

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 4, 2015.

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 6:07 p.m.

At this time, Bishop Matthew Barber, Official Chaplain, Washington County/Johnson City EMS, gave the invocation, which was followed by the pledge of allegiance.

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 minutes of the regularly scheduled City Commission Meeting held on Thursday, May 21, 2015, be and the same are hereby approved.

At this time, Mayor Ralph Van Brocklin presented a proclamation recognizing the Washington County/Johnson City Emergency Management Services American Heart Association Mission Lifeline Gold Award. Representatives from Washington County/Johnson City EMS, Dan Wheeley, Executive Director, Brad Gerfin, Major, and Matthew Barber, Chaplain, were present to accept.

Whereas the Washington County-Johnson City Emergency Medical Service administers a critical public safety service to all citizens and visitors in Washington County, delivering prompt, courteous and professional care; and

Whereas EMS's pre-hospital care of cardiac-related illness and specifically diagnosis and treatment of heart attacks has earned it the American Heart Association's Mission: Lifeline Gold Award; and

Whereas in 2014, EMS medics were able to determine in the field that 24 patients were having heart attacks, which allowed them to bypass the emergency room and be taken straight to the cath lab; and

Whereas these lifesaving measures – and others standards set forth by the American Heart Association that were exceeded by Washington County-Johnson City EMS – are among the reasons we are fortunate to be provided crucial service by these skilled and brave men and women.

Now, Therefore, I, Ralph J. Van Brocklin, Mayor of the City of Johnson City, Tennessee, do hereby commend the staff of Washington County-Johnson City EMS for the dedication and expertise that they exhibit daily and that earned them 2015 Mission: Lifeline Gold status. Your protocols and quick actions have no doubt saved numerous lives.

In Witness Whereof, I have
hereunto set my hand and caused the Official
Seal of the City of Johnson City, Tennessee,
to be affixed this 4th day of June, 2015.

/s/ Ralph J. Van Brocklin

Ralph J. Van Brocklin, Mayor

At this time, Tim Swecker, Unit Sales Manager, Pepsi Beverages Company, presented Pepsi Fireworks Celebration promotional packages to the Board of Commissioners.

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

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 Certificate of Compliance for Shane Abraham d/b/a Happy Hour Liquor and Wine, 2815 W. Market Street, Johnson City, Tennessee, be and the same is hereby approved.

Upon motion by Vice-Mayor Clayton Stout, 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 **deferral** of the consideration of a beer license for Yee-Haw Brewing, LLC, 126 Buffalo Street, Johnson City, Tennessee, until later in the meeting, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, 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 street closing on Saturday, August 22, 2015, from 7:00 a.m. until Noon, as requested by PTSA of Science Hill High School for the annual Run for the Hill 5K, be and the same is hereby approved.

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 beginning on Monday, June 8, 2015 and ending on Friday, June 12, 2015 from 5:00 p.m. until 9:00 p.m., as requested by Thankful Baptist Church for Vacation Bible School, be and the same is hereby approved.

Upon motion by Commissioner Jeff Banyas, 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 the pulling of consideration of approval of the Fiscal Year 2015-2016 Year One HUD CDBG/HOME Annual Consolidated Plan, from the Consent Agenda for separate consideration, be and the same is hereby approved.

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 the remainder of the Consent Agenda for June 4, 2015, be and the same is hereby approved.

CONSENT AGENDA:

A. GENERAL:

i. Development Services Department

Consider renaming portions of Sevier and Lamont Street to South Commerce

ii. Development Services Department

Consider approval of FY 2015-2016 Year One HUD CDBG/HOME Annual Consolidated Plan (Backup will be provided at Agenda Review)

iii. Development Services Department

Consider approval of the HUD Impediments to Fair Housing Update

iv. Public Works Department

Consider execution of eleven-(11) Sculpture Exhibition Agreements for the Leased Art Program

v. Police Department

Consider approval to apply for the Bureau of Justice Assistance FY 2015 Local Solicitation Grant ~ Edward Byrne Memorial Justice Assistance Program in the amount of \$19,336.00

- vi. **Police Department**
Consider Special Prosecutor Memorandum of Understanding
- vii. **Police Department**
Consider Interlocal Cooperation Agreement with First Judicial District Drug Task Force
- viii. **Human Resources**
Consider renewal of Stop Loss Insurance
- ix. **Water & Sewer Services**
Consider Portland Utilities final pay estimate, retainage release & balancing change order for 2014 Sewer Rehab Project
- x. **Water & Sewer Services**
Consider authorization for Mayor to execute agreement with Gresham, Smith & Partners on the Sanitary Sewer & Waterline Utility Relocation design for Indian Ridge Road and State of Franklin Intersection & Bridge Project
- xi. **Water & Sewer Services**
Consider Utility Services, Inc. final pay estimate & balancing change order for Watauga Backwash & Tri-County Industrial Park Tank Rehab Project
- xii. **Water & Sewer Services**
Consider Amendment to Work Order #26 for Tank Industry Consultants on the Watauga Backwash & Tri-County Industrial Park Water Tanks

B. INVOICES:

- i. Tank Industry Consultants \$36,009.56
Water & Sewer Services ~ Work Order #26
Watauga Backwash & Tri-County Industrial Park Water Tanks
Funding Source: Budgeted Expense

- ii. Hazen & Sawyer \$43,289.94
Water & Sewer Services
Lower Brush Creek Sanitary Sewer Interceptor Replacement
Project Final Design
Funding Source: Bond Funded

- iii. Mattern & Craig \$585.00
Water & Sewer Services ~ Task Order #5
Sanitary Sewer Support
Funding Source: Budgeted Expense

- iv. Mattern and Craig \$3,726.38
Public Works Department
Traffic Signalization Project ~ CEI Services
Funding Source: 100% Federal

- v. Gresham Smith & Partners \$1,989.99
Public Works Department
Indian Ridge Intersection
Funding Source: STP Funds

C. BIDS:

- i. ITB #5917 \$51,387.00
 Empire Ford and Champion Chevrolet
 Johnson City Schools ~ Maintenance Division
 4WD Truck & Transit Van
 Funding Source: Budgeted Expense

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 APRIL 27, 2015
 ITB #5917-4WD TRUCK and TRANSIT VAN - SCHOOLS

	4WD Extended Cab Pickup Truck (1/EA)	Make/Model	Transit Van (1/EA)	Make/Model
Ted Russell	\$ 31,470.00	2016 Ford F-250 4x4 Crew Cab	x	x
Ford of Murfreesboro	\$ 35,380.00	2016 Ford F-250 4x4 Crew Cab	\$ 22,694.00	2016 Ford Transit Connect
Empire Ford	\$ 30,073.00	2016 Ford F-250 4x4 Crew Cab	\$ 21,514.00	2016 Ford Transit Connect
Champion Chevrolet	\$ 34,463.56	2015 Chevy Silverado 2500HD	\$ 21,314.00	2015 Chevy City Express Cargo Van
x = No Bid				
Nis Resources: Equipment Technology, Mid-State Equipment, Reaser Chevrolet, Walker Chevrolet, Magic City Ford, Friendship Ford, Bill Gatten Chevrolet, Chagarral, Stan McNabb Diesel Randy Marion Automotive, West Chevrolet, Springfield, Courtesy Chevrolet, Parks Chevrolet, Moberly Whiskey Motor Company, Whiteside Chevrolet, Golden Circle Ford, Legacy Ford, Jacky Jones Central Fleet Sales, Rick Hendrick Chevrolet, Loyalty Mobile Innovations, Allstate Custom Coach, Cardinal Chrysler Jeep Dodge, Wilde Ford, Palfeet Truck Equipment, Beaman Sam Swape Auto Group, Arnie Auto Leasing, Modern Chevrolet, Cherokee Truck Equipment, Auto West of Big Stone Gap				
				RECOMMEND ACCEPTANCE OF LOW BIDS, CIRCLED ABOVE. TOTAL COST: \$ 51,387

ii. ITB #5920

Legend Fitness \$93,660.01

Johnson City Schools ~ Athletics Department

Weight Room Equipment

Funding Source: Kermit Tipton Stadium Weight Room Fund

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
MAY 5, 2015
ITB #5920 - WEIGHT ROOM EQUIPMENT - JC SCHOOLS

Item #	Description	Legend Fitness Unit Cost	BSM Sports Unit Cost	Pro Maxima Unit Cost	Powerfit Unit Cost	Bloomer Stomper Unit Cost	322 Wellness Unit Cost
1	5-Pro-Series Double Sided Cage System	14,966.00	X	11,995.00	19,330.00	18,122.00	14,480.00
2	10-Pro-Series 2-Tone Paint Feature	Included	X	Included	Included	Included	Included
3	10-Pro-Series Docking System	Included	X	Included	Included	Included	Included
4	10-Pro-Series Custom Cage w/Log	Included	X	Included	1,393.00	1,393.00	817.00
5	5-Pro-Series Independent Dly Attachment	1,027.40	X	623.00	1,300.00	Included	1,811.00
6	8-Pro-Series 72" Modular Connector System	3,276.72	X	1,582.00	4,168.00	1,200.00	3,103.00
7	5-Pro-Series Modular Half Cage System	11,966.30	10,100.00	7,485.00	12,805.00	11,427.50	11,903.00
8	5-Pro-Series 2-Tone Paint Feature	Included	Included	Included	Included	Included	Included
9	5-Pro-Series Docking System	Included	X	Included	Included	Included	Included
10	5-Pro-Series Custom Cage w/Log	Included	Included	Included	Included	696.50	310.00
11	4-Pro-Series 72" Modular Connector System	1,638.36	X	796.00	2,084.00	600.00	1,553.00
12	5-Pro-Series Fusion F1 Lat Pull/Row Row Insert System	8,904.10	X	6,495.00	14,545.00	6,877.50	8,768.00
13	5-Pro-Series Self-Adjusting Docking Bench System	4,212.35	X	2,250.00	3,725.00	Included	3,623.00
14	5-Pro-Series Custom Wear Guard Embroidered w/Log	Included	X	Included	Included	626.50	517.00
15	10-Pro-Series Adjustable Bench System	5,068.50	8,794.63	4,500.00	7,430.00	Included	7,245.00
16	5-Pro-Series Custom Wear Guard Embroidered w/Log	Included	Included	Included	Included	626.50	517.00
17	2-Pro-Cushion (Set of 3)	2,054.90	X	1,796.00	1,328.00	X	2,070.00
18	15-20kg Olympic Training Bar	3,092.20	5,732.70	4,675.00	4,485.00	3,375.00	5,175.00
19	15-Bik Lock-Jaw Commercial Pro Collars	463.20	395.70	710.00	540.00	498.50	547.00
20	2-F Press Chalk Bow/Headset	387.28	250.24	220.00	650.00	110.80	181.00
21	15-Cub Set Powerlock USA Lethane Dumbbells	10,890.40	X	12,000.00	13,960.00	X	14,480.00
22	60 Pro Olympic Training Bumper Plate 45lb	8,112.60	7,323.90	5,700.00	9,720.00	3,240.00	7,866.00

TABLATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
MAY 6, 2015

CTB #5902 - WEIGHT ROOM EQUIPMENT - JC SCHOOLS

Item #	Description	Legend Fitness		BSN Sports*		Pro. Medicine*		PowerFit		Blazer Fastbar		113 Wellness	
		Unit Cost	Unit Cost	Unit Cost	Unit Cost	Unit Cost	Unit Cost	Unit Cost	Unit Cost				
23	50-Pro Olympic Training Bumper Plate 25lbs	5,437.20	4,759.20	3,540.00	3,540.00	5,764.00	2,190.00	1,442.00	1,350.00	3,726.00			
24	50-Pro Olympic Training Bumper Plate 10lbs	3,797.40	2,655.90	2,190.00	2,190.00	1,442.00	1,350.00	1,442.00	1,350.00	3,726.00			
25	65-2' Olympic Urethane Grip Plate 9lbs	673.80	976.20	480.00	480.00	1,080.00	429.00	1,080.00	429.00	673.80			
26	65-2' Olympic Urethane Grip Plate 5lbs	337.20	701.40	240.00	240.00	750.00	214.20	750.00	214.20	362.00			
27	1" Black	123.30	x	160.00	160.00	185.00	170.50	185.00	170.50	258.00			
28	1 3/4" Black	226.00	x	380.00	380.00	278.00	289.50	278.00	289.50	311.00			
29	2 1/2" Black	267.10	x	460.00	460.00	360.00	359.30	360.00	359.30	414.00			
30	2-Athletic Gym Chalk 4lb Box	93.18	13.74	30.00	30.00	28.00	21.50	28.00	21.50	31.00			
31	15-Olympic Padded Lifting Straps	82.20	x	165.00	165.00	157.50	134.25	157.50	134.25	207.00			
32	5-Barbell International Olympic EZ Curl Bar	445.85	243.15	625.00	625.00	472.50	550.50	472.50	550.50	640.00			
33	5-Barbell Dip-Chin Belt	191.00	132.85	165.00	165.00	157.80	211.50	157.80	211.50	155.00			
34	5-Barbell Trap Bar Attachment	136.45	50.80	125.00	125.00	205.00	117.00	205.00	117.00	129.00			
35	5-Barbell Straight Bar Attachment	108.50	79.90	110.00	110.00	152.00	139.50	152.00	139.50	155.00			
36	5-15kg Olympic Training Bar SPAR Fitness or Approved Equal	1,114.85	984.35	625.00	625.00	1,277.50	985.50	1,277.50	985.50	832.00			
37	Commercial Series Treadmill #CT1800 or equal	2,094.59	2,814.33	1,889.00	1,889.00	x	x	x	x	2,070.00			
38	Commercial Series Elliptical #CE1800 or equal	1,699.19	2,394.76	1,852.00	1,852.00	x	x	x	x	1,626.00			
39	Commercial Series Indoor Cycle #CI1900 or equal	801.51	1,542.86	1,199.00	1,199.00	x	x	x	x	802.00			
	GRAND TOTAL	90,660.01	49,833.10	75,935.00	75,935.00	108,073.00	56,173.95	108,073.00	56,173.95	102,885.00			

*Using alternate equipment items or models
x = No Bid
No Star: Total Strength and Speed, QUACKED Inc., Elite Products and Services, Burch's Fitness Warehouse, Henry Sports Inc., Playtex LLC

RECOMMEND ACCEPTANCE OF THE LOWEST ACCEPTABLE BID, CIRCLED ABOVE

iii. ITB #5922

Preston Construction \$62,000.00

Transit Department ~ Skylight Closure

Funding Source: Section 5309 FTA Grant @ 80% Federal~10%

State~10% Local

BID TABULATION SHEET

BEESON, LUSK & STREET, INC.
 207 EAST MAIN STREET, SUITE 3C
 JOHNSON CITY, TN 37604
 PHONE: 423.928.1175
 EMAIL: bls@bisarch.com
 BLS Project No. J-4377

NAME OF PROJECT: (ITB #5922) SKYLIGHT CLOSURE FOR
JOHNSON CITY TRANSIT CENTER
137 WEST MARKET STREET, JOHNSON CITY, TN
 BID DATE: THURSDAY, MAY 21, 2015
 LOCATION: CITY OF JOHNSON CITY - PURCHASING DEPARTMENT
209 WATER STREET, JOHNSON CITY, TN 37601
 TIME OF BID: 3:00 P.M.

BIDDERS	LICENSE NUMBER	BASE BID	NUMBER OF DAYS TO COMPLETE WORK
CASEY CONSTRUCTION, INC. 508 E. Center Street Kingsport, TN 37660	60669	\$74,840.00	87 Days
HOILMAN CONSTRUCTION CO., INC. 513 Twin Oaks Drive Johnson City, TN 37601	26867	\$85,721.00	75 Days
PRESTON CONSTRUCTION COMPANY 1503 Narrow Lane Johnson City, TN 37604	11606	\$62,000.00	45 Days

iv. ITB #5924

Gov Connection \$79,072.88

Johnson City Schools ~ Technology Division

Systems Management Software

Funding Source: General Purpose School Technology Funds

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
MAY 14, 2015
ITB #5924 SYSTEMS MANAGEMENT SOFTWARE-JC SCHOOLS

<u>Cost Options</u>	<u>GovConnection</u>
1 Year	62,856.23
3 Year	79,072.88
5 Year	92,552.82

No Response: Southern Computer Warehouse, DataDriven, Advanced Public Safety, BIS Partnership, SDI Networks, CDG & Associates, Lenovo, SOS Computers dba Technology Express, Saratoga Technologies, MatchPoint Solutions, SportsConductor, R.C. Systems, Inlight Public Sector, Spacebound dba SQLsolutions, Virtucom, B2B Computer Products, Unbound Digital, The Gartrill Group, Unistar-Sparco Computers, eTrak plus, JW Affinity IT, Personal Computer Systems

RECOMMEND ACCEPTANCE OF ONLY BID RECEIVED, CIRCLED ABOVE.

v. ITB #5925

E Luke Greene. \$27,700.00

Public Works ~ Solid Waste Division

Asbestos Abatement/Demolition of former Bolton Block

Funding Source: Municipal Solid Waste Fund

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
MAY 27, 2015 1:30 PM
BID # 5925 ASBESTOS ABATEMENT/DEMOLITION OF FORMER BOLTON BLOCK

BIDDER	BID AMOUNT	SUBCONTRACTORS
VENDOR: E. Luke Greene		
License Number: 14334	Lump Sum Abatement: 4,200.00	HVAC: na
Addendums Acknowledged: Yes	Abatement & Demolition: 27,700.00	Plumbing: na
		Electrical: na
VENDOR: Dore & Associates		
License Number: 26972	Lump Sum Abatement: 15,200.00	HVAC: na
Addendums Acknowledged: Yes	Abatement & Demolition: 135,100.00	Plumbing: na
		Electrical: na
VENDOR: Taff & Frye		
License Number: 46165	Lump Sum Abatement: 4,500.00	HVAC: na
Addendums Acknowledged: Yes	Abatement & Demolition: 64,601.71	Plumbing: na
		Electrical: na
VENDOR: D.H. Griffin		
License Number: 11845	Lump Sum Abatement: 0*	HVAC: na
Addendums Acknowledged: Yes	Abatement & Demolition: 56,777.00	Plumbing: na
		Electrical: na
*with demo dispose of concrete as ACM		
Bacall: Hahn Construction Company		
No Response: Hens Demco, S&F Environmental		

RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE.

At this time, a public hearing was held regarding the Fiscal Year 2015-2016 Year One HUD CDBG/HOME Annual Consolidated Plan. No one spoke for or against this item.

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 the Fiscal Year 2015-2016 Year One HUD CDBG/HOME Annual Consolidated Plan, be and the same is hereby approved.

Upon motion by Commissioner David Tomita, seconded by Vice-Mayor Clayton Stout, **Ordinance No. 4580-15**, "AN ORDINANCE TO AMEND SECTION 5-302 OF THE CODE OF THE CITY OF JOHNSON CITY, TENNESSEE TO INCREASE THE PRIVILEGE TAX UPON THE OCCUPANCY IN ANY HOTEL LOCATED WITHIN THE CITY OF JOHNSON CITY FROM FIVE PERCENT TO SEVEN PERCENT PURSUANT TO THE AUTHORITY GRANTED TO THE CITY BY HOUSE BILL 0981/SENATE BILL 1184 AS ENACTED IN 2015 BY THE 109TH GENERAL ASSEMBLY," was **passed on second reading**. The motion **carried** by five ayes. There were no nay votes. Consideration of the third reading of Ordinance 4580-15 will be scheduled at the same time as the second reading of the budget.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, **Ordinance No. 4577-15**, "AN ORDINANCE TO ALLOW POSSESSION AND CONSUMPTION OF BEER AND THE SALE OF ITEMS FROM STREET VENDORS ON THE CLOSED PORTION OF DOWNTOWN DURING THE ANNUAL UMOJA FESTIVAL TO BE HELD ON FRIDAY, AUGUST 14, 2015 THROUGH SATURDAY, AUGUST 15, 2015," was **passed on third reading**. The motion **carried** by four ayes. Vice-Mayor Clayton Stout was absent from the Chambers. There were no nay votes.

ORDINANCE NO. 4577-15

AN ORDINANCE AUTHORIZING THE CONSUMPTION OF CERTAIN ALCOHOLIC BEVERAGES AND AUTHORIZING THE SALE OF ITEMS FROM STREET VENDORS AS SPECIFIED HEREIN AT THE 2015 UMOJA FESTIVAL TO TAKE PLACE UPON THE PUBLIC STREETS, SIDEWALKS, WALKWAYS, SQUARES, AVENUES, ALLEYS OR OTHER PUBLIC WAYS AS PARTICULARLY DESCRIBED IN THAT PORTION OF THE CITY MORE PARTICULARLY SET FORTH AND DESCRIBED HEREIN NOTWITHSTANDING THE PROVISIONS OF SECTION 8-101 OR SECTION 16-105(1) OF THE CODE OF THE CITY OF JOHNSON CITY, TENNESSEE, OR ANY OTHER ORDINANCES OR PARTS OF ORDINANCES HERETOFORE PASSED.

WHEREAS, Umoja, Inc. (hereinafter referred to as the "Organization") is sponsoring the special event known as the Umoja Festival and has requested permission for the temporary closing, and use of certain public streets, sidewalks, walkways, squares, avenues, alleys or other public ways as herein described for the purpose of holding the Umoja Festival in Johnson City, Tennessee, in that portion of the downtown area as more particularly described and set forth on Exhibit "A" to this ordinance as well as to allow beer to be possessed and consumed and sales (but not beer sales) from street vendors with permits for vending sites issued by the Organization; and

WHEREAS, it has been determined by the Board of Commissioners that it is in the public interest of the City to allow the possession and consumption of beer and sales (but not beer sales) from street vendors upon the public streets, sidewalks, walkways, squares, avenues, alleys or other public ways in that portion of the downtown area herein described which is to be purchased from the licensees located in said area as described herein during said event; and

WHEREAS, it has been determined to be in the public interest to suspend the operation of the ordinances of the City governing beer and sales from street vendors in the Permitted Area shown on Exhibit "A."

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JOHNSON CITY as follows:

SECTION I. That there shall be a temporary closing from Thursday, August 13, 2015, at 5:00 p.m. until Sunday, August 16, at midnight, local time, of certain public streets, sidewalks, walkways, squares, avenues, alleys or other public ways as herein described for the purpose of holding the Umoja Festival in Johnson City, Tennessee, in that portion of the downtown area as more particularly described and set forth on Exhibit "A" to this ordinance.

SECTION II. BE IT FURTHER ORDAINED for the purpose of this ordinance, the consumption of beer (defined in Title 57, Chapter 5 of the Tennessee Code) shall be permitted in that area of the City described herein on Exhibit "A" and shall be allowed upon the public streets, sidewalks, walkways, squares, avenues, alleys or other public ways of the City located in said Permitted Area of the City depicted on Exhibit "A", only during the hours between 1:00 p.m. and 10:00 p.m., local time on August 14, 2015, and between 1:00 p.m. and 10:00 p.m., local time, on August 15, 2015. No serving, dispensing, or pouring of beer shall take place outside of the confines of the interior walls of the licensed premises which are currently duly licensed under applicable state statutes and municipal ordinances governing the sale of said beverages in the B-2 Central Business District, fronting the streets closed in the Permitted Area described on Exhibit "A". No serving, dispensing, or pouring of beer shall be allowed upon the public streets, sidewalks, walkways, squares, avenues, alleys, or other public ways depicted on Exhibit "A" as the "Permitted Area." All cash registers, kegs, and taps shall be confined within the interior walls of the licensed premises. All sales of food, non-alcoholic beverages, and merchandise from vendors with permits from the Organization for vending sites shall be permitted from 8:00 a.m. until 11:00 p.m. on August 14, 2015, and August 15, 2015, in the Permitted Area depicted on Exhibit "A".

SECTION III. BE IT FURTHER ORDAINED that all such beer as authorized herein shall be purchased from persons, firms, corporations, or other entities which are currently duly licensed under applicable state statutes and municipal ordinances governing the sale of said beverages in the B-2 Central Business District, fronting the streets closed in the Permitted Area described on Exhibit "A", in containers which shall be of suitable material such as styrofoam, paper, plastic or some other such known non-shatterable or unbreakable substance and which shall be other than glass.

SECTION IV. BE IT FURTHER ORDAINED that no person shall carry or bring any outside beer or other alcoholic beverages for personal consumption into or out of the Permitted Area described on Exhibit "A."

SECTION V. BE IT FURTHER ORDAINED that only pedestrian traffic and vehicles pertaining to the festival shall be allowed in the Permitted Area described on Exhibit "A" and all other traffic excepting police, EMS, fire or other such emergency equipment shall be prohibited.

SECTION VI. BE IT FURTHER ORDAINED that nothing herein shall be construed as prohibiting restaurants possessing a valid, current special exception by the Johnson City Board of Zoning appeals for sidewalk dining from operating within the parameters of the special exception. The serving of beer by licensed restaurants with a valid special exception for sidewalk dining shall occur solely within the licensed premises or within the permitted sidewalk dining area to patrons within the sidewalk dining area or within the premises, as the case may be. No licensed restaurants with a valid special exception for sidewalk dining shall serve beer to any person who is not within the permitted sidewalk dining area or within the confines of the licensed premises interior walls.

SECTION VII. BE IT FURTHER ORDAINED that coolers, glass bottles, glass thermos bottles, breakable glasses and/or cups or mugs shall be prohibited within the Permitted Area described on Exhibit "A."

SECTION VIII. BE IT FURTHER ORDAINED that no container of beer shall be capable of containing more than sixteen (16) fluid ounces within the Permitted Area described on Exhibit "A."

SECTION IX. BE IT FURTHER ORDAINED that only the possession and consumption of beer shall be permitted upon the public streets, sidewalks, walkways, squares, avenues, alleys or other public ways as particularly set forth in the Permitted Area on Exhibit "A" hereto and that all other alcoholic beverages shall be sold, permitted, and consumed only within the licensed establishments in B-2 Central Business District, fronting the streets closed in the Permitted Area on Exhibit "A," holding current, operable, licenses and permits from the City of Johnson City and the State of Tennessee. See SECTION VI for rules pertaining to licensed establishments possessing a special exception for sidewalk dining.

SECTION X. BE IT FURTHER ORDAINED that the operation of this ordinance shall terminate at midnight, local time, on Sunday, August 16, and thereafter shall be null, void and of no force or effect.

SECTION XI. BE IT FURTHER ORDAINED that during the operation of this ordinance there be appropriate measures taken so as to notify the public of the closing of the public streets, sidewalks, walkways, squares, avenues, alleys or other public ways for the purpose of holding the Umoja Festival and to notify the public that special rules allowing only the consumption of beer within areas herein.

SECTION XII. BE IT FURTHER ORDAINED that no authorized license holder holding an on-premises license for the sale of beer shall sell such beverages for off-premise after 9:30 p.m., local time, during the Umoja Festival.

SECTION XIII. BE IT FURTHER ORDAINED that all off-premises beverages as permitted herein shall be consumed before 10:00 p.m., local time, during the Umoja Festival.

SECTION XIV. BE IT FURTHER ORDAINED that all music shall be concluded at 11:00 p.m., local time, in the area herein described during the Umoja Festival.

SECTION XV. BE IT FURTHER ORDAINED that the authorized license holder making the sale shall be responsible at the entrance to the business premises for checking all identification in order to ensure legal compliance with the laws pertaining to legal drinking age and no such license holders shall allow alcoholic beverages as permitted herein to leave the licensed premises for off-premises consumption after the 9:30 p.m., local time, deadline as set forth herein.

SECTION XVI. BE IT FURTHER ORDAINED that this ordinance shall take effect during the hours set forth herein, after its passage on third and final reading and publication as required by law, the public welfare requiring it.

SECTION XVII. BE IT FURTHER ORDAINED that each violation of a provision of this ordinance shall subject a violator to a fine as specified in the *Code of the City of Johnson City, Tennessee*, in Section 1-104; furthermore, a violator with a beer license who violates this ordinance is subject to all fines, suspensions, and revocations as set forth in Title 57 of the *Tennessee Code*, Section 1-104 of the *Code of the City of Johnson City, Tennessee*, and Title 8 of the *Code of the City Of Johnson City, Tennessee*.

PASSED IN OPEN, PUBLIC MEETING
ON THE FIRST READING 5/7/2015
PASSED IN OPEN, PUBLIC MEETING
ON THE SECOND READING 5/21/2015
PASSED IN OPEN, PUBLIC MEETING
ON THE THIRD READING 6/4/2015
APPROVED AND SIGNED IN OPEN
MEETING ON THE 4th DAY OF
June, 2015

FOLLOWING PASSAGE ON THIRD
READING.

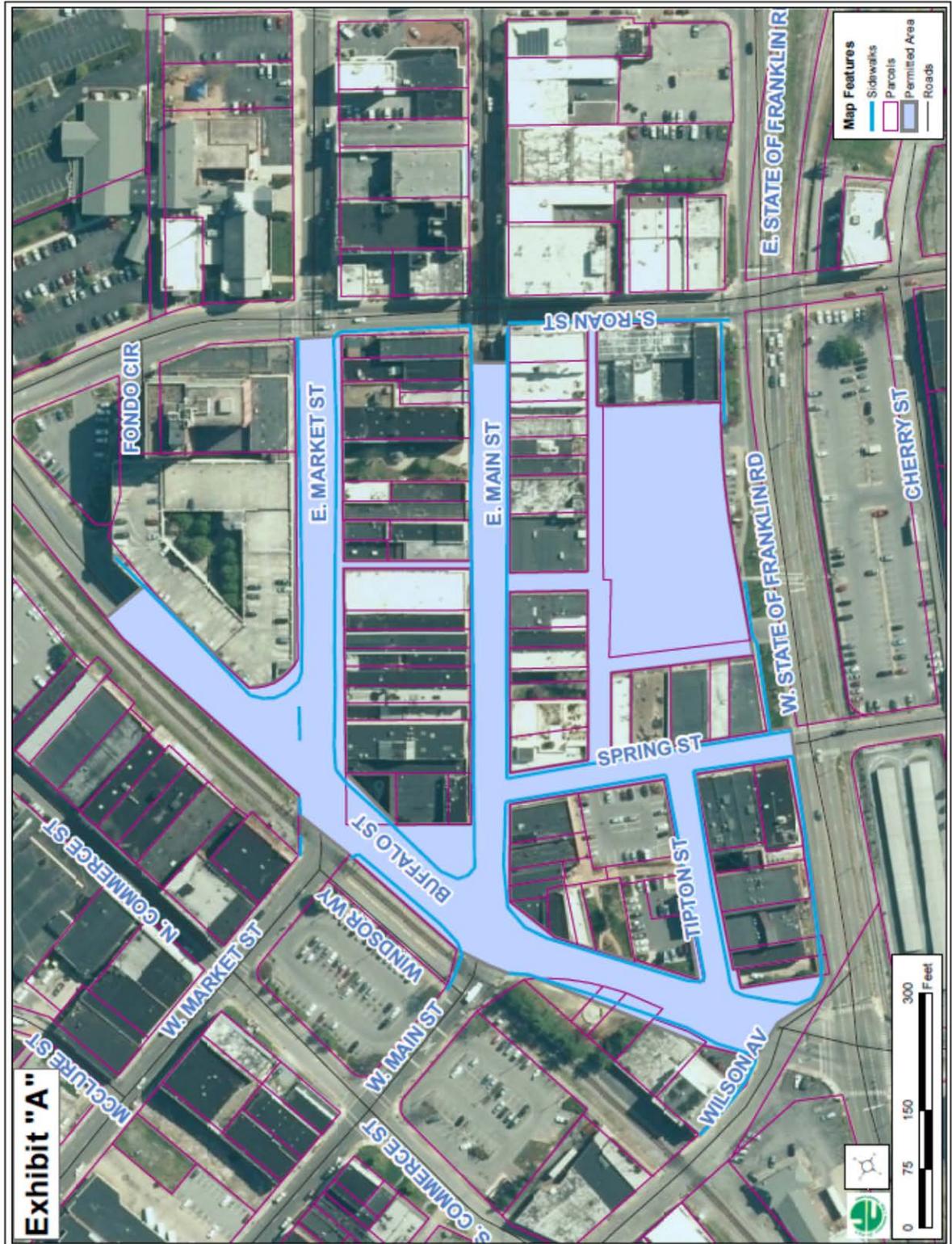
/s/ Ralph Van Brocklin
RALPH VAN BROCKLIN, MAYOR

ATTEST:

/s/ Janet Jennings
CITY RECORDER

APPROVED AS TO FORM:

/s/ James H. Epps, IV
STAFF ATTORNEY



Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, **Ordinance No. 4578-15**, "AN ORDINANCE TO REZONE 2020 INDIAN RIDGE ROAD FROM R-2 (LOW DENSITY RESIDENTIAL) AND R-3 (MEDIUM DENSITY RESIDENTIAL) TO R-4 (MEDIUM DENSITY RESIDENTIAL)," was **passed on third reading**. The motion **carried** by four ayes. Vice-Mayor Clayton Stout was absent from the Chambers. There were no nay votes.

ORDINANCE NO. 4578-15

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 R-2 (LOW DENSITY RESIDENTIAL) DISTRICT AND A R-3 (MEDIUM DENSITY RESIDENTIAL) DISTRICT TO A R-4 (MEDIUM DENSITY RESIDENTIAL) DISTRICT CERTAIN PROPERTY LOCATED AT 2020 INDIAN RIDGE ROAD.

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 R-2 (Low Density Residential) District and R-3 (Medium Density Residential) District to a R-4 (Medium Density Residential) District.

See description marked "Exhibit 'A'" hereto.

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

See associated Concept Plan marked "Exhibit 'C'" 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 5/7/2015
PASSED ON SECOND READING 5/21/2015
PASSED ON THIRD READING 6/4/2015
APPROVED AND SIGNED IN OPEN MEETING
ON THE 4th DAY OF June, 2015

/s/ Ralph Van Brocklin
MAYOR

ATTEST:

/s/ Janet Jennings
City Recorder

APPROVED AS TO FORM:

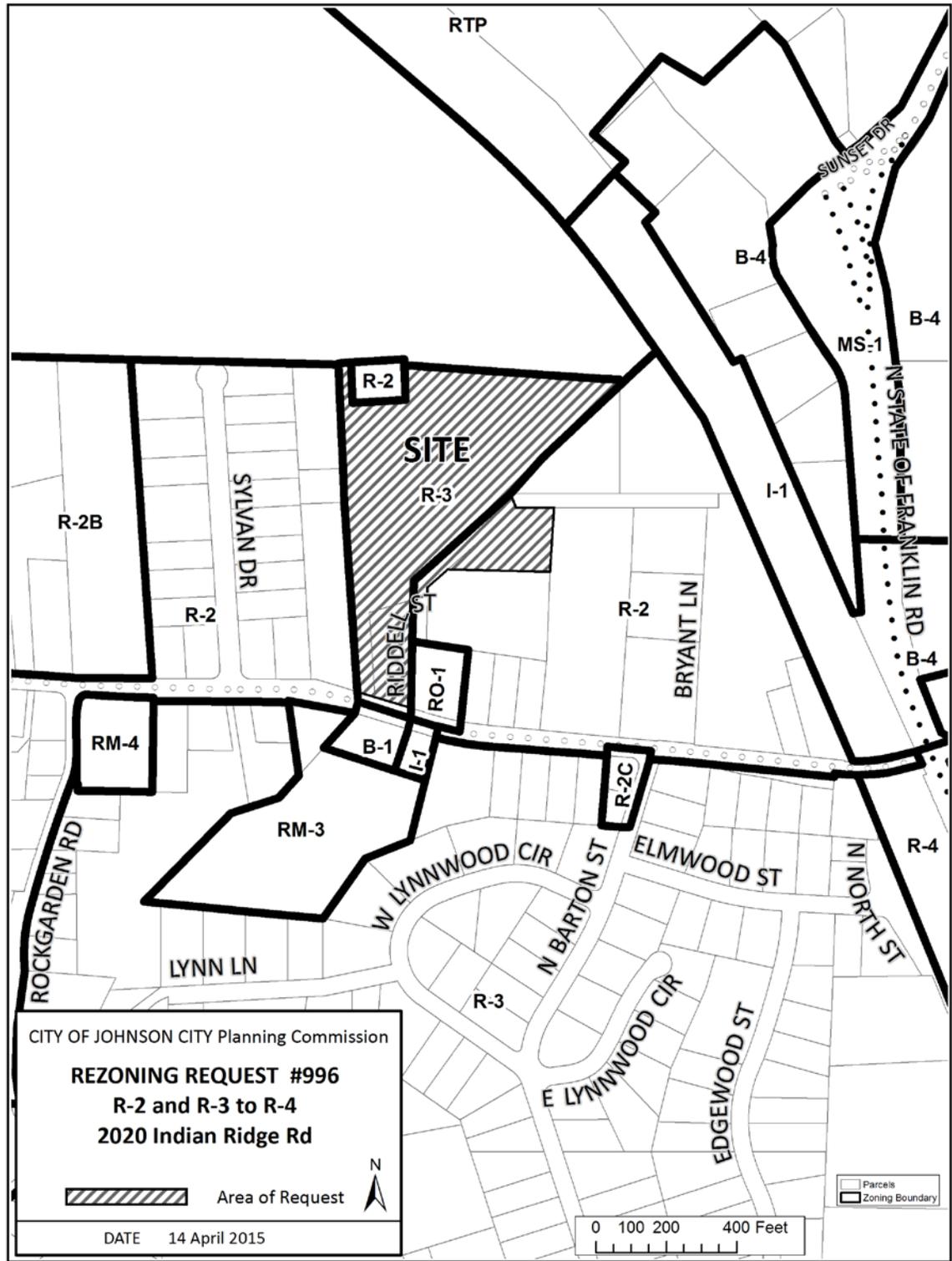
/s/ James H. Epps, IV
City Attorney

"Exhibit 'A'"

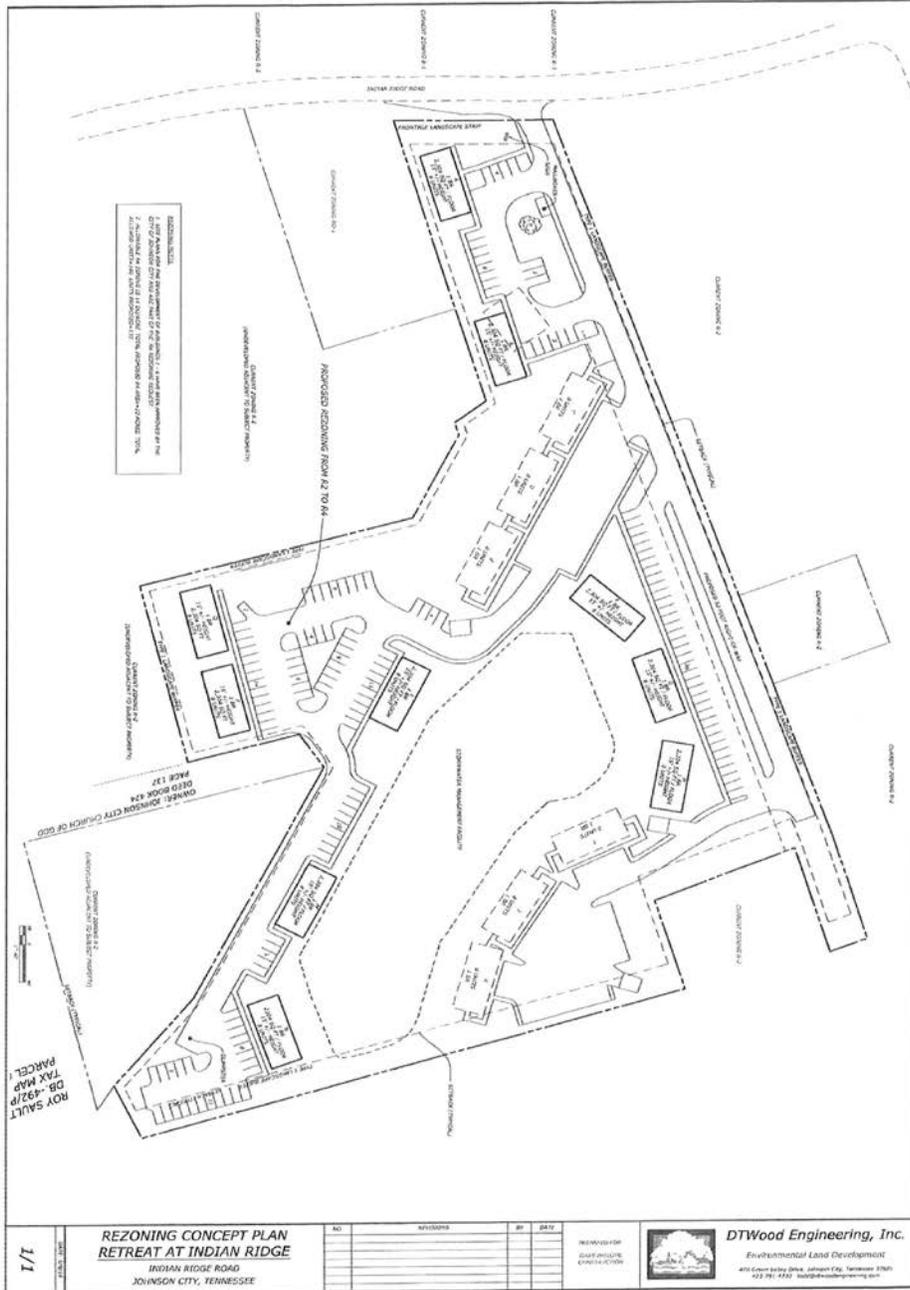
Being a portion of Tax map 045M Group A and parcel's 011.00, 011.05, and parcel 004.06 located in the 9th Civil District of Washington County Tennessee. And being more particularly described as follows:

Beginning at a iron rod to an iron rod; thence South 70°23'01" East a distance of 78.08 feet to an iron rod; thence South 69°32'23" East a distance of 81.55 feet to an iron rod; thence North 02°28'45" East a distance of 312.51 feet to an iron rod; thence North 73°42'48" East a distance of 38.73 feet to an iron rod; thence North 01°11'15" East a distance of 13.52 feet to an iron rod; thence North 47°49'26" East a distance of 101.17 feet to an iron rod; thence South 84°25'49" East a distance of 288.62 feet to an iron rod; thence North 05°10'11" East a distance of 193.07 feet to an iron rod; thence North 84°37'49" West a distance of 115.11 feet to an iron rod; thence North 21°46'40" West a distance of 44.95 feet to an iron rod; thence North 47°45'00" East a distance of 276.01 feet to an iron rod; thence North 60°38'43" East a distance of 122.01 feet to an iron rod; thence North 06°30'00" West a distance of 62.03 feet to an iron rod; thence North 85°56'12" West a distance of 566.74 feet to an iron rod; thence South 01°45'53" West a distance of 99.16 feet to an iron rod; thence South 01°45'53" West a distance of 17.12 feet to an iron rod; thence North 84°54'59" West a distance of 151.45 feet to an iron rod; thence North 01°57'36" East a distance of 116.30 feet to an iron rod; thence South 89°35'49" West a distance of 40.00 feet to an iron rod; thence South 01°57'36" West a distance of 116.30 feet to an iron rod; thence South 00°29'00" East a distance of 810.72 feet to an iron rod; which is the point of beginning, Containing an area of 8.861± Acres

"Exhibit 'B'"



"Exhibit 'C'"



Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, **Ordinance No. 4579-15**, "AN ORDINANCE TO REZONE PROPERTIES LOCATED ALONG MED-TECH PARKWAY AND HEART DRIVE, KNOWN AS 190 HEART DRIVE, TAX MAP 45 PARCEL 51.01, LOCATED AT THE END OF HEART DRIVE; 944 MED-TECH PARKWAY; 921 MED-TECH PARKWAY; 161 HEART DRIVE; AND 207 HEART DRIVE, FROM RTP (RESEARCH TECHNOLOGY PARK) AND MS-1 (MEDICAL SERVICES) TO B-4 (PLANNED ARTERIAL BUSINESS)," was **passed on third reading**. The motion **carried** by four ayes. Vice-Mayor Clayton Stout was absent from the Chambers. There were no nay votes.

ORDINANCE NO. 4579-15

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 RTP (RESEARCH TECHNOLOGY PARK) DISTRICT AND A MS-1 (MEDICAL SERVICES) DISTRICT TO A B-4 (PLANNED ARTERIAL BUSINESS) CERTAIN PROPERTIES LOCATED ALONG HEART DRIVE AND MED-TECH PARKWAY, KNOWN AS: 190 HEART DR; TAX MAP 45 PARCEL 51.01 – LOCATED AT THE END OF HEART DR; 944 MED-TECH PKY; 921 MED-TECH PKY; 161 HEART DR; AND 207 HEART DR.

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 properties from a RTP (Research Technology Park) District and MS-1 (Medical Servies) District to a B-4 (Planned Arterial Business) District.

See descriptions 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	<u>5/7/2015</u>
PASSED ON SECOND READING	<u>5/21/2015</u>
PASSED ON THIRD READING	<u>6/4/2015</u>

APPROVED AND SIGNED IN OPEN MEETING
ON THE 4th DAY OF June, 2015

/s/ Ralph Van Brocklin
MAYOR

ATTEST:

/s/ Janet Jennings
City Recorder

APPROVED AS TO FORM:

/s/ James H. Epps, IV
City Attorney

"Exhibit 'A'"



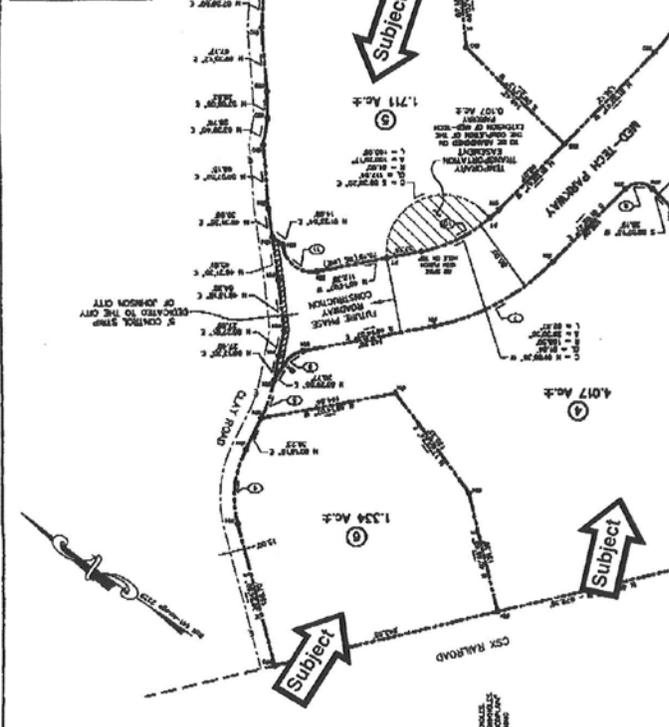
OCT-12-2011 10:20

WASH. CO. PROPERTY ASSESS

423 753 1815

P.02

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3. 1.0000 ACRES	1.0000	1.0000	100,000
4. 1.0000 ACRES	1.0000	1.0000	100,000
5. 1.0000 ACRES	1.0000	1.0000	100,000
6. 1.0000 ACRES	1.0000	1.0000	100,000
7. 1.0000 ACRES	1.0000	1.0000	100,000
8. 1.0000 ACRES	1.0000	1.0000	100,000
9. 1.0000 ACRES	1.0000	1.0000	100,000
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12. 1.0000 ACRES	1.0000	1.0000	100,000
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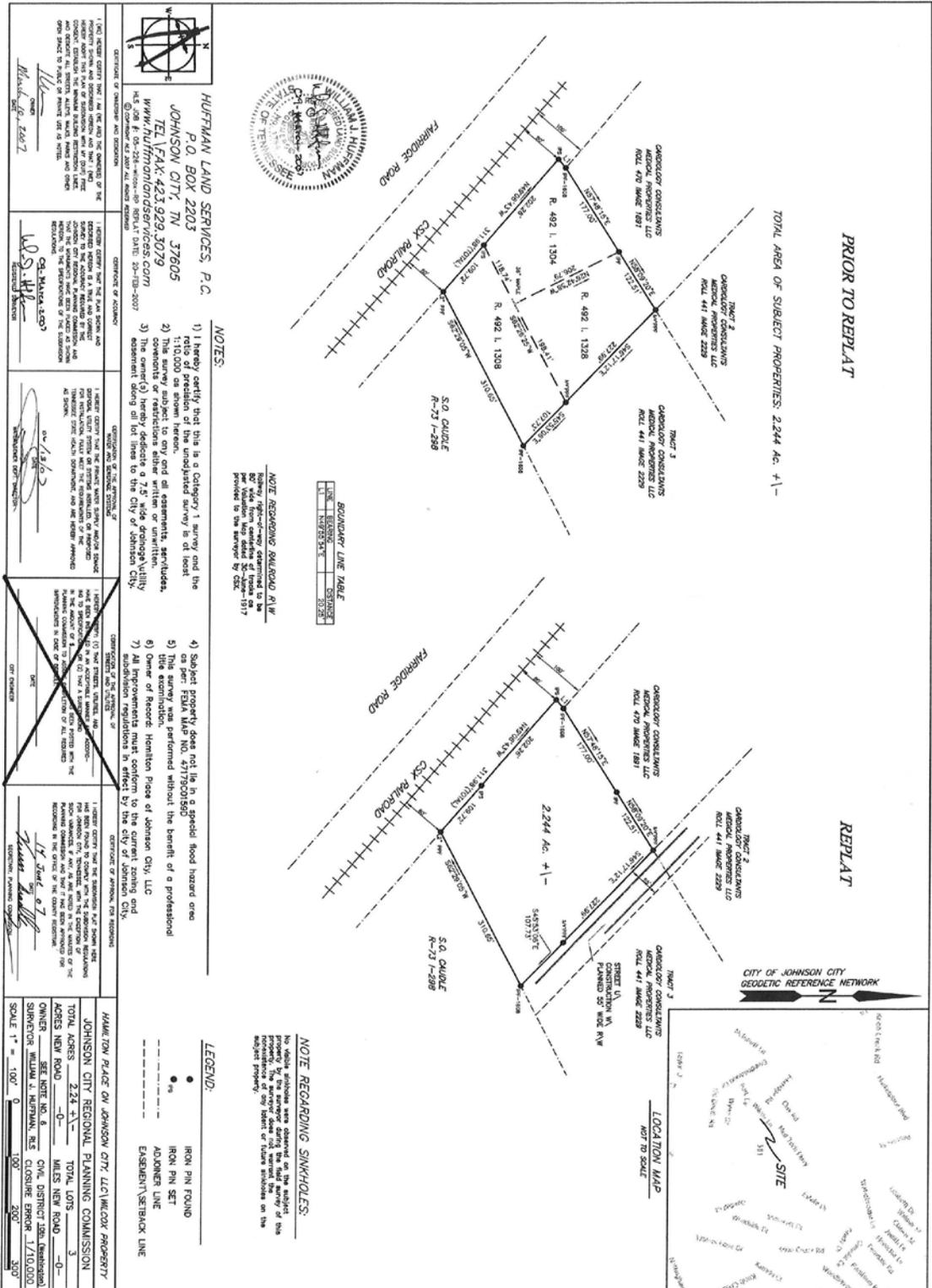
LEGEND

1 - THE SHADY HATCHED INDICATES A...
 2 - THE UNHATCHED INDICATES A...
 3 - THE UNHATCHED INDICATES A...
 4 - THE UNHATCHED INDICATES A...
 5 - THE UNHATCHED INDICATES A...
 6 - THE UNHATCHED INDICATES A...
 7 - THE UNHATCHED INDICATES A...
 8 - THE UNHATCHED INDICATES A...
 9 - THE UNHATCHED INDICATES A...
 10 - THE UNHATCHED INDICATES A...

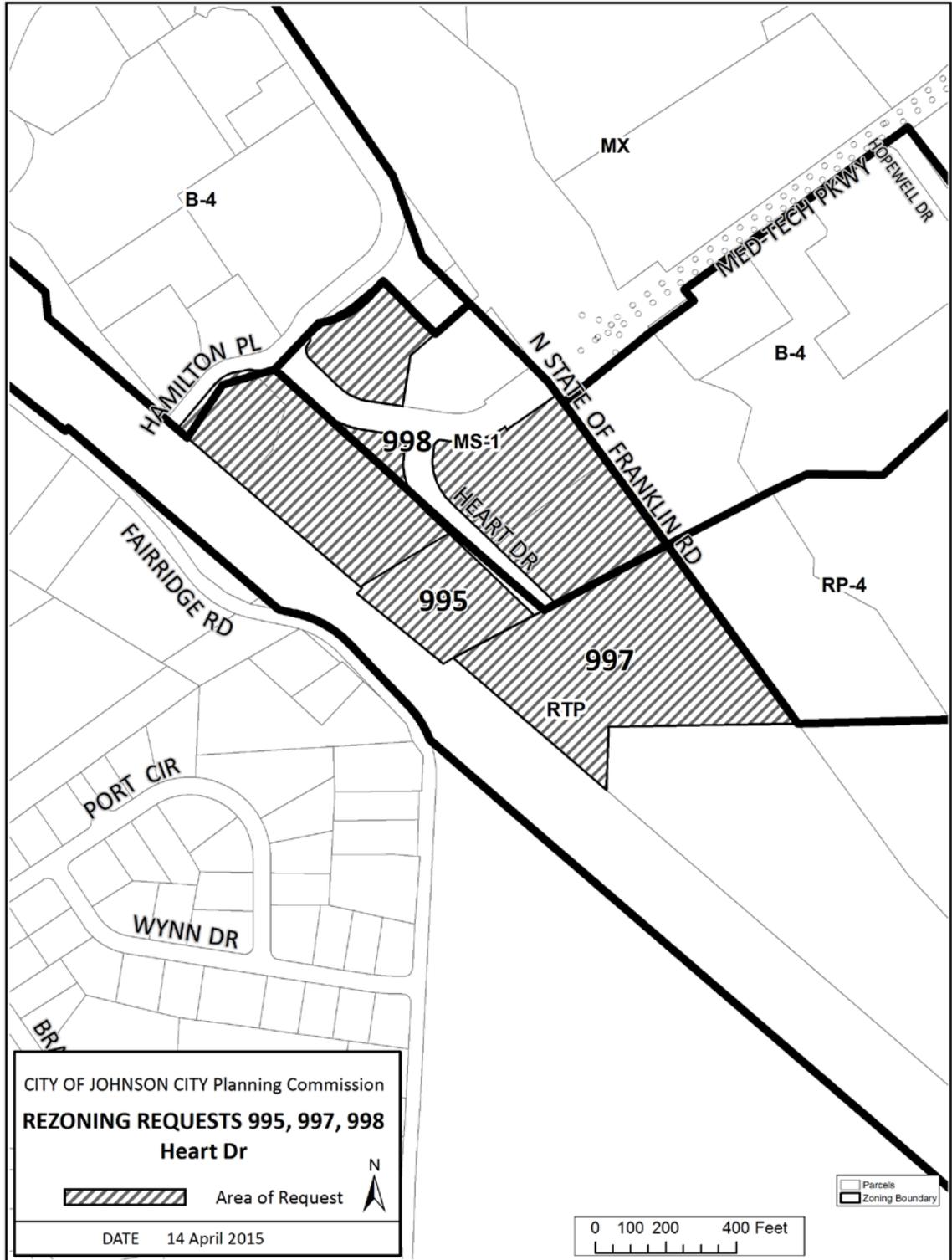
TH&P
 TITLE INSURANCE & TRUST COMPANY
 1000 WASHINGTON AVENUE, SUITE 1000
 WASHINGTON, DC 20004
 (202) 462-2000
 www.thandp.com

UTS 2.6.0 & 5 - CARBON-DIOXIDE CONSULTANTS MEDICAL PROPERTIES
 JOHNSON CITY REGIONAL PLANNING COMMISSION
 JOHNSON CITY, TENN. 37601
 APPROVED FOR THE BOARD OF COMMISSIONERS
 APPROVED DATE: 06/04/15
 APPROVED BY: [Signature]

APPROVED BY: [Signature]
 APPROVED DATE: 06/04/15



"Exhibit 'B'"



Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner David Tomita, **Ordinance No. 4581-15**, "AN ORDINANCE TO ALLOW POSSESSION AND CONSUMPTION OF BEER AND THE SALE OF ITEMS FROM STREET VENDORS ON THE CLOSED PORTION OF DOWNTOWN DURING THE ATLANTIC ALE HOUSE BLOCK PARTY TO BE HELD ON FRIDAY, JUNE 5, 2015 THROUGH SATURDAY, JUNE 6, 2015," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

ORDINANCE NO. 4581-15

AN ORDINANCE AUTHORIZING THE CONSUMPTION OF CERTAIN ALCOHOLIC BEVERAGES AND FOOD TRUCK SALES AS SPECIFIED HEREIN AT THE 2015 ATLANTIC ALE HOUSE BLOCK PARTY TO TAKE PLACE UPON THE PUBLIC STREETS, SIDEWALKS, WALKWAYS, SQUARES, AVENUES, ALLEYS OR OTHER PUBLIC WAYS AS PARTICULARLY DESCRIBED IN THAT PORTION OF THE CITY MORE PARTICULARLY SET FORTH AND DESCRIBED HEREIN NOTWITHSTANDING THE PROVISIONS OF SECTION 8-101 OR SECTION 16-105 OF THE CODE OF THE CITY OF JOHNSON CITY, TENNESSEE, OR ANY OTHER ORDINANCES OR PARTS OF ORDINANCES HERETOFORE PASSED.

WHEREAS, the person sponsoring the special event known as the Atlantic Ale House Block Party has requested permission for the temporary closing from Friday, June 5, 2015, at 4:00 p.m. until Saturday, June 6, 2015, at 11:00 p.m., local time, and use of certain public streets, sidewalks, walkways, squares, avenues, alleys or other public ways as herein described for the purpose of holding the Atlantic Ale House Block Party in Johnson City, Tennessee, in that portion of the downtown area as more particularly described and set forth on Exhibit "A" to this ordinance as well as to allow the possession and consumption of beer to be possessed and consumed and food sales (but not beer sales) exclusively from food trucks during said event in said area on June 5, 2015, between the hours of 5:00 p.m. and 10:00 p.m., and on June 6, 2015, between the hours of 2:00 p.m. and 10:00 p.m. local time; and

WHEREAS, it has been determined by the Board of Commissioners that it is in the public interest of the City to allow the possession and consumption of beer, and food sales (but not beer sales) exclusively from food trucks upon the public streets, sidewalks, walkways, squares, avenues, alleys or other public ways in that portion of the downtown area herein described which is to be purchased in said area as described herein during said event; and

WHEREAS, it has been determined to be in the public interest to suspend the operation of the ordinances of the City governing the possession and consumption of beer and sales of food in the Permitted Area shown on Exhibit "A" only during the hours set out above and as specified below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JOHNSON CITY as follows:

SECTION I. That there shall be a temporary closing from Friday, June 5, 2015, at 4:00 p.m. until Saturday, June 6, 2015, at 11:00 p.m., local time, of certain public streets, sidewalks, walkways, squares, avenues, alleys or other public ways as herein described for the purpose of holding the Atlantic Ale House Block Party in Johnson City, Tennessee, in that portion of the downtown area as more particularly described and set forth on Exhibit "A" to this ordinance.

SECTION II. BE IT FURTHER ORDAINED for the purposes of this ordinance, "beer" is defined in Title 57, Chapter 5 of the Tennessee Code. The possession and consumption of beer and food sales (but not beer sales) exclusively from food trucks is permitted in that area of the City described herein on Exhibit "A" and is allowed upon the public streets, sidewalks, walkways, squares, avenues, alleys or other public ways of the City located in said Permitted Area of the City depicted on Exhibit "A", only during the hours between 5:00 p.m. and 10:00 p.m., local

time on June 5, 2015 and during the hours between 2:00 p.m. and 10:00 p.m. on June 6, 2015. No serving, dispensing, or pouring of beer shall take place outside of the confines of the interior walls of the licensed premises which is currently duly licensed under applicable state statutes and municipal ordinances governing the sale of said beverages fronting the street closed in the area described on Exhibit "A." No serving, dispensing, or pouring of beer shall be allowed upon the public streets, sidewalks, walkways, squares, avenues, alleys, or other public ways depicted on Exhibit "A" as the "Permitted Area." All cash registers, kegs, and taps shall be confined within the interior walls of the licensed premises.

SECTION III. BE IT FURTHER ORDAINED that all such beer possession and consumption as authorized herein be purchased from the entity which is currently duly licensed under applicable state statutes and municipal ordinances governing the sale of said beverages fronting the street closed in the Permitted Area described on Exhibit "A," in containers which shall be of suitable material such as styrofoam, paper, plastic or some other such known non-shatterable or unbreakable substance and which shall be other than glass. Food sales (but not beer sales) exclusively from food trucks are authorized only within the permitted area described on Exhibit "A." No sale of beer shall be allowed from food trucks.

SECTION IV. BE IT FURTHER ORDAINED that only pedestrian traffic will be allowed in the Permitted Area described on Exhibit "A" and all other traffic, except police, EMS, fire or other such emergency equipment, shall be prohibited.

SECTION V. BE IT FURTHER ORDAINED that coolers, glass bottles, glass thermos bottles, breakable glasses, or breakable cups/mugs, large bags and backpacks shall be prohibited within the Permitted Area described on Exhibit "A".

SECTION VI. BE IT FURTHER ORDAINED that no container of beer shall be capable of containing more than sixteen (16) fluid ounces within the Permitted Area described on Exhibit "A".

SECTION VII. BE IT FURTHER ORDAINED that only the possession and consumption of beer shall be permitted upon the public streets, sidewalks, walkways, squares, avenues, alleys or other public ways as particularly set forth as the Permitted Area on Exhibit "A" hereto and that all other alcoholic beverages shall be sold and permitted only within the licensed establishment fronting the street closed in the Permitted Area on Exhibit "A," holding current, operable, licenses and permits from the City of Johnson City and the State of Tennessee.

SECTION VIII. BE IT FURTHER ORDAINED that the event authorized by this ordinance shall terminate at 11:00 p.m., local time, on June 6, 2015.

SECTION IX. BE IT FURTHER ORDAINED that during the operation of this ordinance there be appropriate measures taken so as to notify the public of the closing of the public streets, sidewalks, walkways, squares, avenues, alleys or other public ways for the purpose of holding the Atlantic Ale House Block Party and to notify the public that special rules are in effect allowing only the consumption of beer and food sales (but not beer sales) exclusively from food trucks within the areas specified herein.

SECTION X. BE IT FURTHER ORDAINED that no authorized license holder holding an on-premises license for the sale of beer is to sell such beverages for off-premise consumption after 10:00 p.m., local time.

SECTION XI. BE IT FURTHER ORDAINED that all off-premises beverages as permitted herein shall be consumed before 10:00 p.m., local time.

SECTION XII. BE IT FURTHER ORDAINED that the authorized license holder making the sale shall be responsible at the entrance to the business premises for checking all identification in order to ensure legal compliance with the laws pertaining to legal drinking age and no such license holders shall allow alcoholic beverages as permitted herein to leave the licensed premises for off-premises consumption after the 10:00 p.m., local time, deadline as set forth herein.

SECTION XIII. BE IT FURTHER ORDAINED that this ordinance shall take effect during the hours and

dates set forth herein, after its passage on third and final reading and publication as required by law, the public welfare requiring it.

SECTION XIV. BE IT FURTHER ORDAINED that each violation of a provision of this ordinance shall subject the licensee to punishment up to and including forfeiture of his or her license and a fine as specified in the Code of the City of Johnson City, Tennessee, in Section 1-104.

PASSED IN OPEN, PUBLIC MEETING
ON THE FIRST READING 5/7/2015

PASSED IN OPEN, PUBLIC MEETING
ON THE SECOND READING 5/21/2015

PASSED IN OPEN, PUBLIC MEETING
ON THE THIRD READING 6/4/2015

APPROVED AND SIGNED IN OPEN
MEETING ON THE 4th DAY OF
June, 2015

FOLLOWING PASSAGE ON THIRD
READING.

/s/ Ralph Van Brocklin
MAYOR

ATTEST:

/s/ Janet Jennings
CITY RECORDER

APPROVED AS TO FORM:

/s/ James H. Epps, IV
STAFF ATTORNEY

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 the naming of certain rooms in the Science Hill Fieldhouse, as recommended by Tony Treadway, Chairman, Science Hill High School (SHHS) Fieldhouse Fundraising Committee, be and the same is hereby approved.

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 an amendment to the Lease with the PBA, be and the same is hereby approved. Commissioners asked that market value of the \$544,350 donation of the courtyard by the City to the University be acknowledged.

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 beer license for Yee-Haw Brewing, LLC, 126 Buffalo Street, Johnson City, Tennessee, contingent on the certificate of occupancy being issued, be and the same is hereby approved. Joseph Baker, applicant, was present.

At this time, City Manager Pete Peterson presented the Fiscal Year 2015-2016 budget overview to the Commission.

At this time a public hearing was held regarding Ordinance No. 4582-15 (budget ordinance). Mitch Miller, Washington County Economic Development Council (WCEDC), made a presentation on how funds are utilized by the WCEDC. Tim Carson, Washington County Health Department, addressed the Commission regarding how funds received from the City are invested in the Community. Tim Belisle, Johnson City Board of Education, addressed the Commission and reviewed the School Systems budget requests. Gary Mabrey, Washington County, Johnson City, Jonesborough, Chamber of Commerce, addressed the Commission, in support of the Property Tax rate increase, and presented the financial impact of tourism in Washington County. Dan Wheelley, Washington County/Johnson City EMS, spoke in support of the additional funding for that organization.

At this time, Mayor Ralph Van Brocklin made a motion to accept the budget (Ordinance No. 4582-15) as presented by the City Manager. Commissioner Jenny Brock seconded the motion.

At this time, Mayor Ralph Van Brocklin provided an opportunity for introductory comments, as follows:

- Commissioner Jeff Banyas:
 - Expressed concern that there is no debt reduction
 - Not enough funding for road resurfacing. Would like to see Staff to make resurfacing a priority now and in the future
 - Expressed concern about maintaining fund balance and the fact that no portion of the proposed property tax rate increase of 37¢ is going toward building the fund balance
 - Expressed concern regarding the size of the property tax rate increase and the burden that any increase in the County rate may present
 - Stated that nothing on the list of needs is frivolous or wasteful

- Commissioner David Tomita:
 - o Stated he would like to see the expenditure side addressed before using a property tax rate increase as the funding mechanism
 - o Pointed out the need to be careful about raising the tax rate due to competition from other cities in the region
 - o Agreed with Commissioner Banyas that nothing on the list of needs is frivolous
 - o Stated that Hotel/Motel taxes will provide additional revenues with the burden placed on citizens from other localities rather than on Johnson City Citizens

At this time, Mayor Ralph Van Brocklin asked for amendments to the budget in the form of Revenue Adjustments.

At this time, Vice-Mayor Clayton Stout made a presentation on different options for getting the investment in roads back on track. He requested that City Staff provide quarterly updates on resurfacing projects.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That an amendment to the Budget Ordinance (4582-15), to include a 12¢ property tax increase for the purpose of taking the resurfacing budget to \$3 million, be approved.

Upon motion by Mayor Ralph Van Brocklin, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **failed** as follows: Mayor Ralph Van Brocklin and Commissioner David Tomita voted aye. Vice-Mayor Clayton Stout and Commissioners Jeff Banyas and Jenny Brock voted nay.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That an amendment to the previous amendment to the proposed budget, to take resurfacing to \$3 million (addition of \$500,000), be approved.

Upon motion by Vice-Mayor Clayton Stout, seconded by Mayor Ralph Van Brocklin, the following resolution was offered for adoption. The motion **carried** as follows: Mayor Ralph Van Brocklin, Vice-Mayor Clayton Stout and Commissioner Jenny Brock voted aye. Commissioners Jeff Banyas and David Tomita voted nay.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That an amendment, to the previous amendment, to include a 10¢ property tax increase for the purpose of taking the resurfacing budget to \$3 million, be and the same is hereby approved. (Note: A 7¢ increase is included in the proposed budget-amendment provides an additional 3¢.)

Upon motion by Commissioner Jenny Brock, seconded by Mayor Ralph Van Brocklin, the following resolution was offered for adoption.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That an amendment to the Budget Ordinance (4582-15), to provide funding from the Hotel/Motel Tax increase, for the following tourism enhancing initiatives recommended by the Convention and Visitors Bureau (CVB): (1) Purchase track enhancements for Kermit Tipton Stadium in Fiscal Year 2016 in an amount not to exceed \$150,000 (CVB will fund architectural work), and (2) Make bathroom and field improvements at Winged Deer Park in an amount not to exceed \$50,000 (four plex for softball fields-bathroom on field 5 and field maintenance, be approved.

Upon motion by Mayor Ralph Van Brocklin, 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 an amendment to the previous amendment to include an additional \$150,000 in Fiscal Year 2017 for the purchase of track enhancements at Kermit Tipton Stadium, be and the same is hereby approved. Note: This brings the two year funding for track enhancements to \$300,000.

Upon motion by Commissioner Jenny Brock, 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 an amendment to the budget ordinance (4582-15) to create a line-item within the Economic Development reserve in the amount of \$75,000 for the purpose of providing stimulus funds to increase community special events and features that attract visitors and create economic activity for Johnson City, be and the same is hereby approved. Note: this amendment is budget neutral and only affects the categories within Fund Balance committed for Economic development.

Upon motion by Mayor Ralph Van Brocklin, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **failed** as follows: Mayor Ralph Van Brocklin and Commissioner Jenny Brock voted aye. Vice-Mayor Clayton Stout and Commissioners Jeff Banyas and David Tomita voted nay.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That an amendment to the Budget Ordinance (4582-15) to include an additional 3¢ increment in the property tax rate to be dedicated to a Business Retention, Business Recruitment and Economic Development Fund (\$500,000 per year), be and the same is hereby not approved. Mayor Ralph Van Brocklin emphasized the need for funding for the performing arts and for the Hands on Regional Museum.

At this time, a motion made by Mayor Ralph Van Brocklin to amend the Budget Ordinance (4582-15) for the addition of personnel devoted to parking enforcement in the downtown area, in an amount not to exceed \$80,000 per year, *died* for the lack of a second.

At this time, Mayor Ralph Van Brocklin asked for amendments to the budget in the form of Expenditure Reductions. None were offered.

Upon motion by Mayor Ralph Van Brocklin, seconded by Commissioner Jenny Brock, **Ordinance No. 4582-15**, "AN ORDINANCE TO ESTABLISH PROPERTY TAX RATES, APPROPRIATE FUNDS, AND ADOPT A BUDGET FOR THE FISCAL YEAR JULY 1, 2015 THROUGH JUNE 30, 2016, as amended" was ***passed on first reading***. The motion ***carried*** as follows: Mayor Ralph Van Brocklin, Vice-Mayor Clayton Stout and Commissioner Jenny Brock voted aye. Commissioners Jeff Banyas and David Tomita voted nay.

There being no further business or discussion, Mayor Ralph Van Brocklin adjourned the meeting at 10:07 p.m.

RALPH VAN BROCKLIN
MAYOR

JANET JENNINGS
CITY RECORDER

ITEMS DEFERRED:

1. None.

ACTION ITEMS:

1. Third reading of Ordinance 4580-15 (Hotel/Motel Tax Increase) to occur with the second reading of the budget ordinance.