

COMMISSION MEETING MINUTES

JUNE 18, 2015

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 18, 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 6:03 p.m.

At this time, Reverend Lester Lattany, Pastor, New Jerusalem Baptist Church, gave the invocation, which was followed by the pledge of allegiance.

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 the addition to the agenda of the consideration of the Downtown Brush Creek Sanitary Sewer Interceptor Replacement Pay Request in the amount of \$198,500, Final Retainage in the amount of \$50,000 and Final Waiver of a Lien/Modification to the existing contract, 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 **deferral** of the consideration of three (3) appointments to the Johnson City Regional Planning Commission, 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 the minutes of the regularly scheduled City Commission Meeting held on Thursday, June 4, 2015, be and the same are hereby approved.

At this time, Mayor Ralph Van Brocklin presented a proclamation recognizing Morris-Baker Funeral Home and Cremation Services 10-Year Anniversary. Preston McKee and other members of the Morris-Baker family were present to accept.

At this time, Mayor Ralph Van Brocklin opened the public input session. Lester Lattany, CEO, United Way, expressed thanks to the City for allowing the United Way the opportunity to bring back the Spring Golf Tournament. He stated that it was a successful event. John Goodin requested that the farmers be recognized in the naming of the facility where the Farmer's Market will be held.

Upon motion by Commissioner Jeff Banyas, 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 Sangetta K. Jaiswal; Birendra P. Gupta, d/b/a Vani L, Inc., 414 West Oakland Avenue, Suite 1, Johnson City, Tennessee, be and the same is hereby approved. Birendra P. Gupta, applicant, was present.

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 the reappointment of Robert Thomas to the Johnson City Power Board, be and the same is hereby approved.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by four ayes. Vice-Mayor Clayton Stout voted nay.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the reappointment of Frank Hawkins to the Johnson City Senior Services Foundation Board, be and the same is hereby approved.

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 settlement on the Downtown Brush Creek Sanitary Sewer Interceptor Replacement for the pay application in the amount of \$198,500, Release of Retainage in the amount of \$50,000 and Final Waiver of a Lien/Modification to the existing contract, be and the same is hereby approved.

Upon motion by Vice-Mayor Clayton Stout, 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 pulling of Consent Agenda Item A.3., Construction Retainage Escrow Account Agreement with Baker Construction Services and First Tennessee Bank, 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 four ayes. Commissioner David Tomita 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 Construction Retainage Escrow Account Agreement with Baker Construction Services and First Tennessee Bank, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, 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 remainder of the Consent Agenda for June 18, 2015, be and the same is hereby approved.

CONSENT AGENDA:

A. GENERAL:

i. Administration

Consider approval of settlement for flood claim at 1404 East Main Street, Johnson City, Tennessee

ii. Purchasing Department

Consider declaring certain Fleet Management equipment as surplus:
Two-(2) Vehicles & Two-(2) Compressor's

iii. Finance Department

Consider construction retainage escrow account agreement with Baker Construction Services and First Tennessee Bank

iv. Police Department

Memorandum of Understanding between the City of Johnson City, administering the JC/WC Family Justice Center and ETSU on behalf of the Department of Counseling and Human Services & the Department of Criminal Justice

v. Parks & Recreation Department ~Senior Services Division

Consider approval of FTDD Area Agency on Aging and Disability Grant Contract for the City of Johnson City Senior Services

vi. **Transit**

Consider approval of contract for JCT Bucshot Transit Services to ETSU during 2015-16 Academic Year

vii. **Transit**

Consider approval for the annual submission of applications for Federal Transit Administration Section 5307 and Tennessee Department of Transportation Capital & Operating Funds

viii. **Transit**

Consider approval for signing of TDOT contract to extend state Urban Operating Assistance Grant UROP-S3-009 to February 28, 2016

B. INVOICES:

- i. J.E. Green \$212,794.71
 Finance Department ~ Pay Request #11
 Kermit Tipton Stadium Fieldhouse
 Funding Source: Loan Proceeds
- ii. Trademark of VA \$130,909.76
 Public Works Department
 Farmers Market Project
 Funding Source: TIF & General Fund
- iii. Burleson Construction \$1,378.00
 Public Works Department
 Farmers Market Project (Project Management)
 Funding Source: TIF & Capital Account
- iv. Barge Waggoner Sumner & Cannon \$5,971.00
 Public Works Department
 Downtown Plaza Master Plan
 Funding Source: Stormwater Fund

- v. Littlejohn Engineering Associates \$6,000.00
 Water & Sewer Services ~ Task Order #3
 Cash Hollow Sewer Rehab Project Phase I
 Funding Source: Budgeted Expense

- vi. Wiedeman & Singleton \$27,376.08
 Water & Sewer Services ~ Task Order #8
 Watauga Water Treatment Plan Hypochlorite Disinfection Conversion
 Funding Source: Bond Funded

- vii. Lamar Dunn & Associates \$4,119.00
 Water & Sewer Services ~ Work Order #2
 Emergency Generator @ State of Franklin Water Booster Station
 Funding Source: Bond Funded

- viii. Westin Engineering \$4,425.69
 Water & Sewer Services ~ Task Order #1
 Master Technology Plan
 Funding Source: Budgeted Expense

- ix. CDM Smith \$152,301.67
 Water & Sewer Services
 Brush Creek & Knob Creek Wastewater Treatment Plant Improvements
 Funding Source: Bond Funded

At this time, Commissioner Jenny Brock made a presentation of proposed amendments to the budget passed on second reading. Proposed amendments are as follows:

1. Revenue Adjustments - Increase sales tax \$120,000, Increase Administrative Fees to Enterprise Funds \$171,416 (Total \$291,416),
2. Expenditure Adjustments - Reduce Employee Wage Adjustment \$265,000 (General Fund), \$443,687 (Schools), \$15,000 (Library), Reduce Schools Operating Expenses \$203,122, Reduce Street Light Maintenance \$100,000, Reduce Variable Rate Interest \$13,000 (Total \$1,039,809),

3. Funding Adjustments - Fund Radio System Upgrade from Fiscal Year 2015 Surplus \$535,975 (Fund Balance), Finance Purchase of Public Works Equipment \$500,000 cash savings (Total \$1,035,975), and
4. Property Tax Adjustment - reduce 14¢ or \$2,380,000.

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor Clayton Stout, **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," with the presented amendments was ***passed on third 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.

Ordinance No. 4582-15

An Ordinance to Establish the Property Tax Rates, Appropriate Funds, and Adopt a Budget for the Fiscal Year July 1, 2015 through June 30, 2016

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

SECTION 1. In order to provide revenue for municipal purposes, there is hereby imposed on the value of all property within the City of Johnson City located within Washington County a levy at the rate of \$1.87 upon each One Hundred Dollars' (\$100.00) worth of assessed value of all taxable property, this levy to be the tax rate for the year 2015.

SECTION 2. Further, for the same said purposes of raising revenue, there is hereby imposed on the value of all property within the City of Johnson City located within Carter County a levy at the rate of \$1.87 upon each One Hundred Dollars' (\$100.00) worth of assessed value of all taxable property, this levy to be the tax rate for the year 2015.

SECTION 3. Further, for the same said purposes of raising revenue, there is hereby imposed on the value of all property within the City of Johnson City located within Sullivan County a levy at the rate of \$1.87 upon each One Hundred Dollars' (\$100.00) worth of assessed value of all taxable property, this levy to be the tax rate for the year 2015.

SECTION 4. The following funding amounts shall be and hereby are adopted as appropriations for the operation of the City of Johnson City, Tennessee, along with revenue projections for the fiscal year 2016:

General Fund

Revenues	
Local Taxes	67,777,295
Licenses and Permits	771,500
Intergovernmental Revenues	9,707,185
Charges for Services	2,459,583
Fines and Forfeitures	1,455,000
Other Revenues	792,000
Total	82,962,563
Expenditures	
Fire and Emergency Management	9,582,810
General Government	7,628,619
Other Programs	6,796,544
Parks and Recreation/Seniors	5,732,802
Police	13,088,220
Public Works	13,027,403
Student Transportation	2,170,329
General Fund Total	58,006,727

General Purpose School Fund

Revenues	
County Taxes/Licenses	24,313,586
Charges for Services	1,421,050
Other Local Revenue	187,654
State/Federal Education Funds	27,774,300
City Appropriations & Transfers	12,547,065
Fund Balance	787,703
Total	<u>67,011,358</u>

Expenditures	67,011,358
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School Food Services Fund

Revenues	
Charges for Services	830,000
Federal	2,225,000
Other	34,750
Fund Balance	100,000
Total	<u>3,189,750</u>

Expenditures	3,189,750
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School Federal Projects Fund

Revenues	
Federal	5,162,326

Expenditures	5,162,326
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School Special Projects Fund

Revenues	
Federal	535,374

Expenditures	535,374
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Capital Equipment Fund

Revenues	
Capital Outlay Note Proceeds	500,000
Transfers In	907,000
Fund Balance	105,500
Total	<u>1,512,500</u>

Expenditures	1,512,500
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Capital Projects - Facilities Fund

Revenues	
Bond Proceeds	8,400,000
Transfers In	685,000
Other	2,000
Fund Balance	1,498,000
Total	<u>10,585,000</u>

Expenditures	10,585,000
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Capital Projects - Infrastructure Fund

Revenues	
Bond Proceeds	1,450,000
Federal/State	8,300,000
Transfers In	1,850,000
Total	<u>11,600,000</u>

Expenditures	11,600,000
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Capital Projects - Schools Fund

Revenues		
Fund Balance		725,000
Expenditures		725,000

Community Development Fund

Revenues		
Grants		633,246
Other		2,500
	Total	<u>635,746</u>
Expenditures		635,746

Debt Service Fund

Revenues		
Interest		391,049
Transfers In		10,525,088
	Total	<u>10,916,137</u>
Expenditures		10,916,137

Drug Fund

Revenues		
Fines and Forfeitures		90,000
Other		20,000
Fund Balance		142,174
	Total	<u>252,174</u>
Expenditures		252,174

Educational Facilities Trust Fund

Revenues		
Local Option Sales Tax		2,202,971
Operating Transfers In		1,224,288
Other		1,500
Fund Balance		268,448
	Total	<u>3,697,207</u>
Expenditures		3,697,207

Freedom Hall Fund

Revenues		
Ticket Sales		1,000,000
Other		440,000
Transfers In		200,000
Fund Balance		2,257
	Total	<u>1,642,257</u>

Expenditures		1,636,555
Transfers Out		5,702

Police Grant Fund

Revenues		
Grants		569,737
Expenditures		569,737

Police Technology Fund

Revenues		
Fines and Forfeitures		420,000
Fund Balance		<u>97,418</u>
	Total	517,418
Expenditures		517,418

Transportation Planning Fund

Revenues		
Federal		210,468
Transfers In		54,150
Fund Balance		<u>6,829</u>
	Total	271,447
Expenditures		271,447

SECTION 5. The following amounts in the proprietary-type funds are projected expenses for fiscal year 2016:

Golf Fund

Revenues		
Cart Rentals		274,650
Green Fees		419,000
Other		108,050
Transfers In		<u>677,000</u>
	Total	1,478,700
Expenditures, Operations		1,236,045
Capital Projects		40,000

Mass Transit Fund

Revenues		
Federal/State		2,409,099
Other		483,756
Transfers In		942,514
Net Assets (cash)		<u>293,738</u>
	Total	4,129,107
Expenditures, Operations		4,057,834
Transfers Out		71,273
Capital Equipment		1,018,000

Solid Waste - Municipal Fund

Revenues		
Collections		7,087,046
Other		2,161,159
Transfers In		<u>119,274</u>
	Total	9,367,479
Expenditures, Operations		9,024,661
Transfers Out		104,107
Capital Equipment/Projects		333,600

Solid Waste - Regional Fund

Revenues		
Collections		2,489,655
Other		<u>190,275</u>
	Total	2,679,930
Expenditures, Operations		2,466,319
Transfers Out		161,367
Capital Equipment		27,000

Storm Water Fund

Revenues		
Fees		2,164,125
Other		<u>22,500</u>
	Total	2,186,625
Expenditures, Operations		1,674,332
Transfers Out		3,801
Capital Projects		1,200,000

Water/Sewer Fund

Revenues		
Water Sales		16,067,000
Sewer Fees		16,253,000
Other		2,616,999
Transfers In		<u>78,728</u>
	Total	35,015,727
Expenditures, Operations		30,775,739
Transfers Out		68,422
Water/Sewer Fund Capital Equipment		637,000
Water/Sewer Fund Capital Projects		10,311,000

SECTION 6. In order to provide funds to meet the expenditure requirements, the following transfers are projected for fiscal year 2016 and are provided for informational purposes:

<u>To Johnson City Schools for Operations</u>	
From General Fund	10,090,736
From Mixed Drink Tax	286,000
<u>To Capital Equipment Fund</u>	
From General Fund	907,000
<u>To Capital Projects - Facilities Fund</u>	
From General Fund	685,000
<u>To Capital Projects - Infrastructure Fund</u>	
From General Fund	300,000
<u>To Debt Service Fund</u>	
From General Fund	10,095,288
<u>To Educational Facilities Fund</u>	
From Washington County	1,224,288
<u>To Fleet Management Fund</u>	
From General Fund	535,975
From Freedom Hall Fund	5,702
From Mass Transit Fund	71,273
From Municipal Solid Waste Fund	50,366
From Regional Solid Waste	17,106
From Storm Water Fund	3,801
From Water/Sewer Fund	68,422
<u>To Freedom Hall Fund</u>	
From General Fund	200,000
<u>To Golf Fund</u>	
From General Fund	677,000
<u>To Mass Transit Fund</u>	
From General Fund	664,600

<u>To Public Building Authority</u>	
From General Fund	530,000
<u>To Solid Waste - Municipal Fund</u>	
From Solid Waste - Regional Fund	119,274
<u>To Transportation Planning Fund</u>	
From General Fund	54,150
<u>To Water/Sewer Fund</u>	
From Solid Waste - Municipal Fund	53,741
From Solid Waste - Regional Fund	24,987

SECTION 7. Payments-in-lieu from the Water and Sewer Fund to the General Fund are budgeted at \$543,950 for fiscal year 2016.

SECTION 8. Property tax revenues collected exclusively from properties located in Med Tech Park are designated as an economic development reserve in the General Fund with fiscal year 2016 collections estimated at \$438,000.

SECTION 9. Each department and fund, per Section 4, shall limit its expenditures to the amount appropriated, unless an amendment is approved by ordinance by the City Commission.

SECTION 10. BE IT FURTHER ORDAINED that a public hearing on this ordinance shall be held by the City Commission on first reading, prior to adoption.

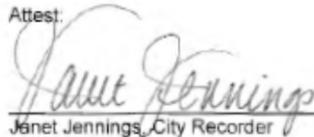
SECTION 11. BE IT FURTHER ORDAINED that inasmuch as the fiscal year of the City begins July 1, 2015, this ordinance shall take effect from and after its passage on third and final reading on July 1, 2015, the public welfare requiring it.

Approved and signed in open meeting on the 18th day of June 2015, following passage on Third Reading.



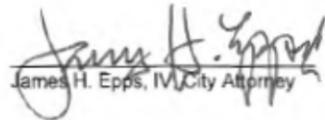
Ralph Van Brocklin, Mayor

Attest:



Janet Jennings, City Recorder

Approved as to Form:



James H. Epps, IV, City Attorney

Public Hearing: 06/04/2015
 Passed on First Reading: 06/04/2015
 Passed on Second Reading: 06/15/2015
 Passed on Third Reading: 06/18/2015

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 7:10 p.m.

RALPH VAN BROCKLIN
MAYOR

JANET JENNINGS
CITY RECORDER

ITEMS DEFERRED:

1. Consideration of three (3) appointments to the Johnson City Regional Planning Commission.

ACTION ITEMS:

1. None.