

COMMISSION MEETING MINUTES

JUNE 5, 2014

A MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, TENNESSEE was held in the Commission Chambers of the Municipal and Safety Building, 601 East Main Street, Johnson City, Tennessee on Thursday, June 5, 2014.

PRESENT: Mayor Ralph Van Brocklin, Vice-Mayor Clayton Stout, Commissioners Jeff Banyas, Jenny Brock and David Tomita, Pete Peterson, City Manager, and Janet Jennings, City Recorder.

Mayor Ralph Van Brocklin called the meeting to order at 6:02 p.m.

At this time, Reverend George Rolling, Pastor, Watauga Avenue Presbyterian Church, gave the invocation, which was followed by the pledge of allegiance.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by four ayes. Mayor Ralph Van Brocklin abstained from the vote. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the minutes of the regularly scheduled City Commission Meeting held on Thursday, May 15, 2014, be and the same are hereby approved.

At this time, Mayor Ralph Van Brocklin opened the public input session. No one spoke.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a beer license for Tupelo Honey Hospitality Corporation, 300 Buffalo Street, Johnson City, Tennessee, contingent on issuance of the certificate of occupancy, be and the same is hereby approved. The applicant was not present.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a beer license for Senor Papa's & Beer LLC, 2904 Bristol Highway, Johnson City, Tennessee, be and the same is hereby approved. Jose Luis Solis, applicant/owner, was present.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a street closing on Saturday, June 14, 2014, from 8:00 a.m. until 9:00 a.m., as requested by the Greater Love COGIC, for the Charity Food Race to raise money for an orphanage in Nicaragua, be and the same is hereby approved. The applicant was not present. The Mayor and Commissioners instructed the City Manager to communicate to applicants (beer licenses, street closures, etc.) that their presence is required at the City Commission meeting at which their application is being considered. Previously, it was recommended (not required) that they be present.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a street closing on Monday, June 9, 2014, through Friday, June 13, 2014 from 5:00 p.m. until 9:00 p.m. daily, as requested by Thankful Baptist Church for Vacation Bible School, be and the same is hereby approved. The applicant was not present.

At this time, Mitch Miller presented the budget request for the Washington County Economic Development Council.

At this time, Grant Summers presented the budget request for the Johnson City Convention and Visitors Bureau.

At this time, Dan Wheelley presented the budget request for the Washington County/Johnson City Emergency Medical Services, Inc.

At this time, Bob McNeil presented the budget request for the Washington County Emergency Communications District E 9-1-1.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Consent Agenda for June 5, 2014 with the exception of: Bid for construction of Cardinal Park Souvenir/Ticket Building submitted by Armstrong Construction in the amount of \$130,790 and Replacement of the logo at Kermit Tipton Stadium by AstroTurf in the amount of \$26,050, be and the same is hereby approved.

**CONSENT AGENDA:**

**A. GENERAL:**

**i. Transit**

Consider approval of TDOT contract for Section 5309 Capital Funding, TDOT Project Number 905309-S3-007

**ii. Water & Sewer Services**

Consider a Materials Agreement for Highland Parc Phase IV Subdivision in the amount of \$43,870.62

iii. **Police**

Consider request to apply for the Bureau of Justice Assistance (BJA) FY 2014 Local Solicitation Grant for the Special Prosecutor Program in the amount of \$21,849.00

iv. **Public Works Department**

Consider Change Order #1 for Inland Construction Company on the Tweetsie Trail Bridge Project in the amount of \$4,350.00

v. **Public Works Department**

Consider Planning Assistance Agreement with US Army Corps of Engineers to develop a hydraulic modeling tool for the evaluation of the Brush Creek and King Creek confluence in the amount of \$100,000.00

vi. **Johnson City Schools**

Consider Change Order #1 for Morristown Roofing on the Science Hill High School Partial Re-roofing Project. This request adds five-(5) days on to the completion date with no cost increase.

**B. INVOICES:**

- i. Intennetwork Engineering . . . . . \$332,422.75  
Johnson City Schools  
Wireless Equipment & Installation for Various Schools  
Funding Source: Washington County Funds
- ii. Shaw & Shanks Architects. . . . . \$1,924.24  
Johnson City Schools  
Science Hill High School Partial Re-roofing  
Funding Source: Washington County Bond Fund
- iii. HVAC Inc . . . . . \$217,312.50  
Johnson City Schools  
Science Hill High School HVAC Upgrade  
Funding Source: Washington County Bond Funds
- iv. Burleson Construction Company. . . . . \$2,287.50  
Johnson City Schools  
Science Hill High School HVAC Upgrade  
Funding Source: Washington County Bond Funds
- v. Preston Construction Company . . . . . \$5,024.55  
Johnson City Schools  
Science Hill High School Sidewalk Canopies  
Funding Source: Washington County Funds

- vi. Preston Construction Company. . . . . \$14,886.49  
 Johnson City Schools ~ Pay Request #4  
 Freedom Hall Civic Center New Sidewalk & Exterior Steps  
 Funding Source: Washington County Funds
  
- vii. Preston Construction Company . . . . .  
 \$4,873.73  
 Johnson City Schools ~ Pay Request #5  
 Freedom Hall Civic Center New Sidewalk & Exterior Steps  
 Funding Source: Washington County Funds
  
- viii. Mechanical Design Services. . . . . \$4,413.57  
 Administration  
 Freedom Hall Civic Center HVAC Modifications  
 Funding Source: Washington County Funds
  
- ix. Tipton Construction Company. . . . . \$30,733.50  
 Water & Sewer Services ~ **FINAL PAY REQUEST**  
 Liberty Bell 16" Water Transmission Main  
 Funding Source: Water/Sewer Bond Funded
  
- x. CDM Smith . . . . . \$42,624.86  
 Water & Sewer Services  
 Brush Creek & Knob Creek WWTP Improvements  
 Funding Source: Water/Sewer Bond Funded
  
- xi. Thomas Construction Company. . . . . \$58,552.86  
 Water & Sewer Services  
 Pay Request #2 ~ Galvanized Waterline Replacement  
 Funding Source: Water/Sewer Budgeted Expense
  
- xii. Lamar Dunn & Associates . . . . . \$2,100.00  
 Water & Sewer Services ~ Work Order #3  
 Invoice # JCT112-13 ~ Liberty Bell Tank Transmission  
 Line  
 Funding Source: Water/Sewer Bond Funded
  
- xiii. Lamar Dunn & Associates . . . . . \$2,100.00  
 Water & Sewer Services ~ Work Order #3  
 Invoice # JCT112-14 ~ Liberty Bell Tank Transmission  
 Line  
 Funding Source: Water/Sewer Bond Funded
  
- xiv. Tysinger Hampton & Partners. . . . . \$137.25  
 Water & Sewer Services  
 I-26 / SR-75 Project  
 Funding Source: Water/Sewer Budgeted Expense

- xv. Mattern & Craig . . . . . \$8,661.00  
Water & Sewer Services  
Task Order #5 ~ Sanitary Sewer Support Services  
Funding Source: Water/Sewer Budgeted Expense
  
- xvi. Mattern & Craig . . . . . \$4,950.00  
Public Works Department  
VA Access Road Project  
Funding Source: 80% Federal HPP & 20% Local Funds
  
- xvii. Littlejohn Engineering. . . . . \$1,765.00  
Water & Sewer Services  
Cash Hollow Sewer Basin Evaluation & Rehabilitation  
Funding Source: Water/Sewer Budgeted Expense
  
- xviii. Littlejohn Engineering. . . . . \$6,417.70  
Public Works Department  
Lone Oak Sidewalk Project  
Funding Source: Safe Route Grant & STP Funds
  
- xix. Summers Taylor. . . . . \$47,864.00  
Public Works Department  
Safe Routes to School~Lone Oak Road Sidewalk Project  
Funding Source: Safe Route to School Grant & STP Funds
  
- xx. Summers Taylor. . . . . \$64,617.40  
Public Works Department  
Pay Request #5 ~ Broadway Street Drainage Project  
Funding Source: Stormwater Fund
  
- xxi. Gresham Smith & Partners. . . . . \$4,687.05  
Public Works Department ~ Indian Ridge Project  
Funding Source: STP Funds
  
- xxii. Gresham Smith & Partners. . . . . \$35,293.58  
Public Works Department ~ CEI Services for ITS Project  
Funding Source: 80% Federal ~ 10% State ~ 10% Local  
(Budgeted)
  
- xxiii. Stansell Electric Company . . . . . \$61,045.12  
Public Works Department  
Pay Request #8 ~ ITS Project  
Funding Source: 80% Federal ~ 10% State ~ 10% Local  
(Budgeted)

C. BIDS:

- i. Portland Utilities Construction Company \$969,181.74  
Water & Sewer Services ~ ITB #5811  
2014 Sanitary Sewer Rehabilitation Replacement Project  
Funding Source: Rate Funded Capital

2014 SANITARY SEWER REHABILITATION/REPLACEMENT INDIAN RIDGE ROAD, LAKEVIEW DRIVE AND OAK GROVE ROAD

INDIAN RIDGE ROAD - PIPE BURST METHOD

Item	Description	Unit	Qty	ENGINEERING ESTIMATE		Margin Contingency		Taxes Contingencies Co.		Item Materials Construction		Pendant Utilities		
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	
1	Mobilization	LS	1	40,327.00	40,327.00	53,500.00	53,500.00	27,000.00	27,000.00	30,000.00	30,000.00			
2	10" Sanitary Sewer (PVC) Open Cut 8'x8' Open to 3'-6" Depth	LF	350	86.00	30,110.00	103.00	35,050.00	75.50	26,375.00	115.50	40,225.00			
3	8" Sanitary Sewer (PVC) Open Cut 6'x6" Open to 3'-6" Depth	LF	420	75.00	31,500.00	102.00	42,840.00	75.50	31,650.00	110.00	46,200.00			
4	8" Sanitary Sewer Pipe (PVC) Open Cut 6'x6" Open to 3'-6" Depth	LF	2,485	96.00	239,160.00	87.00	216,255.00	44.00	109,340.00	50.00	124,250.00			
5	8" Sanitary Sewer Pipe - PVC (Open Cut)	EA	3.5	4,000.00	14,000.00	3,500.00	12,250.00	1,200.00	4,200.00	4,500.00	15,750.00			
6	Manhole # 1 (Manhole #1) (Open Cut) 3'-6" Depth	EA	1	4,000.00	4,000.00	3,200.00	3,200.00	2,500.00	2,500.00	4,000.00	4,000.00			
7	Manhole # 2 (Manhole #2) (Open Cut) 3'-6" Depth	EA	8	4,000.00	32,000.00	3,800.00	30,400.00	2,500.00	20,000.00	4,000.00	32,000.00			
8	Manhole # 3 (Manhole #3) (Open Cut) 3'-6" Depth	EA	3	6,000.00	18,000.00	5,000.00	15,000.00	3,500.00	10,500.00	5,000.00	15,000.00			
9	Manhole # 4 (Manhole #4) (Open Cut) 3'-6" Depth	EA	1	6,000.00	6,000.00	5,000.00	5,000.00	3,500.00	3,500.00	5,000.00	5,000.00			
10	Manhole # 5 (Manhole #5) (Open Cut) 3'-6" Depth	EA	5	215.00	1,075.00	738.00	3,690.00	430.00	2,150.00	2,500.00	12,500.00			
11	Sanitary Sewer Pipe (PVC) (Open Cut) 8'x8' Open to 3'-6" Depth	EA	1	1,500.00	1,500.00	2,718.00	2,718.00			2,500.00	2,500.00			
12	Lateral Replacement (Open Cut)	LF	2,450	89.00	218,050.00	54.00	132,450.00	38.50	94,225.00	38.00	93,100.00			
13	Lateral Connection (Open Cut)	EA	44	1,033.61	45,478.84	1,245.00	54,810.00	410.00	18,240.00	2,275.00	100,000.00			
14	Lateral Connection (Open Cut) 6'x6" Open to 3'-6" Depth	EA	5	300.00	1,500.00	1,600.00	8,000.00	450.00	2,250.00	1,800.00	9,000.00			
15	Concrete Curb & Gutter	LF	300	35.60	10,680.00	66.00	19,800.00	31.00	9,300.00	30.00	10,500.00			
16	Construction Erosion Control	EA	1	1,200.00	1,200.00	2,500.00	2,500.00	800.00	800.00	4,000.00	4,000.00			
17	Portable Pile Driver	CY	840	125.00	105,000.00	150.00	126,000.00	100.00	84,000.00	100.00	84,000.00			
18	Trench Stabilization Material	TON	400	30.00	12,000.00	32.00	12,800.00	24.00	9,600.00	32.00	12,800.00			
19	Payment Pile (No Overlap)	LF	2,350	13.50	31,725.00	42.00	98,700.00	26.50	62,275.00	60.00	141,000.00			
20	Payment Pile (No Overlap)	TON	1,200	100.00	120,000.00	145.00	174,000.00	114.00	136,800.00	117.00	138,360.00			
21	Payment Pile (No Overlap)	LF	14,800	1.25	18,500.00	1.00	14,800.00	0.60	8,880.00	0.41	6,068.00			
22	Payment Pile (No Overlap)	LF	250	3.00	750.00	10.00	2,500.00	9.00	2,250.00	10.00	2,500.00			
23	Payment Pile (No Overlap)	LF	48	4.00	192.00	31.00	1,488.00	20.00	960.00	20.00	960.00			
24	Payment Pile (No Overlap)	EA	2	20.00	40.00	400.00	800.00	20.00	40.00	20.00	40.00			
25	Grass Planting	LS	1	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00			
26	Turf Maintenance	LS	1	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00			
TOTAL SCHEDULE C BID FOR ALL UNIT PRICES												\$ 1,238,387.00	\$ 845,486.00	\$ 1,045,166.00

NO BID SUBMITTED

**2014 SANITARY SEWER REHABILITATION/REPLACEMENT INDIAN RIDGE ROAD, LAKEVIEW DRIVE AND OAK GROVE ROAD**  
**INDIAN RIDGE ROAD - CIPP**

Item	Description	Unit	Qty	ENGINEERING ESTIMATE		Meram Contracting		Tipton Construction		Iron Mountain Const.		Proposed Estimate	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
1	Modification	LS	1	32,294.00	32,294.00	-	-	-	-	-	-	17,568.00	17,568.00
2	12" Sanitary Sewer (PVC) Depth 10' to 12' (Open Cut) (1/4" x 1/4" 10' to 12')	LF	349	85.00	29,765.00	-	-	-	-	-	-	29,765.00	29,765.00
3	12" Sanitary Sewer Pipe (PVC) Depth 10' to 12' (Open Cut) (1/4" x 1/4" 10' to 12')	LF	429	76.00	32,604.00	-	-	-	-	-	-	32,604.00	32,604.00
4	12" Sanitary Sewer Pipe (PVC) Depth 10' to 12' (Open Cut) (1/4" x 1/4" 10' to 12')	LF	2,443	60.00	146,658.00	-	-	-	-	-	-	146,658.00	146,658.00
5	12" Sanitary Sewer Pipe - PVC (Open Cut)	EA	33	3,000.00	99,000.00	-	-	-	-	-	-	99,000.00	99,000.00
6	Manhole & Diameter (PVC) Depth (New) 10'	EA	1	3,000.00	3,000.00	-	-	-	-	-	-	3,000.00	3,000.00
7	Manhole & Diameter (PVC) Depth (New) 10'	EA	11	4,000.00	44,000.00	-	-	-	-	-	-	44,000.00	44,000.00
8	Manhole & Diameter (PVC) Depth (New) 10'	EA	9	216.00	1,944.00	-	-	-	-	-	-	1,944.00	1,944.00
9	Manhole & Diameter (PVC) Depth (New) 10'	EA	1	1,100.00	1,100.00	-	-	-	-	-	-	1,100.00	1,100.00
10	Sanitary Sewer Drop Connection at MH-1 (1/4")	LF	2,460	45.00	110,700.00	-	-	-	-	-	-	110,700.00	110,700.00
11	Sanitary Sewer Drop Connection at MH-1 (1/4")	EA	44	1,000.00	44,000.00	-	-	-	-	-	-	44,000.00	44,000.00
12	Sanitary Sewer Drop Connection at MH-1 (1/4")	EA	5	349.00	1,745.00	-	-	-	-	-	-	1,745.00	1,745.00
13	Sanitary Sewer Drop Connection at MH-1 (1/4")	LF	369	33.00	12,207.00	-	-	-	-	-	-	12,207.00	12,207.00
14	Sanitary Sewer Drop Connection at MH-1 (1/4")	EA	1	1,200.00	1,200.00	-	-	-	-	-	-	1,200.00	1,200.00
15	Sanitary Sewer Drop Connection at MH-1 (1/4")	EA	249	125.00	31,125.00	-	-	-	-	-	-	31,125.00	31,125.00
16	Sanitary Sewer Drop Connection at MH-1 (1/4")	EA	449	20.00	8,980.00	-	-	-	-	-	-	8,980.00	8,980.00
17	Sanitary Sewer Drop Connection at MH-1 (1/4")	EA	405	13.00	5,265.00	-	-	-	-	-	-	5,265.00	5,265.00
18	Sanitary Sewer Drop Connection at MH-1 (1/4")	EA	1,200	106.00	127,200.00	-	-	-	-	-	-	127,200.00	127,200.00
19	Sanitary Sewer Drop Connection at MH-1 (1/4")	EA	14	1,200.00	16,800.00	-	-	-	-	-	-	16,800.00	16,800.00
20	Sanitary Sewer Drop Connection at MH-1 (1/4")	EA	30	4.00	1,200.00	-	-	-	-	-	-	1,200.00	1,200.00
21	Sanitary Sewer Drop Connection at MH-1 (1/4")	EA	3	50.00	150.00	-	-	-	-	-	-	150.00	150.00
22	Sanitary Sewer Drop Connection at MH-1 (1/4")	EA	1	20,000.00	20,000.00	-	-	-	-	-	-	20,000.00	20,000.00
23	Sanitary Sewer Drop Connection at MH-1 (1/4")	EA	1	20,000.00	20,000.00	-	-	-	-	-	-	20,000.00	20,000.00
24	Sanitary Sewer Drop Connection at MH-1 (1/4")	EA	1	20,000.00	20,000.00	-	-	-	-	-	-	20,000.00	20,000.00
<b>TOTAL SCHEDULE C BID FOR ALL UNIT PRICES</b>				<b>\$ 766,648.00</b>		<b>NO BID SUBMITTED</b>		<b>NO BID SUBMITTED</b>		<b>NO BID SUBMITTED</b>		<b>NO BID SUBMITTED</b>	

**2014 SANITARY SEWER REHABILITATION/REPLACEMENT INDIAN RIDGE ROAD, LAKEVIEW DRIVE AND OAK GROVE ROAD**

**LAKEVIEW DRIVE - CIPP METHOD ONLY**

Item	Description	Unit	Qty	ENGINEERING ESTIMATE			Margin Contracting			Tipton Construction			Iron Murrain Co. Inc.			Portland Utilities		
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total			
1	Manhole	LS	1	8,079.00	8,079.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	
2	12" 24' DIA. SHT. CIPP	LF	800	81.50	65,200.00	34.00	27,200.00	70.00	56,000.00	37.00	29,600.00	27,000.00	21,600.00	44.00	35,200.00	44.00	35,200.00	
3	Manholes & Inverts 48" dia. (10' dia. manholes) 18" dia. (10' dia. manholes)	EA	10	214.00	2,140.00	175.00	1,750.00	200.00	2,000.00	200.00	2,000.00	200.00	2,000.00	200.00	2,000.00	200.00	2,000.00	
4	48" dia. Inverts (CIPP)	LF	200	100.00	20,000.00	90.00	18,000.00	100.00	20,000.00	100.00	20,000.00	100.00	20,000.00	100.00	20,000.00	100.00	20,000.00	
5	Lateral Connections (Top Hat)	EA	11	1,200.00	13,200.00	2,000.00	22,000.00	1,500.00	16,500.00	1,800.00	19,800.00	1,800.00	19,800.00	1,800.00	19,800.00	1,800.00	19,800.00	
6	Manhole Force Main Connection	EA	1	3,470.00	3,470.00	3,470.00	3,470.00	3,470.00	3,470.00	3,470.00	3,470.00	3,470.00	3,470.00	3,470.00	3,470.00	3,470.00		
7	Construction Submittals	EA	1	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00		
8	Permitting	EA	1	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00		
9	Other	EA	1	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00		
TOTAL SCHEDULE C BID FOR ALL UNIT PRICES					\$ 176,134.00		\$ 118,877.00		\$ 100,483.00		\$ 118,238.00		\$ 118,238.00		\$ 118,238.00		\$ 118,238.00	

**2014 SANITARY SEWER REHABILITATION/REPLACEMENT INDIAN RIDGE ROAD, LAKEVIEW DRIVE AND OAK GROVE ROAD**

**OAK GROVE ROAD - PIPE BURST METHOD**

Item	Description	Unit	Qty	ENGINEERING ESTIMATE			Margin Contracting			Tipton Construction Co.			Iron Murrain Construction			Portland Utilities		
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total			
1	Manhole	LS	1	4,900.00	4,900.00	4,900.00	4,900.00	4,900.00	4,900.00	4,900.00	4,900.00	4,900.00	4,900.00	4,900.00	4,900.00	4,900.00		
2	24" 24' DIA. SHT. CIPP	LF	300	85.00	25,500.00	85.00	25,500.00	85.00	25,500.00	85.00	25,500.00	85.00	25,500.00	85.00	25,500.00	85.00	25,500.00	
3	Manholes & Inverts 48" dia. (10' dia. manholes) 18" dia. (10' dia. manholes)	EA	1	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00		
4	48" dia. Inverts (CIPP)	LF	10	275.00	2,750.00	275.00	2,750.00	275.00	2,750.00	275.00	2,750.00	275.00	2,750.00	275.00	2,750.00	275.00	2,750.00	
5	Special Force Main Connection	EA	1	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00		
6	Construction & Erection	EA	2	1,000.00	2,000.00	1,000.00	2,000.00	1,000.00	2,000.00	1,000.00	2,000.00	1,000.00	2,000.00	1,000.00	2,000.00	1,000.00	2,000.00	
7	Permitting	EA	1	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00		
8	Other	EA	1	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00		
9	Other	EA	1	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00		
TOTAL SCHEDULE C BID FOR ALL UNIT PRICES					\$ 44,850.00		\$ 27,887.00		\$ 27,887.00		\$ 27,887.00		\$ 27,887.00		\$ 27,887.00		\$ 27,887.00	





	Mid-America Uniforms	Cintas	Campus Chalet	Kays Uniform
<b>MEN'S PANTS</b>				
1 Pleated	18.35	17.50	18.50	16.65
2 Plain	16.95	15.00	18.50	12.65
3 Cargo	19.95	18.80	24.00	19.75
<b>WOMEN'S PANTS</b>				
4 Pleated	21.95	19.25	18.50	21.50
5 Plain	16.95	17.50	18.50	14.00
6 Cargo	19.95	19.00	24.00	19.75
<b>MEN'S SHORTS</b>				
7 Pleated	15.60	14.50	15.50	15.00
8 Plain	12.75	16.00	15.50	13.00
9 Cargo	16.95	18.00	20.00	16.50
<b>WOMEN'S SHORTS</b>				
10 Pleated	15.60	17.50	15.50	14.00
11 Cargo	16.95	19.00	24.00	19.50
<b>UNI-SEX POLO SHIRTS</b>				
12 Short Sleeve	11.80	11.75	15.00	17.50
13 Long Sleeve	16.99	14.00	17.00	17.50
<b>MEN'S WORK SHIRTS W/LOGO</b>				
14 Short Sleeve	11.95	14.00	16.50	13.50
15 Long Sleeve	12.95	16.00	18.50	15.50
<b>WOMEN'S WORK SHIRTS W/LOGO</b>				
16 Short Sleeve	11.95	14.00	16.50	13.50
17 Long Sleeve	12.95	16.00	18.50	15.50
<b>T-SHIRTS W/LOGO</b>				
18 Short Sleeve 100% Cotton	10.75	52.00	8.75	15.00
19 Long Sleeve 100% Cotton	13.90	56.00	12.00	16.00
20 Short Sleeve 50/50	8.75	10.00	8.25	14.00
21 Long Sleeve 50/50	9.75	13.00	12.00	15.00

iii. Golden Circle Ford. . . . . \$51,194.00  
 Water & Sewer Services ~ ITB #5821  
 Extended Cab 4WD Pickup Trucks  
 Funding Source: Rate Funded Capital

**ITB #5821- EXTENDED CAB PICKUP TRUCKS - W/S**

	Unit Price (2 ea)	Make/Model
Wade Ford	\$ 26,623.00	2014 Ford F-150
Empire Ford	26,852.00	2014 Ford F-150
Golden Circle	25,597.00	2014 Ford F-150
Modern Chevrolet	30,007.60	2014 Chevrolet/Silverado
<b>Late Response:</b> Beaman Auto		
<b>No Response:</b> Equipment Tech, Mid-state equip, Reeder Chevrolet, Walker Chev, Magic City, Friendship Ford, Bill Galton, Chaparral Ted Russell, Stan McNeibb, Randy Marion, Smoky Mountain Truck, West Chevrolet, Stringfellow, Courtney Chev, Parks Chevrolet, McNelly Whaley, Whiteside, Mid South Ford, Champion Chevrolet, Ramsey Ford, Jacky Jones Fleet, TriStar Ford, Legacy Ford, Rick Hondrick Chevrolet, Loyalty Mobile, Cardinal Chrysler, Pallfet, Ford of Marlboro, Acme Auto Leasing		
<b>RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. TOTAL COST \$ 51,194</b>		

- iv. Brenntag Mid-South, Inc . . . . . \$46,655.00  
 Water & Sewer Services ~ ITB #5832  
 Liquid Chlorine  
 Funding Source: Budgeted Expense

ITB #5832-WATER/SEWER  
 LIQUID CHLORINE

310,000 lbs.  
 (per lb)

JCI Jones	0.1995
DPC Enterprises	0.1940
Allied Universal	0.1711
Brenntag Mid-South	<u>0.1505</u>

Decline: Dycho Companies, Industrial Chemicals

No Response: Allive Corp, Jefferson Sales, Gulbrandsen Technologies, Hill Mft, Pool & Electrical Products, The Dumont Company, Molnar

RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. ANNUAL ESTIMATED COST: \$46,655  
 THREE YEAR CONTRAGT, RENEWABLE ANNUALLY.

- v. Worldwide Equipment Inc . . . . . \$83,978.00  
 Water & Sewer Services ~ ITB #5825  
 Truck Chassis with Flat Bed Body  
 Funding Source: Rate Funded Capital

ITB #5825- TRUCK CHASIS WITH FLAT BED BODY - W/S

	<u>Unit Price</u>	<u>Extended</u>	<u>Make/Model</u>
		<u>Warranty</u>	
Goodpasture Motor Company	\$87,000.00		2015 Intl. Workstar 7500
(Add On)	\$1,800.00		For O.G. Hughes Equipment
Smoky Mountain Truck Center	\$82,540.00	2,550.00	2015 Freightliner w/Freedom Truck Bed
(Alternate Bid)	<u>\$84,159.00</u>		2015 Freightliner w/Knapheide
Worldwide Equipment	<u>\$82,278.00</u>	<u>1,700.00</u>	2015 Kenworth w/Freedom Body
(Alternate Bid)	\$83,897.00		2015 Kenworth w/Knapheide Body

Decline: Public Works Equip., Lee-Smith, Cavalier Equip., Penske, Empire Ford, Truckpro

No Response: Equip. Tech, Mid-State Equip., CMI Equip., Reeder Chev., Walker Chev., Magic City Ford, Municipal Equip., Utility Equip., Bill Gallon Chev., Goodpasture Motors, Ted Russell Ford, Randy Marion Auto., Special Fleet Service, O.G. Hughes, Nichols Fleet, Altec Indus Stringfellow, Courtesy Chev., Nafeco, McNelly Wholesale Motor Co., MHC Kenworth, Whiteside chev., Gossett Motors, Advanced Containment, Jacky Jones Central Fleet Sales, Rick Hendrick Chev., MRT Man., Freightliner of Knoxville, Wade Ford, Landmark International Truck Equip., Palfeet Truck Equip., Ford of Murfreesboro, Acme Auto Leasing, Performance Peterbilt of Bristol, Alley-Cassettey Truck Center, Cherokee Tr Equip., Beaman Automotive, Tulloch Transport, Volunteer Volvo

RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. TOTAL COST PLUS EXTENDED  
 WARRANTY, \$ 83,978

- vi. USIC. . . . . \$87,000.00  
 Water & Sewer Services ~ ITB #5826  
 Underground Utility Locating Services  
 Funding Source: Budgeted Expense

UNDERGROUND FACILITIES LOCATING SERVICES

	Tri City Locating	USIC Locating	Olameter DPG	Premier Utility	Jones Locating
1. Cost per locate w/S lines included (each)	7.75	7.50	24.50	30.09	7.95
2. Cost per locate after hours (each)	25.00	25.00	45.00	65.00	35.00
OPTIONAL:					
3. Damage investigation charge (each)	0.00	N/C	75.00	45.00	50.00
4. Testimonial support charge (each)	150.00	N/C	95.00	60.00	50.00
No Response: Consolidated Utility, Accumark, One Call Concepts					
RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. ANNUAL ESTIMATED COST: \$87,000					
THREE YEAR CONTRACT, RENEWABLE ANNUALLY.					

- vii. Armstrong Construction. . . . . \$130,790.00  
 Administration ~ ITB #5798  
 Cardinal Park Souvenir/Ticket Building  
 Funding Source: Unspent Bond Proceeds & Unspent  
 Budgeted Capital Projects

**D. PURCHASES:**

- i. Gov Connection. . . . . \$117,281.36  
 Johnson City Schools (Technology Department)  
 Computers & Projector Equipment  
 Funding Source: Federal IDEA Funds & Niswonger  
 Foundation Grant

- ii. AstroTurf . . . . . \$26,050.00  
 Johnson City Schools (Athletics)  
 Replacement of Logo at Kermit Tipton Stadium  
 Funding Source: Coke Rebate Checks Fund

E. PROPOSALS:

- i. Tysinger, Hampton & Partners. . . . . \$725,000.00  
 Public Works Department (Engineering) ~ RFQ #5805  
 ROW & Final Construction Plans for Knob Creek Road &  
 Mountain View Road Projects  
 Funding Source: FHWA DEMO (100% Federal Funds)

Upon motion by Commissioner David Tomita, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the rejection of a bid award to Armstrong Construction for the construction of the Cardinal Park Souvenir/Ticket Building in the amount of \$130,790, be and the same is hereby approved.

Upon motion by Commissioner Jeff Banyas, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That **deferral** of the consideration of the replacement of the logo at Kermit Tipton Stadium by AstroTurf in the amount of \$26,050 in order to allow time to review the design, be and the same is hereby approved.

Upon motion by Mayor Ralph Van Brocklin, seconded by Commissioner Jeff Banyas, **Ordinance No. 4543-14**, "AN ORDINANCE TO AMEND SECTIONS 6.30.1 AND 6.30.3.3, OF THE DESIGN OVERLAY (DO) DISTRICT, OF THE ZONING CODE OF JOHNSON CITY, TENNESSEE CONCERNING DESIGN STANDARDS FOR EXTERIOR BUILDING WALLS," with an amendment to Section 6.30.3.3 (Building Facades) to increase the allowance of certain secondary façade materials from 20% to 25%, was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner Jenny Brock, **Ordinance No. 4545-14**, "AN ORDINANCE TO ANNEX CERTAIN PROPERTY KNOWN AS THE 4506 BRISTOL HIGHWAY ANNEXATION AND TO ZONE SAID PROPERTY B-4 (PLANNED ARTERIAL BUSINESS)," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner David Tomita, **Ordinance No. 4546-14**, "AN ORDINANCE TO REZONE FROM R-2 (LOW DENSITY RESIDENTIAL) TO B-4 (PLANNED ARTERIAL BUSINESS) CERTAIN PROPERTY LOCATED AT 4504 BRISTOL HIGHWAY," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes.

At this time, a public hearing was held regarding Ordinance No. 4540-14. John Marshall, Mountcastle Corporation, petitioner, spoke in favor.

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor Clayton Stout, **Ordinance No. 4540-14**, "AN ORDINANCE TO REZONE FROM MS-1 (MEDICAL SERVICES) TO B-4 (PLANNED ARTERIAL BUSINESS) CERTAIN PROPERTY LOCATED AT 2226 COLLEGE ROAD," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

**ORDINANCE NO. 4540-14**

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF JOHNSON CITY, TENNESSEE BEING PART OF THE APPENDIX TO ORDINANCE NO. 1519 ENTITLED "AN ORDINANCE TO ADOPT A CODE OF LAWS AND ORDINANCES FOR THE CITY OF JOHNSON CITY, TENNESSEE, AND TO REPEAL ALL LAWS AND ORDINANCES IN CONFLICT THEREWITH", AND AMENDATORY THEREOF, BY CHANGING FROM A MS-1 (MEDICAL SERVICES) DISTRICT TO A B-4 (PLANNED ARTERIAL BUSINESS) DISTRICT CERTAIN PROPERTY LOCATED AT 2226 COLLEGE ROAD.

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**BE IT ORDAINED BY THE CITY OF JOHNSON CITY AS FOLLOWS:**

**SECTION 1.** That the Zoning Map of the city of Johnson City, Tennessee, being a part of the appendix to Ordinance No. 1519 entitled, "An Ordinance to Adopt a Code of Laws and Ordinances for the City of Johnson City, Tennessee, and to Repeal All Laws and Ordinances in Conflict Therewith," and all ordinances supplementary thereto and amendatory thereof, be and the same is hereby amended and modified by changing the zoning on the following described property from a MS-1 (Medical Services) District to a B-4 (Planned Arterial Business) District.

See description marked "Exhibit 'A'" hereto.

See map of the above-described property marked "Exhibit 'B'" hereto.

**SECTION 2. BE IT FURTHER ORDAINED,** That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 3. BE IT FURTHER ORDAINED,** That this ordinance shall take effect from and after its passage on third and final reading and publication as required by law, the public welfare requiring it.

PASSED ON FIRST READING 5/01/2014  
PASSED ON SECOND READING 5/15/2014  
PASSED ON THIRD READING 6/05/2014  
APPROVED AND SIGNED IN OPEN MEETING  
ON THE 5<sup>th</sup> DAY OF June, 2014

/s/ Ralph Van Brocklin  
MAYOR

**ATTEST:**

/s/ Janet Jennings  
**City Recorder**

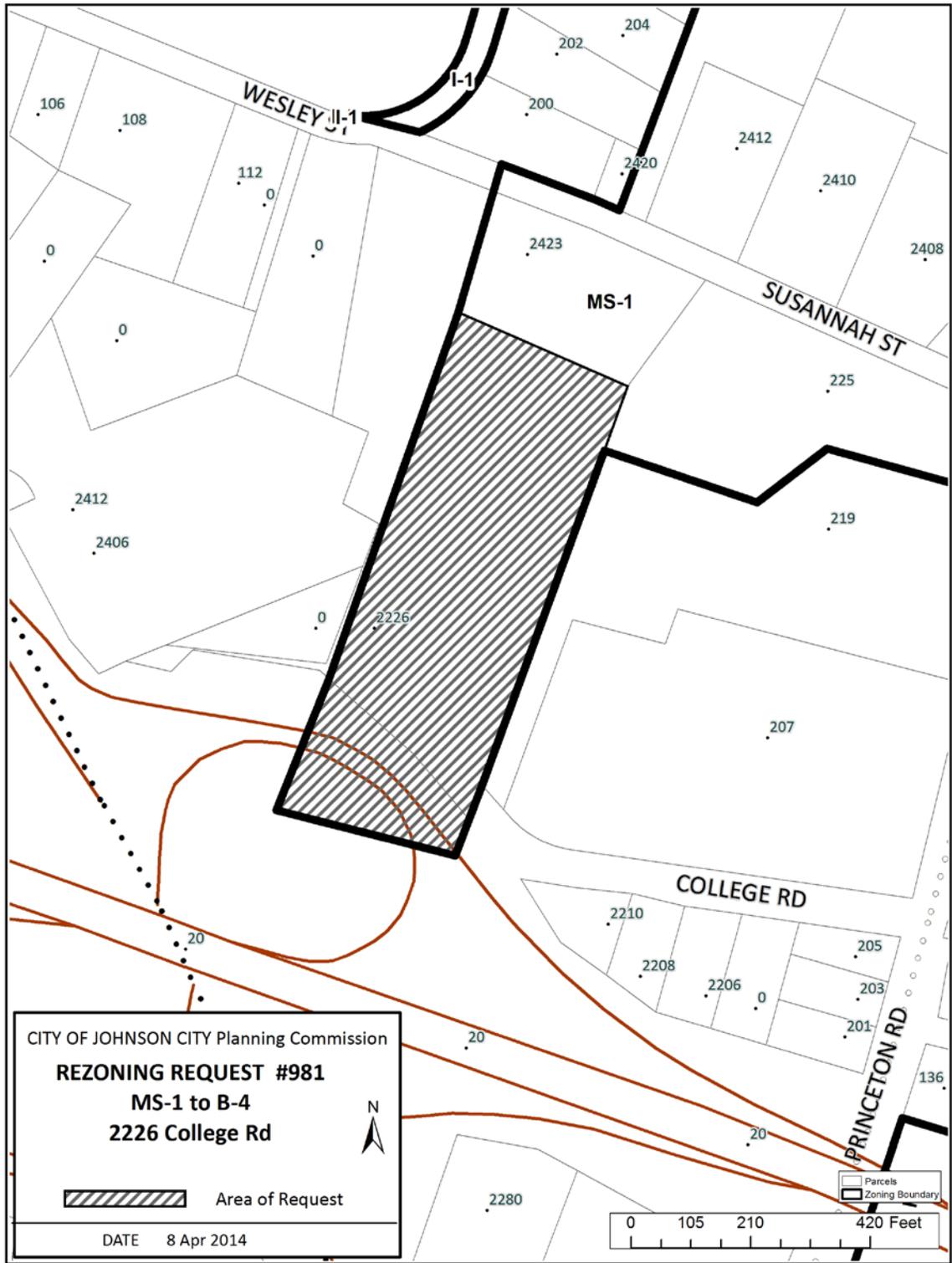
**APPROVED AS TO FORM:**

/s/ James H. Epps, IV  
**City Attorney**

**"Exhibit 'A'"**

**BEGINNING** at a point, said point being the northwesterly corner of 2226 College Rd. also known as Tax Map 38H Group C Parcel 5; thence continuing in a southwesterly direction for a distance of 932 feet to a point, said point being located along the right-of-way for N. Roan Street; thence continuing in a southeasterly direction for a distance of 324 feet to a point, said point being a point along the N. Roan Street ramp right-of-way; thence continuing in a northeasterly direction for a distance of 879 feet to a point, said point being the northeasterly corner of property located at 2226 College Road and owned by Dewitt Shelton; thence continuing in a northwesterly direction for a distance of 324 feet to a point, said point being the point of **BEGINNING**.

"Exhibit 'B'"



Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, **Ordinance No. 4542-14**, "AN ORDINANCE TO AMEND ARTICLE 6.19, LIGHT INDUSTRIAL DISTRICT, AND ARTICLE 6.20, HEAVY INDUSTRIAL DISTRICT, OF THE ZONING ORDINANCE," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

**ORDINANCE NO. 4542-14**

AN ORDINANCE TO AMEND ARTICLE VI, USE REQUIREMENTS BY DISTRICT OF THE ZONING CODE OF THE CITY OF JOHNSON CITY, TENNESSEE CONCERNING THE I-1 AND I-2 DISTRICTS.

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**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JOHNSON CITY AS FOLLOWS:**

**SECTION 1.** That Article VI, Use Requirements by District of the Zoning Code of the City of Johnson City, Tennessee be and the same is hereby amended and modified as follows:

Amend Article VI, Section 19 to read as follows:

**6.19 - I-1 LIGHT INDUSTRIAL DISTRICT**

6.19.1 INTENT:

The I-1 Light Industrial District is designed to accommodate wholesale, warehouse, storage, research and development, and manufacturing activities whose external effects are restricted to the site and have no detrimental effects on the surrounding area. The I-1 district generally permits the manufacture, compounding, processing, packaging, assembly and treatment of finished or semi-finished products from previously prepared material or materials. The sale of goods produced on-site may be allowed with certain restrictions. It is not the intent of this district to permit the processing of raw materials, unless such activity is minor and accessory to the permitted use and where there is no external evidence of such activity.

6.19.2 PERMITTED USES:

Within the I-1 Light Industrial district the following uses are permitted:

- 6.19.2.1 Accessory structures and uses;
- 6.19.2.2 Alternative tower structures;
- 6.19.2.3 Auction houses, not including flea markets where merchandise is sold at retail;
- 6.19.2.4 Bottling works;
- 6.19.2.5 Building materials yards;
- 6.19.2.6 Business Services;
- 6.19.2.7 Carpenters' shops;
- 6.19.2.8 Clinics;
- 6.19.2.9 Cloth bag manufacturing;

- 6.19.2.10 Coal yards;
- 6.19.2.11 Contractors' yards;
- 6.19.2.13 Dry cleaning and laundry establishments;
- 6.19.2.14 Electric or acetylene welding shops;
- 6.19.2.15 Equipment rental and repair establishments;
- 6.19.2.16 Gasoline, propane, oil, or alcohol storage above ground, provided no storage tank shall be closer than fifty (50) feet to any property line other than a property line abutting a railroad right-of-way;
- 6.19.2.17 The fabrication, compounding, assembly, processing, repair, manufacturing, or packaging of finished or semi-finished materials and products where all operations, including storage of materials and finished goods are contained within closed buildings. Such allowed uses shall not produce exterior smoke, dust, noise, odor, unusual lighting, vibrations, fumes, fire hazards, or other objectionable, noxious, or injurious conditions;
- 6.19.2.18 Municipal, county, state, or federally owned buildings or land uses;
- 6.19.2.19 National fraternal organizations not operated for profit;
- 6.19.2.20 Offices;
- 6.19.2.21 Parking lots and garages;
- 6.19.2.22 Printing and engraving establishments;
- 6.19.2.23 Public utilities, including buildings, necessary structures, storage yards, and related uses;
- 6.19.2.24 Research, development, or testing laboratories and facilities;
- 6.19.2.25 Service, communication, and distribution centers not conducting on-site retail sale of merchandise;
- 6.19.2.26 Self-service storage and mini warehouses.
- 6.19.2.27 Showroom featuring the display and sale of goods produced or assembled on-site. The total floor area devoted to the display and sale of goods shall be no greater than the total floor area devoted for production and front office uses;
- 6.19.2.28 Stone cutting and polishing;
- 6.19.2.29 Supervised vocational, recreational, or institutional activities;
- 6.19.2.30 Truck terminals;
- 6.19.2.31 Vehicular sales and/services;

6.19.2.32 Warehouses; and

6.19.2.33 Wholesale establishments;

6.19.3 USES PERMITTED BY APPROVAL AS SPECIAL EXCEPTION:

The following uses are permitted when approved by the Board of Zoning Appeals as special exceptions as provided by Section 15.4:

6.19.3.1 All structures which exceed the height of thirty-five (35) feet and located within one hundred (100) feet of a residential zone.

6.19.3.2 Day-care centers provided:

A. The principal building shall have a minimum rear yard setback of fifty (50) feet and a minimum side yard setback of twenty-five (25) feet;

B. If access is gained from an arterial or collector street, a paved driveway connected to the arterial or collector street must be provided. This driveway must include an exit and an entrance to facilitate safe, off-street loading and unloading which does not require backing into the street;

C. Sufficient evidence is presented to the BZA to insure that children will be isolated from any real or potential industrial hazards. The BZA may impose additional requirements to insure the safety of the children; and

D. All necessary state and city permits, certifications, and requirements shall be obtained.

6.19.3.3 Tower structures.

6.19.3.4 Adult-oriented businesses provided:

A. The use shall be located a minimum distance of one-thousand (1000) feet from any residential use or residential district;

B. The use shall be located a minimum distance of one-thousand (1000) feet from any other adult-oriented business;

- C. The use shall be located a minimum distance of one-thousand (1000) feet from any school, public or private educational facility, child daycare facility, nursery school, preschool, kindergarten, elementary school, private school, intermediate school, junior high school, middle school, high school, vocational school, secondary school, continuing school, special education school, community college, junior college, college, university, playground, public park, indoor or outdoor swimming pool under city management or used by members paying membership dues to either a public or private entity, publicly owned athletic field under the ownership or management of any governmental entity, publicly owned basketball or tennis court under the ownership or management of any governmental entity, public or private or family cemetery, church, synagogue, mosque, temple, or building used primarily for religious worship and related religious activities; and
- D. The use shall be located a minimum distance of one-thousand (1000) feet from any premises licensed pursuant to State or local law or regulation concerning the sale of alcoholic beverages, whether such beverages are sold on-premises or off-premises.
- E. For the purpose of Subsections A-D above, measurement shall be made in a straight line, without regard to the intervening structures or objects, from the nearest point of the property lines used as part of the premises where an adult-oriented business is conducted, to the nearest point of the property lines of the premises of a use listed in Subsection A-D above. The presence of a city, county, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this Subsection.
- F. The applicant shall submit maps showing existing land use and zoning within one-half mile of the proposed site along with site plans, surveys, or other such special information as might be reasonably required by the Board of Zoning Appeals for use in making a thorough evaluation of the application.

6.19.3.5 Security housing provided:

- A. The dwelling unit shall be considered an accessory use to the principal use;
- B. The dwelling unit shall be only used by an employee of the property owner, existing business, or lessor. Members of the employee's immediate family (spouse and dependent children) may also reside in the dwelling unit;
- C. The dwelling unit shall meet all applicable building codes;

- D. On sites of ten (10) acres or greater a separate structure not exceeding 2,500 square feet in floor area may be used for security housing purposes;
- E. If at any time, a portable structure intended for security housing remains vacant for a period of six (6) months or more, it shall be removed from the site;
- F. The structure shall not be located in any front yard; and
- G. Any additional requirements of the Board of Zoning Appeals.

6.19.3.6 Substance Abuse Treatment Facility provided:

- A. The facility shall be fully licensed/certified by the appropriate regulating state agency, if required;
- B. A certificate of need, if required, shall be obtained from the appropriate state agency prior to review by the Board of Zoning Appeals;
- C. The Facility shall not be located adjacent to or within 200 feet of a residential district including R-1, R-2, R-2A, R-2B, R-2C, R-3, R-4, R-5, R-6, RP-2, RP-3, RP-4, RP-5, RM-3, RM-4, RM-6, RO-1, and RO-2 districts;
- D. The facility shall not operate before 7:00 a.m. or after 8:00 p.m.;
- E. The facility shall be located on a collector street, arterial street, or State of Franklin Road;
- F. The petitioner shall provide the Board of zoning Appeals with information regarding the number of staff to be employed; and
- G. The facility, if located within a single tenant structure, shall meet the off-street parking requirements as specified in Article XI, Section 11.3.

6.19.3.7 Solar Farms.

- A. All on-site utility and transmission lines shall, to the extent feasible, be placed underground;
- B. A solar collection device or combination of devices are designed and located to avoid glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard;
- C. All mechanical equipment of principal solar energy systems including any structure for batteries or storage cells, shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate, and provided with screening in accordance with the landscaping provisions of the municipal subdivision and land development ordinance;
- D. Screening, capable of providing year-round screening, is provided along all sides that do not collect energy;

- E. Height. Solar power electric generation structures shall not exceed the height of 25 feet;
- F. Setback. Active solar system structures must meet the following setbacks; and
- G. Ground-mounted solar systems. Ground-mounted solar energy systems shall meet the minimum zoning setback for the zoning district in which located, or 25 feet, whichever is strictest.

6.19.4 MINIMUM STANDARDS:

6.19.4.1 Front Yard:

The minimum depth of the front yard shall be as follows:

<u>Type Street</u>	<u>Setback</u>
Arterial	45 feet
Collector	35 feet
All Other	25 feet

6.19.4.2 Side Yards:

The minimum depth of the side yard shall be ten (10) feet or one-half of the principal building height whichever is greater except:

- A. Where an interior sprinkling system is provided as approved by the Fire Marshal in which case the minimum side yard shall be ten (10) feet.
- B. Where adjacent to any residential zone, in which case the setback shall be forty (40) feet.

6.19.4.3 Rear Yard:

The minimum depth of the rear yard shall be twenty-five (25) feet, except:

- A. Where adjacent to any residential zone, in which case the setback shall be forty (40) feet.
- B. Where adjacent to a railroad right-of-way, in which case there shall be no required setback if such is needed to obtain desirable rail service.

6.19.5 HEIGHT REGULATIONS:

Not restricted except as provided in Subsection 6.19.3 above.

6.19.6 PROTECTION FOR SURROUNDING AREAS:

The following site design considerations shall be required to reduce potentially adverse impacts by the industry:

- 6.19.6.1 All parking shall be located outside of the required front yard with the exception of ten (10) or fewer visitor parking spaces;
- 6.19.6.2 All site design work shall be done by a state-certified architect, engineer, or surveyor;
- 6.19.6.3 All transportation, storage, and use of hazardous material shall comply with the Federal Environmental Protection Agency (EPA) and Tennessee Department of Health and Environment regulations; and

6.19.6.4 The City Engineer may require additional submittals to evaluate on-site and off-site stormwater drainage controls and traffic improvements.

6.19.7 APPEAL PROCESS:

If the developer believes that the staff-determined requirements are unreasonable, an appeal may be submitted to the Planning Commission for relief. The developer and the appropriate staff shall submit in writing their disagreements and justifications and present the same to the Planning Commission at its earliest convenient meeting. The decision by the Planning Commission shall be included fully in the minutes.

6.19.8 SITE PLAN APPROVAL:

All development and redevelopment must meet the provisions of Article V, SITE PLAN APPROVAL PROCESS

Amend Article VI, Section 20 to read as follows:

**6.20 - I-2 HEAVY INDUSTRIAL DISTRICT**

6.20.1 INTENT:

The I-2, Heavy Industrial District is intended to provide areas in which the principal uses permitted are manufacturing, wholesaling, or warehousing and which are accessible to major transportation routes. The regulations of this district are designed to minimize the adverse impact such uses may have on nearby districts.

6.20.2 PERMITTED USES:

Within the I-2 Heavy Industrial district, the following uses are permitted:

6.20.2.1 All uses permitted in the I-1 Light Industrial District, including the outdoor storage of goods and materials;

6.20.2.2 Any manufacturing process which does not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazards, or other objectionable conditions; and

6.20.2.3 Railroad yards.

6.20.3 USES PERMITTED BY APPROVAL AS SPECIAL EXCEPTION:

The following uses are permitted when approved by the Board of Zoning Appeals as special exceptions as provided by Section 15.4:

6.20.3.1 All Special Exceptions permitted in the I-1 Light Industrial District;

6.20.4 MINIMUM STANDARDS:

6.20.4.1 Front Yard:

The minimum depth of the front yard shall be as follows:

<u>Type Street</u>	<u>Setback</u>
Arterial	60 feet
Collector	45 feet
All Other	25 feet

6.20.4.2 Side Yards:

The minimum depth of the side yard shall be twenty-five (25) feet, except:

- A. Where adjacent to any residential zone, in which case the setback shall be forty (40) feet.

6.20.4.3 Rear Yard:

The minimum depth of the rear yard shall be twenty-five (25) feet, except:

- A. Where adjacent to any residential zone, in which case the setback shall be forty (40) feet.
- B. Where adjacent to a railroad right-of-way, in which case there shall be no required setback if such is needed to obtain desirable rail service.

6.20.5 HEIGHT REGULATIONS:

Not restricted except as provided in Subsection 6.20.3.

6.20.6 PROTECTION FOR SURROUNDING AREAS:

The following site design considerations shall be required to reduce potentially adverse impacts by the industry:

6.20.6.1 All parking shall be located outside of the required front yard with the exception of thirty (30) or fewer visitor parking spaces;

6.20.6.2 All site design work shall be done by a state-certified architect, engineer, or surveyor;

6.20.6.3 All transportation, storage, and use of hazardous material shall comply with the Federal Environmental Protection Agency (EPA) and Tennessee Department of Health and Environment regulations; and

6.20.6.4 The City Engineer may require additional submittals to evaluate on-site and off-site stormwater drainage controls and traffic improvements.

6.20.7 APPEAL PROCESS:

If the developer believes that the staff-determined requirements are unreasonable, an appeal may be submitted to the Planning Commission for relief. The developer and the appropriate staff shall submit in writing their disagreements and justifications and present the same to the Planning Commission at its earliest convenient meeting. The decision by the Planning Commission shall be included fully in the minutes.

6.20.8 SITE PLAN APPROVAL:

All development and redevelopment must meet the provisions of Article V, SITE PLAN APPROVAL PROCESS

**SECTION 2. BE IT FURTHER ORDAINED,** That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 3. BE IT FURTHER ORDAINED,** That this ordinance shall take effect from and after its passage on third and final reading and publication as required by law, the public welfare requiring it.

PASSED ON FIRST READING 5/01/2014  
PASSED ON SECOND READING 5/15/2014  
PASSED ON THIRD READING 6/05/2014  
APPROVED AND SIGNED IN OPEN MEETING  
ON THE 5<sup>th</sup> DAY OF June, 2014

/s/ Ralph Van Brocklin  
MAYOR

ATTEST

/s/ Janet Jennings  
City Recorder

APPROVED AS TO FORM:

/s/ James H. Epps, IV  
City Attorney

At this time, a public hearing was held regarding Ordinance No. 4527-14. Jodi Jones, Southside Neighborhood Association, Harold Hunter, Amber Lee, Howell Sherrod, Jose Castillo, Rachel Monderer, Betty Ann Polaha and Kathy Serago spoke in opposition. Tom McKee attorney, representing the developer/petitioner, spoke in support.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner Jenny Brock, **Ordinance No. 4527-14**, "AN ORDINANCE TO REZONE FROM B-2 (CENTRAL BUSINESS) TO B-3 (SUPPORTING CENTRAL BUSINESS) CERTAIN PROPERTY LOCATED AT 500 W. WALNUT STREET," was **passed on second reading**. The motion **carried** as follows: Mayor Ralph Van Brocklin and Commissioners Jeff Banyas and Jenny Brock voted aye. Vice-Mayor Clayton Stout and Commissioner David Tomita voted nay.

At this time, City Manager Pete Peterson presented the City Manager's Report.

There being no further business or discussion, Mayor Ralph Van Brocklin adjourned the meeting at 9:18 p.m.

\_\_\_\_\_  
RALPH VAN BROCKLIN  
MAYOR

\_\_\_\_\_  
JANET JENNINGS  
CITY RECORDER

ITEMS DEFERRED:

1. Consideration of the replacement of the logo at Kermit Tipton Stadium by AstroTurf in the amount of \$26,050 (in order to allow time to review the design).

ACTION ITEMS:

1. None.