

**OAK RIDGE CITY COUNCIL MEETING**  
Municipal Building Courtroom

February 8, 2016

Minutes

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on January 11, 2016 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

**INVOCATION**

Pastor Robert May, Oak Ridge Family Bible 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; Janice E. McGinnis, Finance Director; Bruce Applegate, Acting City Clerk; and Kenneth R. Krushenski, City Attorney.

**APPEARANCE OF CITIZENS**

Martin McBride, 954 W. Outer Drive, provided a response to the DOE's recent letter about DOE travel practices and emphasized the need for increased communication between the DOE and the City.

**PROCLAMATIONS AND PUBLIC RECOGNITIONS**

*A proclamation honoring Terry Domm.*

Mayor Pro Tem Smith moved to adopt, and Councilmember Hope seconded. The proclamation was unanimously adopted by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

*A proclamation honoring William R. "Randy" Tedford.*

Mayor Pro Tem Smith moved to adopt, and Councilmember Chinn seconded. The proclamation was unanimously adopted by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

*A proclamation designating March 4, 2016 as Arbor Day.*

Councilmember Hope moved to adopt, and Mayor Pro Tem Smith seconded. The proclamation was unanimously adopted by board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

**SPECIAL REPORTS**

*City Attorney Evaluation Committee report, by Chair Chuck Hope.*

Councilmember Hope moved, and Councilmember Hensley seconded.

City Council provided comments on the City Attorney's performance prior to voting on the resolution.

**A RESOLUTION TO AMEND THE CITY ATTORNEY'S EMPLOYMENT AGREEMENT TO EXTEND THE TERM BY ONE YEAR AND TO PROVIDE FOR AN EQUIVALENT TWO PERCENT (2%) SALARY INCREASE RETROACTIVE TO MARCH 1, 2015.**

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

Agenda Addition

Prior to the consent agenda Councilmember Hensley moved to add a resolution to accept a grant from Tennessee Valley Authority (TVA) related to the extreme energy makeover project; to approve a professional services agreement with Gilmartin Engineering Works, Inc., to administer the grant; and to authorize the expenditure of grant funds. The motion was seconded by Mayor Pro Tem Smith.

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

**CONSENT AGENDA**

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

Approval of the January 11, 2016 City Council meeting minutes.

Approval of the January 19, 2016 City Council special meeting minutes.

**A RESOLUTION AWARDING A CONTRACT TO INGRAM EQUIPMENT COMPANY, LLC, PELHAM, ALABAMA, TO REFURBISH THE VAC-CON SEWER VACUUM TRUCK FOR THE PUBLIC WORKS DEPARTMENT IN THE ESTIMATED AMOUNT OF \$80,000.00.**

**A RESOLUTION AUTHORIZING THE TRANSFER OF TAX EQUIVALENTS FROM THE ELECTRIC AND WATERWORKS FUNDS TO THE GENERAL FUND FOR THE FISCAL YEAR ENDING JUNE 30, 2016, AND TO AUTHORIZE ITS DISTRIBUTION BETWEEN THE CITY OF OAK RIDGE AND ANDERSON AND ROANE COUNTIES IN ACCORDANCE BY STATE LAW.**

**RESOLUTIONS**

**A RESOLUTION INDICATING THE INTENT OF CITY OF OAK RIDGE, TENNESSEE, TO ISSUE ITS BONDS OR OTHER OBLIGATION OF INDEBTEDNESS TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF SCHOOL FACILITIES FOR USE AS A PRE-KINDERGARTEN.**

Councilmember Hensley moved, seconded by Councilmember Callison. The City Manager provided an overview of the need for adoption, and answered questions from City Council.

Anne Garcia Garland, 120 Outer Drive, voiced concern that citizens cannot see how councilmembers vote on their screens at home. Additional concerns were voiced about the removal of a widely used neighborhood park, and a lack of options for temporary measures.

Joseph Lee 99, E. Pasadena Rd., voiced support of this resolution and believes the numbers put forth are legitimate, and reminded councilmembers that this is Oak Ridge and supporting education is what we do.

Keys Fillauer, commented on time being a factor in making a good decision for a quick time period and believes information has been taken out of context regarding education and the Oak Ridge City Schools.

Martin McBride, 954 W. Outer Dr., commented on the direction the Department of Energy is going relative to this city, and the effect it has on the town. He stated that Anderson and Roane County lost 20% of their workforce (roughly \$90 million dollars lost revenue) due to changes in DOE practices.

Mayor Pro Tem Smith responded to citizen comments, and identified that the joint committee had addressed many of the issues brought forward before making their recommendation.

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

**A RESOLUTION TO ACCEPT A GRANT FROM TENNESSEE VALLEY AUTHORITY (TVA) RELATED TO THE EXTREME ENERGY MAKEOVER PROJECT; TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH GILMARTIN ENGINEERING WORKS, INC., TO ADMINISTER THE GRANT; AND TO AUTHORIZE THE EXPENDITURE OF GRANT FUNDS.**

Councilmember Hensley moved, and Mayor Pro Tem Smith seconded. Councilmember Chinn recused himself, and removed himself from the dais for the duration of the discussion and vote. The City Manager provided a brief overview of the program, followed by Bruce Applegate, Assistant to the City Manager, who added details and a progress update on the program.

Councilmember Baughn moved to divide the question. The motion was seconded by Councilmember Hope. The resolution would be divided into three resolutions with the following foci: Grant Acceptance, Professional Services Agreement with Gilmartin Engineering Works, Inc., and an authorization to expend grant funds.

Vote to separate motion failed with Councilmembers Baughn, Hope, and Mayor Gooch voting "Aye," and Councilmembers Callison, Hensley, and Mayor Pro Tem Smith voting "Nay."

The City Manager, Assistant to the City Manager, and Gary Gilmartin of Gilmartin Engineering Works, Inc. provided additional information and responded to questions from City Council.

Anne Garcia Garland, 120 Outer Drive, asked questions from Gary Gilmartin, and commented on the need to have discussed the resolution at a work session. Gary Gilmartin of Gilmartin Engineering Works, Inc. responded to Anne Garcia Garland's questions.

David Kitzmiller, 144 Wellington Circle, commented on the need to address purchasing contracts as they continue to detract from the professionalism of the Council when brought up.

Leonard Abbatiello, 110 Dover Ln., commented on his interest in the program as well as his uneasiness with the awarding of the professional services agreement as laid out in the resolution.

Councilmembers responded to Mr. Abbatiello's comments.

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

**PUBLIC HEARINGS AND FIRST READING OF ORDINANCES**

AN ORDINANCE TO AMEND TITLE 14, TITLED "ZONING AND LAND USE CONTROL," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING CHAPTER 5, TITLED "EROSION CONTROL AND STORMWATER MANAGEMENT," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW CHAPTER 5, TITLED "STORMWATER MANAGEMENT," FOR THE PURPOSE OF COMPLIANCE WITH THE STATE OF TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC) MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PROGRAM.

Councilmember Hope moved, and Councilmember Baughn seconded, to adopt the resolution. The City Manager and Pat Fallon provided an overview of the ordinance and responded to questions from Council.

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

**FINAL ADOPTION OF ORDINANCES**

**ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

**Elections/Appointments**

**Announcements**

Councilmember Hensley commented that Steve Whitson is now the Planning Commission Chair.

Councilmember Chinn announced the first meeting of Oak Ridge Corridor Committee had occurred, and the next meeting was scheduled in two weeks.

Councilmember Hope announced he had been at the start of the teardown of K-27, and asked for an update from the City Manager about the hurdles the mall project was facing.

**Scheduling**

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

Mayor Pro Tem Smith requested an update on the following items: 1) Investigation that staff was doing about some type of Uber type program for drivers within our community. Hybrid program for driving services for those who cannot drive themselves. 2) Some liquor store rules have been relaxed with allowance of wine in grocery stores, look into current ordinances to see if there are any current issues with standing alcohol ordinances. 3) Would like to revisit council rules and procedures. 4) Progress on vacant buildings ordinance requiring registration.

**SUMMARY OF CURRENT EVENTS**

**CITY MANAGER'S REPORT**

The City Manager provided an update on the dissolution of the contract extension with Waste Connections, and provided an update on the equalization basins completion time table.

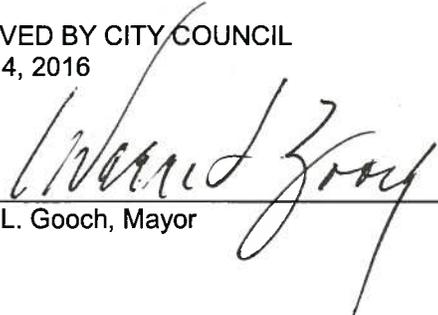
**CITY ATTORNEY'S REPORT**

**ADJOURNMENT: 9:17 p.m.**



Mary Beth Hickman, City Clerk

APPROVED BY CITY COUNCIL  
March 14, 2016

  
Warren L. Gooch, Mayor