

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

September 12, 2016

Minutes

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on September 12, 2016 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

INVOCATION

The invocation was given by Pastor Derrick Hammond of Oak Valley Baptist Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was led by Councilmember Kelly Callison.

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; Mary Beth Hickman, City Clerk; Janice McGinnis, Finance Director and Kenneth R. Krushenski, City Attorney.

APPEARANCE OF CITIZENS

Anthony Allen, 109 Bedford Lane, Oak Ridge, invited members of Council to First Responders Day, which will be held on Saturday, September 17th in the parking lot of Swifty's Atomic Bar and Grill.

Christine Goudy, 112 Briar Road, Oak Ridge, addressed Council regarding the possible disposition of the YWCA building.

Martin McBride, 954 W. Outer Drive, Oak Ridge, addressed Council regarding an Oak Ridge First policy for DOE. Councilmember Baughn requested that DOE managers be invited to the October 10th City Council meeting to address this and other issues, and Councilmember Hensley agreed.

ADDITION OF RESOLUTION

Mayor Gooch moved that the following resolution be added to the agenda at the end of "Resolutions," and Mayor Pro Tem Smith seconded.

A RESOLUTION WAIVING COMPETITIVE BIDS AND AUTHORIZING THE CITY TO ENTER INTO A CONTRACT FOR LABOR AND EQUIPMENT TO CONSTRUCT IMPROVEMENTS TO THE CITY'S WATER DISTRIBUTION SYSTEM AT THE MAIN STREET OAK RIDGE PROJECT SITE.

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

PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation recognizing Dover Development for receipt of the Chairman's Award for Achievement in Historic Preservation.

Councilmember Chinn moved for approval, and Mayor Pro Tem Smith seconded. The proclamation was approved unanimously by voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

A proclamation designating September 13, 2016 as Industry Appreciation Day.

Mayor Pro Tem Smith moved for approval, and Councilmember Callison seconded. The proclamation was approved unanimously by voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

A proclamation designating September, 2016 as Suicide Prevention Month.

Councilmember Hensley moved for approval, and Councilmember Chinn seconded. The proclamation was approved unanimously by voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

CONSENT AGENDA

Mayor Pro Tem Smith moved for adoption, and Councilmember Chinn seconded. At the request of Councilmember Baughn, items d. was removed from the Consent Agenda for discussion.

The Consent Agenda was unanimously adopted by voice vote with Councilmembers Baughn, Chinn, Callison, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Approval of the August 8, 2016 City Council meeting minutes

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF OAK RIDGE A CERTIFICATE OF GOOD MORAL CHARACTER FOR RHONDA HAMILTON, OAK RIDGE BPOE (ELKS) LODGE NO. 1684.

Item Removed from Consent Agenda

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A RELEASE OF DEDICATION FOR LOT 67 IN WILLOW PLACE SUBDIVISION.

Mayor Pro Tem Smith moved to adopt the resolution, and Mayor Gooch seconded. City Manager Mark Watson provided an overview of the resolution and answered questions from Council.

Tom Beehan, 113 Liberty Court, President of the Willow Place Homeowners Association, spoke in support of the resolution.

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

Mayor Gooch announced that the following resolutions are deferred to the October 10th City Council meeting:

A RESOLUTION GRANTING A PERMIT TO KALPESH TRAMBADIA AND NILAYKUMAR TRAMBADIA TO ENGAGE IN THE RETAIL SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF OAK RIDGE AT TURNPIKE LIQUOR STORE, 331 OAK RIDGE TURNPIKE, AND WAIVING THE RESIDENCY REQUIREMENT FOR BOTH APPLICANTS.

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND ISSUE ON BEHALF OF THE CITY OF OAK RIDGE CERTIFICATES OF COMPLIANCE FOR KALPESH TRAMBADIA AND NILAYKUMAR TRAMBADIA TO ENGAGE IN THE RETAIL SALE OF ALCOHOLIC BEVERAGES AT TURNPIKE LIQUOR STORE, 331 OAK RIDGE TURNPIKE.

RESOLUTIONS

A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$228,702.96 FROM THE EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE AND EQUIPPING OF FOUR (4) PATROL VEHICLES FOR THE POLICE DEPARTMENT UTILIZING STATE CONTRACT PRICING.

Councilmember Hensley moved to approve the resolution, and Councilmember Callison seconded. City Manager Mark Watson and Chief James Akagi answered questions from Council.

Councilmember Baughn asked the City Clerk to place the following quote in the minutes: "In May, 2016, a resolution to approve \$105,138 for 2 police cars and equipment failed with Baughn, Chinn, Hope, and Gooch voting "Nay."

Andy Marathe, 121 Westlook Circle, Oak Ridge, asked where the money goes when the vehicles are sold and how the money is tracked. City Manager Mark Watson responded that the money goes into the Vehicle Replacement Fund, which is audited.

The resolution was adopted by board vote with Councilmembers Callison, Hensley, Mayor Gooch and Mayor Pro Tem Smith voting "Aye" and Councilmembers Baughn, Chinn, and Hope voting "No."

A RESOLUTION AUTHORIZING THE PURCHASE OF ELECTRICAL SWITCHGEAR FOR THE WASTEWATER TREATMENT PLANT FROM STOKES ELECTRIC COMPANY, KNOXVILLE, IN THE ESTIMATED AMOUNT OF \$219,555.00 AND AWARDDING A CONTRACT (FY2017-040) TO EAST TN TECHNICAL SERVICES, INC., HARRIMAN, IN THE ESTIMATED AMOUNT OF \$64,950.00 FOR INSTALLATION OF SAID ELECTRICAL SWITCHGEAR AT THE WASTEWATER TREATMENT PLANT.

Mayor Pro Tem Smith moved for a of the resolution, and Councilmember Callison seconded. City Manager Mark Watson and Public Works Director Shira McWaters answered questions from Council. Councilmember Chinn moved to divide the question, and Councilmember Baughn seconded. The motion was approved by board vote with Councilmembers Baughn, Callison, Chinn, Mayor Gooch and Mayor Pro Tem Smith voting "Aye," and Councilmembers Hensley and Hope voting "No."

Question 1 of the resolution pertaining to the purchase of electrical switchgear was approved unanimously by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

Question 2 of the resolution pertaining to the installation of the switchgear was approved by board vote with Councilmembers Baughn, Callison, Hope, Hensley, Mayor Gooch and Mayor Pro Tem Smith voted "Aye" and Councilmember Chinn voted "No."

A RESOLUTION ESTABLISHING NEW ELECTRIC RATES EFFECTIVE OCTOBER 1, 2016 TO ACCOUNT FOR TVA'S WHOLESALE RATE ADJUSTMENT.

Councilmember Callison moved for approval of the resolution and Mayor Pro Tem Smith seconded. City Manager Mark Watson and Electric Department Director Jack Suggs answered questions from Council.

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

A RESOLUTION WAIVING COMPETITIVE BIDS AND AUTHORIZING THE CITY TO

PURCHASE ONE FIRE ENGINE FROM SUTPHEN CORPORATION IN THE ESTIMATED AMOUNT OF \$501,811.00.

Councilmember Hensley moved for approval of the resolution, and Councilmember Hope seconded. City Manager Mark Watson provided an overview of the resolution, and Chief Darryl Kerley answered questions from Council.

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

A RESOLUTION TO TRANSFER NINE (9) CITY-OWNED REAL PROPERTIES TO THE OAK RIDGE LAND BANK CORPORATION FOR DISPOSITION AS SET FORTH IN RESOLUTION 11-108-2013.

Councilmember Hensley moved for approval of the resolution, and Mayor Pro Tem Smith seconded. City Manager Mark Watson provided an overview of the resolution and answered questions from Council.

Andy Marathe, 121 Westlook Circle, Oak Ridge, addressed Council about a water main break on Pennsylvania Avenue and asked that staff take remedial action for replacing the water main.

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

A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH STUDIO FOUR DESIGN, INC., KNOXVILLE, TENNESSEE, TO PERFORM AS-NEEDED ARCHITECTURAL SERVICES FOR VARIOUS UPCOMING PROJECTS.

Councilmember Chinn moved for approval of the resolution, and Councilmember Hope seconded. City Manager Mark Watson provided an overview of the resolution.

The resolution was approved by board vote with Councilmembers Callison, Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye," and Councilmember Baughn voting "No."

A RESOLUTION AUTHORIZING THE CITY TO EXPEND UP TO \$500,000.00 IN GRANT FUNDS RECEIVED FROM THE TENNESSEE HOUSING DEVELOPMENT AGENCY (THDA) AS PART OF THDA'S HOME GRANT PROGRAM.

Councilmember Hensley moved for approval of the resolution, and Councilmember Callison seconded. City Manager Mark Watson and Community Development Director Kathryn Baldwin answered questions from Council.

The resolution was approved by board vote with Councilmembers Callison, Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye," and Councilmember Baughn voting "No."

A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH THE FERGUSON GROUP, LLC, WASHINGTON, D.C., FOR THE PROVISION OF CONSULTING SERVICES TO PROVIDE GRANT SUPPORT AND TO DEVELOP A COMPREHENSIVE FEDERAL GOVERNMENT RELATIONS AGENDA AND ACTION PLAN FOR AGREED UPON PRIORITIES FOR THE CITY IN THE AMOUNT OF \$30,000.00 AT A MAXIMUM RATE OF \$425.00 PER HOUR WITH AN ALLOWANCE OF \$5,000.00 FOR EXPENSES.

Councilmember Hope moved for approval of the resolution, and Councilmember Mayor Pro Tem Smith seconded. City Manager Mark Watson provided an overview of the resolution.

The resolution failed by board vote with Mayor Gooch and Mayor Pro Tem Smith voting "Aye," and Councilmembers Baughn, Callison, Chinn, Hensley and Hope voting "No."

A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR, AND ACCEPT IF AWARDED, A GRANT FROM THE JAPAN WORLD EXPOSITION 1970 COMMEMORATIVE FUND IN AN AMOUNT UP TO \$100,000.00 TO CONSTRUCT A PAVILION TO HOUSE THE FRIENDSHIP BELL; SAID GRANT REQUIRING A 50/50 MATCH.

Councilmember Hensley moved for approval of the resolution, and Councilmember Callison seconded. City Manager Mark Watson provided an overview of the resolution, and Recreation and Parks Director Jon Hetrick answered questions from Council.

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

A RESOLUTION APPROVING A PROJECT DEVELOPMENT AGREEMENT WITH ENERGY SYSTEMS GROUP, LLC, JOHNSON CITY, TENNESSEE, TO CONDUCT AN ENERGY AUDIT OF DESIGNATED CITY AND SCHOOL FACILITIES AS THE INITIAL PHASE OF AN OVERALL ENERGY SAVINGS PERFORMANCE PROJECT.

Mayor Pro Tem Smith moved to approve the resolution, and Councilmember Callison seconded. City Manager Mark Watson provided an overview of the resolution.

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

A RESOLUTION WAIVING COMPETITIVE BIDS AND AUTHORIZING THE CITY TO ENTER INTO A CONTRACT FOR LABOR AND EQUIPMENT TO CONSTRUCT IMPROVEMENTS TO THE CITY'S WATER DISTRIBUTION SYSTEM AT THE MAIN STREET OAK RIDGE PROJECT SITE.

Councilmember Hensley moved for approval of the resolution, and Councilmember Callison seconded. City Manager Mark Watson provided an overview of the resolution, and Public Works Director Shira McWaters and Ray Evans answered questions from Council.

Mayor Pro Tem Smith moved to amend the resolution by deleting the words "estimated to be \$30,000 to" and adding the words "not to exceed \$40,000."

The amendment was adopted unanimously by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

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

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of Ordinances

AN ORDINANCE TO AMEND ORDINANCE NO. 19-82, AS AMENDED, BY DELETING THE PROVISION OF SECTION 2 PERTAINING TO THE SCHEDULE OF WATER RATES FOR COMMODITY CHARGES AND MINIMUM MONTHLY BILLING IN ITS ENTIRETY, AND SUBSTITUTING THEREFOR A NEW SCHEDULE OF WATER RATES.

Councilmember Callison moved for approval of the ordinance, and Mayor Pro Tem Smith seconded. City Manager Mark Watson provided an overview of the ordinance, and Finance Director Janice McGinnis answered questions from Council.

Councilmember Chinn moved to amend the ordinance to change the rate for 20,000 gallons or more from \$1.08 to \$3.00 for FY2017, and Councilmember Hensley seconded.

Danielle Westcott, 107 Melton Lake Drive, Oak Ridge, stated that she felt like the \$3.00 amendment is fair.

The amendment was approved by board vote with Councilmembers Baughn, Chinn, Hensley and Hope voting "Aye," and Councilmember Callison, Mayor Gooch and Mayor Pro Tem Smith voting "No."

The ordinance was approved as amended by board vote with Councilmembers Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye," and Councilmembers Baughn and Callison voting "No."

Mayor Gooch moved that consideration of the ordinance pertaining to wastewater rates be moved down on the agenda to the end of Final Adoption of Ordinances in order to move straight to the public hearing on the rezoning of Melton Lake Drive, and Mayor Pro Tem Smith seconded. The motion was approved unanimously by voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

FINAL ADOPTION OF ORDINANCES

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 AN APPROXIMATE 2.50 ACRE PORTION OF PARCEL 003.00, ANDERSON COUNTY TAX MAP 094E, GROUP A, FROM B-2, GENERAL BUSINESS TO IND-1, INDUSTRIAL, SAID PARCEL BEING LOCATED AT 110 MELTON LAKE DRIVE.

Councilmember Callison moved for approval of the ordinance, and Councilmember Hope seconded.

Councilmember Hensley moved to open the public hearing, and Councilmember Callison seconded.

Danielle Westcott, 107 Melton Lake Drive, addressed Council in opposition to the rezoning due to the potential increase in heavy equipment traffic on Melton Lake Drive.

Tom Fox, owner of Fox Auto Salvage, stated that the company that is potentially moving into the site is a company that specializes in pipeline installation, equipment rental and sales. They are currently located on Parkside Drive in Knoxville but do not have enough space at their current location.

Councilmember Hope moved to close the public hearing, and Councilmember Hensley seconded. The motion was approved unanimously by voice vote with The motion was approved unanimously by voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye."

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

AN ORDINANCE CLOSING THE PORTION OF FAIRBANKS ROAD BETWEEN BRIARCLIFF AVENUE AND EMORY VALLEY ROAD TO PUBLIC TRAVEL.

Councilmember Callison moved for adoption of the ordinance, and Councilmember Hope seconded.

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

AN ORDINANCE TO AMEND ORDINANCE NO. 17-98 (AS AMENDED), SECTION 1, TO INCREASE THE MONTHLY RESIDENTIAL REFUSE COLLECTION FEE FROM \$10.50 TO \$14.00 AND TO CLARIFY LANGUAGE REGARDING THE FEE.

Councilmember Callison moved for adoption of the ordinance, and Councilmember Chinn seconded.

Anne Garcia Garland, 120 Outer Drive, Oak Ridge, stated that when the city can renegotiate the garbage contract, there will be an opportunity to decrease the rates.

The ordinance was adopted by board vote with Councilmembers Callison, Chinn, Hensley, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye," and Councilmember Baughn voting "No."

AN ORDINANCE TO AMEND ORDINANCE NO. 21-82, AS AMENDED, BY DELETING THE PROVISION OF SECTION 13 PERTAINING TO THE SCHEDULE OF WASTEWATER RATES IN ITS ENTIRETY, AND SUBSTITUTING THEREFOR A NEW SCHEDULE OF WASTEWATER RATES.

Councilmember Callison moved for approval of the ordinance, and Mayor Pro Tem Smith seconded.

The ordinance was approved by board vote with Councilmembers Callison, Chinn, Hope, Mayor Gooch and Mayor Pro Tem Smith voting "Aye," and Councilmembers Baughn and Hensley voting "No."

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Announcements

Scheduling

Mayor Gooch reminded Council that there is a work session scheduled for next Tuesday, September 20.

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

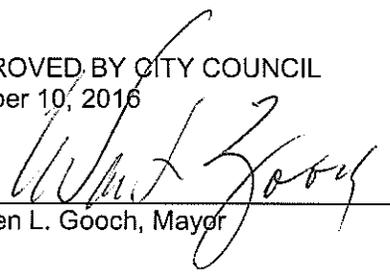
SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

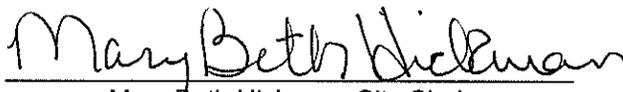
CITY ATTORNEY'S REPORT

ADJOURNMENT: 11:21 p.m.

APPROVED BY CITY COUNCIL
October 10, 2016



Warren L. Gooch, Mayor



Mary Beth Hickman, City Clerk