

**MINUTES OF THE
OAK RIDGE CITY COUNCIL**

May 11, 2015

The regular meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on May 11, 2015, in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

INVOCATION

The Invocation was delivered by Pastor Shane Nivens, Hope Covenant Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was led by Councilmember Rick Chinn, 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; Kenneth R. Krushenski, City Attorney; Janice E. McGinnis, Finance Director; and Diana R. Stanley, City Clerk.

APPEARANCE OF CITIZENS

Ms. Anne Garcia Garland, 120 Outer Drive, requested an update on the Oak Ridge Police Department Review performed by the Municipal Technical Advisory Service (MTAS) following City Council's transmittal of new review parameters. Mayor Gooch explained that he would be in contact with Mr. Jim Thomas, Executive Director, in the week to initiate clarification.

Ms. Myra Mansfield, 103 Hendrix Drive, requested that City Council consider a new proposal with other potential vendors for the Oak Ridge Police Department review.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation designating June 12 and 13, 2015 as "Secret City Festival Time."

Councilmember Hope moved, seconded by Mayor Pro Tem Smith that the proclamation be adopted.

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

Jane Gibson, Chair of the Secret City Festival Executive Committee, spoke regarding concert entertainment for the Secret City Festival and accepted the proclamation alongside Jon Hetrick, Recreation and Parks Director; Marc DeRose, Oak Ridge Convention and Visitors Bureau Executive Director; and Dave Eckman, Arts Council of Oak Ridge Executive Director.

A proclamation designating May 11, 2015 as "Robertsville Middle School Boys' Basketball Varsity Team Day."

Councilmember Hope moved, seconded by Councilmember Baughn that the proclamation be adopted.

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

The proclamation was accepted by the Robertsville Middle School Boys' Basketball Varsity Team and Head Coach Jon Spratling.

A proclamation designating May 10-16, 2015 as "Police Week" and May 15, 2015 as "Police Memorial Day."

Councilmember Baughn moved, seconded by Councilmember Hope that the proclamation be adopted.

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

Oak Ridge Chief of Police James Akagi accepted the proclamation and spoke to the Police Memorial Day commemoration on May 15, 2015.

A presentation of the Tree Line USA Award to the City Council.

Oak Ridge Electric Department Division Manager Margaret Elgin presented the Tree Line USA Award to the City Council. Additionally, Ms. Elgin gave special recognition to Butch Webb, Electric Line Technician, and Roger Chadwell, Electric Operation Superintendent.

SPECIAL REPORTS

(NONE)

CONSENT AGENDA

Councilmember Chinn moved, seconded by Councilmember Hope to approve the Consent Agenda as presented. 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 April 13, 2015 City Council meeting minutes.
- Approving the April 21, 2015 City Council Special Meetings minutes.
- Adopting **Resolution No. 05-41-2015** approving a contract with Backflow Specialty Company, Inc., P.O. Box 12162, Knoxville, Tennessee 37912 for the furnishing of all labor, tools, materials, equipment and supplies necessary for testing of approximately 1650 backflow preventers in the estimated amount of \$35.00 per unit for an estimated annual amount of \$57,750.00.
- Adopting **Resolution No. 05-42-2015** approving a contract with the Tennessee Department of Transportation (TDOT) for maintenance of state highways within the corporate city limits whereby the City is reimbursed by TDOT for said services in the amount of \$141,175.35.
- Adopting **Resolution No. 05-43-2015** granting a permit to Aaron Wells and Vander J. Murray to engage in the retail sale of alcoholic beverages in the City of Oak Ridge at Lizz's Wine & Spirits, 1505 Oak Ridge Turnpike, and waiving the residency requirement for Mr. Murray.
- Adopting **Resolution No. 05-44-2015** authorizing the Mayor to sign and issue on behalf of the City of Oak Ridge Certificates of Compliance for Aaron Wells and Vander J. Murray to engage in the retail sale of alcoholic beverages at Lizz's Wine & Spirits, 1505 Oak Ridge Turnpike.

- Adopting **Resolution No. 05-45-2015** to request unclaimed balance of accounts remitted to State Treasurer under Unclaimed Property Act.
- Adopting **Resolution No. 05-46-2015** to accept a \$158,452.00 Assistance to Firefighter Grant (AFG) Award from the Federal Emergency Management Agency (FEMA) for Oak Ridge Fire Department safety equipment.

RESOLUTIONS

Resolution No. 05-47-2015

A RESOLUTION AWARDING A CONTRACT (FY2016-001) TO KNOX BLOUNT MAINTENANCE, INC., P.O. BOX 52973, KNOXVILLE, TENNESSEE 37950-2973 FOR THE FURNISHING OF JANITORIAL SERVICES FOR CITY FACILITIES IN THE ESTIMATED AMOUNT OF \$214,935.09.

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

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

Resolution No. 05-48-2015

A RESOLUTION TO APPROVE A LEASE EXTENSION AGREEMENT BETWEEN THE CITY OF OAK RIDGE, TENNESSEE, AND ANDERSON COUNTY, TENNESSEE TO LEASE SPACE AT THE DANIEL ARTHUR REHABILITATION CENTER FOR THE PURPOSE OF OPERATING A SENIOR CENTER.

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

Ms. Elizabeth Batchelor, 119 Greystone Drive, member of the Senior Advisory Board (SAB), expressed her concurrence with the resolution and commented that she hopes that the passage of the resolution would initiate dialogue for a senior center. Additionally, Ms. Batchelor noted that the month of May, 2015 was proclaimed "Older Americans Month" by Barack Obama, President of the United States of America.

The resolution was adopted by unanimous 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

First Reading of Ordinances (No Public Hearing Required)

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 that the ordinance be approved 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. 07-2015

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 PARCELS 036.00 AND 003.00,

ANDERSON COUNTY TAX MAP 099L, GROUP A, FROM B-2 GENERAL BUSINESS DISTRICT PUD TO UB-2, UNIFIED GENERAL BUSINESS PUD AND APPROVING THE PLANNED UNIT DEVELOPMENT MASTER PLAN FOR SAID PARCELS.

Mayor Pro Tem Smith moved, seconded by Councilmember Hensley to approve the ordinance during final adoption.

Mayor Gooch moved to amend the ordinance, per staff's recommendation, to approve a revised Main Street Oak Ridge Planned Unit Development (PUD) Master Plan (which would add 72 additional multi-family [apartment] units). The amendment was seconded by Councilmember Hensley.

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

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

Ordinance No. 08-2015

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING ARTICLE VII, TITLED "PARKING AND BUSINESS DISTRICTS" SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," AS FOLLOWS: BY DELETING SUBSECTIONS (A)(12), (A)(13), (A)(14) AND (A)(17) WITHOUT REPLACEMENT AND BY ADDING A NEW SUBSECTION (A)(19) TO ADD PUBLIC MUSEUMS AS A PERMITTED PRINCIPAL USE; BY AMENDING THE TITLE OF SUBSECTION (C) TO "SPECIAL EXCEPTIONS" FOR CONSISTENCY WITHIN THE ZONING ORDINANCE; BY AMENDING THE INTRODUCTORY LANGUAGE OF SUBSECTION (C) TO INCLUDE THE WORD "ZONING" IN THE PHRASE "BOARD OF APPEALS;" AND BY AMENDING SUBSECTION (C) TO DELETE PUBLIC MUSEUM; CEMETERY; WHOLESALE, STORAGE AND WAREHOUSE FACILITY, FREEZER AND LOCKER; AND TRANSITIONAL ACCESSORY USES AS SPECIAL EXCEPTIONS AND TO ADD MULTIFAMILY DWELLINGS AS PART OF A PLANNED UNIT DEVELOPMENT AS A SPECIAL EXCEPTION.

Councilmember Hensley moved, seconded by Councilmember Hope to approve the ordinance during final adoption.

The Mayor opened the floor to receive comments as part of the scheduled public hearing.

No citizens participated in the public hearing.

Following closure of the public hearing, 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

Appointment of Councilman Charles J. Hope, Jr. to the Youth Advisory Board Screening Panel.

Mayor Pro Tem Smith moved, seconded by Councilmember Hensley to accept the nomination of Councilmember Hope to the Youth Advisory Board Screening Panel.

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

Announcements

Communication received from the State of Tennessee Comptroller of the Treasury Director of the Office of State and Local Finance.

Per the request from the State of Tennessee, Comptroller of the Treasury, the following was read aloud by the City Clerk during the May 11, 2015 meeting:

Dear Mayor Gooch, Mr. Watson, and Councilmembers:

This letter should be included in the minutes of the next meeting of the City Council with a copy provided to each Councilmember. In the City's fiscal year 2015 budget approval letter dated December 30, 2014, this Office asked the City Council to review the working capital requirements for the Solid Waste Fund to determine the necessary level of cash needed to sustain its operations. As part of this review, we asked the City Council to make a recommendation for the amount of cash required to sustain its operations.

City's Review and Working Capital Recommendation

The City Council determined that it would dissolve the Solid Waste Fund and transfer its activities to the General Fund. Mr. Watson stated in the City's response letter that the City Council would appropriately amend the City's budget ordinance to facilitate this action. In accordance with generally accepted accounting principles, the City reported Solid Waste activities in the General Fund. State statutes had previously required that the City budget the Solid Waste Fund activities in a separate fund. By dissolving this separate fund, the condition creating the zero fund balance is eliminated.

Thank you for providing us with the results of the City's review and the Council's action to address the zero beginning and ending fund balance in the Solid Waste Fund.

Sincerely,
Sandra Thompson, Director of the Office of State and Local Finance

No action was taken by the City Council regarding the above communication.

Scheduling

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Councilmember Hensley announced the 2015 Housing Strategy Work Session was scheduled for May 14, 2015 at the Oak Ridge Chamber of Commerce.

Councilmember Baughn inquired about a timeline regarding City Council receiving an update on the pending MTAS response regarding the new Oak Ridge Police Department Review parameters to which Mayor Gooch responded that he would be speaking with the MTAS Executive Director soon and would advise City Council of a response.

Mayor Pro Tem Smith inquired about a process for filling the near expiring terms of the high school representatives for the Traffic Safety Advisory Board and the Environmental Quality Advisory Board, as well as a process for filling the current vacant positions for other boards. The City Manager noted that he would be working with the City Clerk to review those vacancies.

Councilmember Chinn inquired about concealing the equalization basins at Emory Valley Road and Illinois Avenue. City Manager Mark Watson explained that city staff is exploring options through the use of paint and possible plant vegetation to minimize their appearances. Additionally, Public Works Director Gary Cinder provided an update on the progress of the Jackson Square Revitalization Project and Blankenship Parking Lot to satisfy inquiries from Mayor Gooch and Councilmember Chinn.

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

As part of his report, the City Manager provided the following updates:

Expressed his appreciation for a satisfactory job to Bruce Applegate, Assistant to the City Manager for his assistance with the 14001 ISO project regarding environmental housing issues.

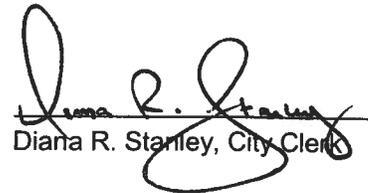
Indicated that staff is moving forward with the 8th rowing lane project for Melton Lake.

Updated the Council regarding the recent appeal from UT-Battelle with Roane County on a building and its impact on the City's taxes. Additionally, the City Manager cautioned about delays on tax projections provided from Roane County to the City.

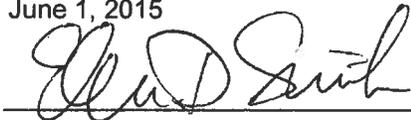
CITY ATTORNEY'S REPORT

ADJOURNMENT

The meeting adjourned at 7:55 p.m.


Diana R. Stanley, City Clerk

APPROVED BY CITY COUNCIL
June 1, 2015


Ellen D. Smith, Mayor Pro Tem