

**MINUTES OF THE  
OAK RIDGE CITY COUNCIL**

**March 26, 2012**

The Mayor's special called meeting of the City Council of the City of Oak Ridge, Tennessee convened at 6:00 p.m. on March 26, 2012, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

**INVOCATION**

The Invocation was given by Councilmember David N. Mosby.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag of the United States of America was given by Mr. David Bradshaw.

**ROLL CALL**

Upon roll call, the following councilmembers were present: Mayor Thomas L. Beehan; Councilmember Anne Garcia Garland; Councilmember L. Charles Hensley; Councilmember Charles J. Hope, Jr.; Mayor Pro Tem D. Jane Miller; Councilmember David N. Mosby; and Councilmember Ellen D. Smith.

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

**FINAL ADOPTION OF ORDINANCES**

**Ordinance No. 01-2012**

**AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE," BY AMENDING SECTION 15-101, TITLED "DEFINITIONS," TO CORRECT THE INTRODUCTORY LANGUAGE TO STATE THE DEFINITIONS APPLY WHEN USED IN THIS TITLE AND TO ADD TWO NEW DEFINITIONS: "RECREATIONAL VEHICLES," AND "UTILITY TRAILERS"; AND BY AMENDING CHAPTER 6, TITLED "STOPPING, STANDING AND PARKING," TO CREATE A NEW SECTION 15-617, TITLED "PARKING OF RECREATIONAL VEHICLES AND UTILITY TRAILERS IN MARKED AND UNMARKED ON-STREET PARKING SPACES," TO ADDRESS PARKING CONCERNS.**

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller that the ordinance be adopted.

The City Manager explained that there are three (3) amendments that will be considered by City Council that modifies the ordinances that was passed on first reading. Mr. Watson indicated that the amendments presented address concerns expressed by councilmembers.

Councilmember Hope moved to amend the ordinance in accordance with staff's recommendation to increase the temporary parking of recreational vehicles and utility trailers on on-street parking from three (3) to seven (7) consecutive days, which was seconded by Councilmember Hensley.

Councilmember Smith moved to amend the amendment on the floor to change Section 15-617, paragraph 2, to read as follows:

Notwithstanding any provisions to the contrary, an operational recreational vehicle or utility trailer may be temporarily legally parked or stored within marked or unmarked on-street parking on any public street for a period of time not to exceed three (3) consecutive days for the purpose of loading, unloading, trip preparation, or minor maintenance and repair. Motorhomes or campers in

the possession of nonresident visitors may be parked for a period not to exceed seven (7) consecutive days for the purpose of visitation. However, vehicles temporarily parked in accordance with this section may not be relocated to another on-street location after the expiration of the permitted temporary parking period, and at no time shall any un-mounted camper enclosure, personal watercraft carrier, or boat not mounted on a utility trailer be parked or stored within any designated on-street parking space.

She indicated that three days is adequate time for loading/unloading activities and that a seven day period should be granted for visitation of non-residents by way of campers or motorhomes, but not allow said vehicle to travel and continue to stay throughout the City. Councilmember Smith's motion was seconded by Councilmember Garcia Garland.

The City Manager explained that the reason for the seven day period was for simplicity for staff and convenience of the vehicle operators. Councilmember Hensley and Hope expressed support for the seven-day period as recommended by staff. Councilmember Garcia Garland explained that she interpreted Councilmember Smith's amendment to provide for a permit process for recreational vehicles. Upon hearing staff's explanation, Councilmember Smith withdrew her amendment with Councilmember Garcia Garland's consent. Councilmember Smith moved to amend the amendment on the floor to change Section 15-617, paragraph 2, second sentence to read as follows:

However, vehicles temporarily parked in accordance with this section may not be relocated to another on-street location after the expiration of the allowed temporary parking period, and at no time shall any un-mounted camper enclosure, personal watercraft carrier, or boat not mounted on a utility trailer be parked or stored within any designated on-street parking space.

The motion was seconded by Councilmember Garcia Garland.

Following brief deliberation among City Staff and City Council regarding vehicle movement determination and enforcement, Councilmember Smith's amendment was approved by board vote with Councilmembers Garcia Garland, Hensley, Hope, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye." Councilmember Mosby abstained.

The original amendment as amended was approved unanimously by board vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Councilmember Smith moved, seconded by Councilmember Hensley to amend the ordinance with the second suggested amendment by staff to delete the definition for commercial/oversized vehicles.

In response to Councilmember Garcia Garland's concerns that this amendment does not address the parking of large vehicles, the City Manager explained that the issue is addressed in the ordinance proposed on first reading at the next meeting, which clarifies current parking provisions in the City Code.

Following discussions between Councilmember Mosby and the City Manager, the amendment was approved by board vote with Councilmembers Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye." Councilmember Garcia Garland voted "Nay."

The ordinance was approved as amended twice unanimously by board vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

#### **Ordinance No. 2-2012**

**AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING SECTION 11.02, TITLED "REQUIRED OFF-STREET PARKING," SUBSECTION (D), TITLED "RESIDENTIAL PARKING," TO ADD PROVISIONS PERTAINING TO CURB CUTS FOR OFF-STREET RESIDENTIAL PARKING, TO ALLOW PARKING IN SIDE AND REAR YARDS IN RESIDENTIAL DISTRICTS PROVIDED SUCH PARKING IS OUTSIDE**

**THE REQUIRED SETBACK, AND TO PROHIBIT PERMANENT LIVING INSIDE A PARKED OR STORED VEHICLE IN A RESIDENTIAL DISTRICT, AND TO AMEND RESERVED SUBSECTION (E) TO DEDICATE SAID SUBSECTION TO FRONT YARD PARKING REGULATIONS.**

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller that the ordinance be adopted.

Following a brief explanation regarding staff's proposed amendment to the Zoning Ordinance regarding prevention of siltation and erosion, Mayor Pro Tem Miller moved, seconded by Councilmember Smith that the amendment be approved.

The City Manager and City Council deliberated briefly and then approved the amendment unanimously by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Senior Staff Attorney Tammy Dunn reviewed the second amendment to the Zoning Ordinance pertaining to the reference to commercial/oversized vehicles. Councilmember Smith moved, seconded by Councilmember Hope that the amendment be approved.

The amendment was approved by voice vote with Councilmembers Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember Garcia Garland voting "Nay."

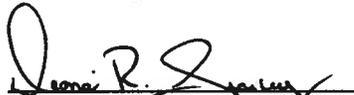
A public hearing was then held with no participation.

Councilmember Smith discussed, for future consideration, adding other provisions into existing ordinances in the interest of public safety, such as parking with a certain distance of a stop sign. Councilmember Mosby inquired about the City Manager's authority in the City Code to limit or restrict on street parking. The City Manager responded he would use that authority for emergencies, safety hazards, density issue, and etcetera.

The ordinance was approved, as amended, unanimously by board vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

**ADJOURNMENT**

The meeting adjourned at 6:55 p.m.

  
Diana R. Stanley, City Clerk

APPROVED BY CITY COUNCIL

April 9, 2012



Thomas L. Beehan, Mayor