.00.

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

Mr. Joe Lee, 99 East Pasadena Road, expressed his support for the agreement with Mr. Jones.

Ms. Myra Mansfield, 103 Hendrix Drive, commented that the City should review sources of the pay increases for economic development services.

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

Resolution No. 06-66-2015

A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY AND THE OAK RIDGE CONVENTION AND VISITORS BUREAU (CVB) FOR THE PROVISION OF SERVICES AND MATERIALS TO PROMOTE TOURISM IN OAK RIDGE FOR THE PERIOD JULY 1, 2015 THROUGH JUNE 30, 2016 (FISCAL YEAR 2016) IN AN AMOUNT NOT TO EXCEED \$325,000.00.

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

Mayor Pro Tem Smith moved to amend Section 5.1 of the Contract by providing for equal monetary installments of \$325,000.00 on the same quarterly schedule provided. The amendment was seconded Councilmember Chinn.

Following discussions amongst City Council and Mr. Marc DeRose, Oak Ridge Convention and Visitors Bureau Executive Director, regarding marketing support by the CVB to help with occupancy tax collections and marketing strategies for the City's economics, the amendment was approved unanimously by board 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."

CONSENT AGENDA

Mayor Pro Tem Smith moved, seconded by Councilmember Hensley that the Consent Agenda be approved as presented. The motion 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 June 1, 2015 City Council Minutes.
- Adopting **Resolution No. 06-67-2015** to accept a \$16,000.00 Emergency Management Grant from the State of Tennessee, Department of Military, Tennessee Emergency Management Agency (TEMA) for off-site emergency planning and response.
- Adopting **Resolution No. 06-68-2015** waiving competitive bids and making an award to Oracle America, Inc., Dallas, TX, for furnishing of annual maintenance services for the financial software system utilized by the City of Oak Ridge for Fiscal Year 2016 in the estimated amount of \$25,685.00.

FINAL ADOPTION OF ORDINANCES

Ordinance No. 10-2015

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.

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

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

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

The City Attorney noted that the City Charter included a provision that would require a Charter review by a Charter Committee beginning in July. During this notation by the City Attorney, City Council discussed a mechanism to appoint residents to said Charter Committee to be further discussed at a future Work Session.

Announcements

Councilmember Hope announced that the Youth Advisory Board (YAB) Screening Panel would soon be meeting to select applicants for said board and would bring forward recommendations for the high school representatives for the Environmental Quality Advisory Board (EQAB) and Traffic Safety Advisory Board (TSAB)

Scheduling

The City Manager announced that a traditional, City Council Work Session was scheduled for June 16, 2015 at 6:00 p.m. in the Multipurpose Room of the Central Services Complex for on-going discussions of the budget.

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Mayor Gooch requested a joint City Council Work Session with the members of the Oak Ridge Rowing Association (ORRA) and director and members of the Convention and Visitors Bureau (CVB). Additionally, Mayor Pro Tem Smith requested that City Council receive a presentation regarding a certified local government process related to historical preservation.

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

The City Manager noted that an examination of City Council's current Rules and Procedures may be warranted in the near future.

CITY ATTORNEY'S REPORT

ADJOURNMENT

The meeting adjourned at 9:15 p.m.

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

APPROVED BY CITY COUNCIL
July 13, 2015

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