

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, August 6, 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, Lester Lattany, Pastor, New Jerusalem Baptist Church, gave the invocation, which was followed by the pledge of allegiance.

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 minutes of the regularly scheduled City Commission Meeting held on Thursday, July 16, 2015, be and the same are hereby approved.

At this time, Mayor Ralph Van Brocklin presented an Emancipation Days proclamation. Ralph Davis, NAACP President and Umoja Unity Festival Committee Chair, and Wayne Robertson and Bill Coleman, Committee members, were present to accept.

Whereas, The Emancipation Proclamation was issued in 1862 and signed by President Abraham Lincoln on January 1, 1863; and

Whereas, Tennessee's Military Governor, Andrew Johnson, freed his personal slaves on August 8, 1863, establishing the date for emancipation in East Tennessee; and

Whereas, Former slaves in this region began celebrations of freedom before the end of the Civil War, replacing songs of slavery with songs of liberty, laughter and celebration; and

Whereas, Freedom celebrations that traditionally were held at local churches expanded in 1997 to become the regional Umoja / Unity Festival, designed to "break down walls of race, age, culture, creed, and nationality within our region" by helping people "learn to understand and respect each group's history, traditions and contributions to America's history."

Now, Therefore, I, Ralph J. Van Brocklin, mayor of the City of Johnson City, in coordination with local members of the Umoja / Unity Festival committee, do hereby proclaim August 14 & 15

EMANCIPATION DAYS

in Johnson City, Tennessee and call upon citizens to join the Umoja / Unity committee in celebrating our diverse heritage and culture and to continue efforts to create a world that is more just, peaceful and prosperous for all.

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 6th day of August, 2015.

/s/ Ralph J. Van Brocklin

Ralph J. Van Brocklin, Mayor

At this time, Lainey Howard, ETSU PRIDE Volunteer, addressed the Commission regarding ETSU PRIDE Week.

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 an exception to the City's sign ordinance to allow the display of East Tennessee State University (ETSU) PRIDE signage, be and the same is hereby approved.

At this time, Roger Blakeley, Parks and Recreation Director, presented an Accreditation Plaque for the Johnson City Senior Center at the Memorial Park Community Center. Dr. Jerry Gehre, Senior Center Accreditation Team Chair, addressed the Commission regarding the re-accreditation. Also present: Rebecca Hennessee, Mark Pollock and Jim Hunter, Johnson City Senior Foundation.

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

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 a Certificate of Compliance for Shane Abraham and Jamie Abraham, d/b/a Universal Wine and Spirits, 230 Marketplace Boulevard, Suite 110, Johnson City, Tennessee, 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 appointment of Jacobus Louw to the Johnson City Regional Planning Commission, as recommended by Mayor Ralph Van Brocklin, be and the same is hereby approved.

Upon motion by Mayor Ralph Van Brocklin, 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 appointments of Craig Torbett, Brent Long, Ted Bradford and Al Spritzer to the Johnson City Development Authority (JCDA) Board of Directors, as recommended by the JCDA, be and the same are 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 a street closing from 5:00 p.m. until 7:00 p.m. on Friday, September 11, 2015, as requested by Science Hill High School (SHHS) for the 2015 SHHS Homecoming Parade, be and the same is hereby approved. Todd Barnett, Assistant Principal, SHHS, was present.

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 a street closing from 3:00 p.m. until 8:00 p.m. on Sunday, September 13, 2015, as requested by Eric McCarty for the 9th Avenue Block Party, be and the same is hereby approved. Eric McCarty, 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 a street closing from 6:00 p.m. until 11:45 p.m. on Friday, September 25, 2015, as requested by the Johnson City Development Authority (JCDA) for the East Tennessee State University (ETSU) Homecoming Parade, be and the same is hereby approved. Dianna Cantler, applicant, was 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 street closing from 7:00 a.m. until 11:00 p.m. on Saturday, October 24, 2015, as requested by Science Hill Band Boosters for the Third Annual Hilltopper Invitational Marching Competition, be and the same is hereby approved. Carson Vermillion, SHHS Band Director, 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 pulling from the Consent Agenda of the transfer of the Up & At 'Em account balance from the City of Johnson City Up & At 'Em Agency Fund to the Up & At 'Em, Inc. Non-profit, for separate consideration, 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 four ayes. Commissioner Jenny Brock 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 transfer of the Up & At 'Em account balance from the City of Johnson City Up & At 'Em Agency Fund to the Up & At 'Em, Inc. Non-profit, be and the same is hereby approved.

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 remainder of the Consent Agenda for August 6, 2015, be and the same is hereby approved.

CONSENT AGENDA:

A. GENERAL:

i. Finance

Consider transferring the Up & At 'Em account balance from the City of Johnson City Up & At 'Em Agency Fund to the Up & At 'Em, Inc. Non-profit.

ii. Police Department

Consider approval of the Memorandum of Understanding for the Special Prosecutor Modification

iii. **Development Services**

Consider review and approval of a Revised FY 2014-2015 Emergency Solutions Grant Contract with Safe Passage Domestic Violence Shelter

iv. **Water & Sewer Services**

Consider authorizing Mayor to execute an Agreement with Burleson Construction for the State of Franklin Booster State Improvements.

v. **Public Works**

Consider Business Reestablishment Expenses for Tract 4 for the Indian Ridge Road and State of Franklin Road Intersection Project in the amount of \$6,778.98.

vi. **Administration**

Consider approval of agreement with Mark III Employee Benefits to coordinate the City's voluntary employee benefits program (Backup Not Provided)

B. INVOICES:

i. CDM Smith\$21,000.00

Water & Sewer Services
Brush Creek & Knob Creek WWTP Improvements
Funding Source: Water/Sewer Bond Funded

ii. Wiedeman & Singleton\$8,605.00

Water & Sewer Services ~ Task Order #8
Watauga Water Treatment Plant Hypochlorite Disinfection Conversion
Funding Source: Water/Sewer Bond Funded

iii. LDA Engineering.....\$20,732.09

Public Works
U-Haul, King Creek Basin and Kelly Foods Design
Funding Source: Stormwater Fund

- iv. Barge Waggoner Sumner and Cannon, Inc.,.....\$5,971.00
Public Works
Downtown Plaza Master Plan
Funding Source: Stormwater Fund

- v. Volkert, Inc.....\$6,260.35
Public Works
Browns Mill Road with Mountainview Road
Funding Source: STP Funding

- vi. Mattern & Craig\$2,605.09
Public Works
Traffic Signalization Project ~ CEI Services
Funding Source: STP Funding

- vii. Gresham Smith and Partners.....\$2,869.39
Public Works
Indian Ridge Road Intersection Improvements
Funding Source: STP Funding

- viii. Baker’s Construction Services, Inc.....\$62,143.41
Public Works ~ Payment Application No. 2
Boys and Girls Club-Athletic Field Reconstruction
Funding Source: Economic Development Fund

- x. Shaw & Shanks Architects, PC.....\$19,343.53
Administration
Schematic Design Phase for Freedom Hall Civic Center
Funding Source:

- xi. Energy Systems Group (ESG).....\$24,828.95
Administration ~ Final Payment
Freedom Hall Lighting Improvements
Funding Source: Capital Outlay Notes

- xii. Mechanical Design Services.....\$2,295.32
- Administration
- Freedom Hall Civic Center HVAC Modifications
- Funding Source: Washington County Bond Fund

C. BIDS:

- i. ITB #5934
- Barnard Roofing Co., (\$195,773).....\$268,119.00
- Davis Brothers Roofing (\$72,346)
- Water & Sewer
- Reroofing Unicoi & Watauga Water Treatment Plants
- Funding Source: Water/Sewer Rate Funds

BID TABULATION SHEET

BEESON, LUSK & STREET, INC.
 P.O. BOX 1808 2ND CODE 37905
 207 EAST MAIN STREET, SUITE 3C
 JOHNSON CITY, TN 37604
 TELEPHONE: 423.928.1175

ITB NO.: 5934 - Reroofing of Watauga Water Treatment Plant
 203 Dinglewood Drive, Johnson City, TN and
 Unicoi Water Treatment Plant, 650 Highway 107, Unicoi, TN.
 BID DATE: Tuesday, July 14, 2015
 LOCATION: City of Johnson City, TN - Purchasing Agent
 209 Water Street, Johnson City, TN
 TIME OF BID: 3:30 pm

BIDDERS	LICENSE NO.	BASE BID 1 (Watauga Water Treatment)	BASE BID 2 (Unicoi Water Treatment Plant)	BASE BID 3 (Combination Bid)	UNIT PRICES: Removal/Reel of Material (Loading per Board) Post
Barnard Roofing Company 123 Gray Runin Drive Gray, TN 37815	25172	\$195,773.00	\$84,186.00	\$279,959.00	\$1.50
Carroll Roofing & Metal 348 W. Main Street Johnson City, TN 37604	No Bid	No Bid	No Bid	No Bid	No Bid
Davis Brothers Roofing 305 Messick Avenue Church Hill, TN 37642	38896	\$208,145.00	\$72,346.00	\$289,175.00	\$4.00
Duke Roofing 1703 Depot Street Powell, TN 37849	20844	\$270,291.00	\$116,356.00	\$386,656.00	\$1.20
Eckler Roofing 2415 Monrocks Road Morristown, TN 37814	No Bid	No Bid	No Bid	No Bid	No Bid
Floyd Stone Roofing Contractors 516 Hubbs Avenue Blairstown, TN 37643	No Bid	No Bid	No Bid	No Bid	No Bid
Morrison Roofing Company, Inc. 7840 East Andrew Johnson Hwy. Whitesburg, TN 37891	21176	\$221,200.00	\$91,130.00	\$310,000.00	\$3.50
Total Building Maintenance, Inc. 1908 Cowart Street Craterooga, TN 37408	44192	\$250,082.00	\$110,982.00	\$368,064.00	\$1.75

RECOMMEND ACCEPTANCE OF LOWEST INDIVIDUAL BIDS, CIRCLED ABOVE. TOTAL COST: \$ 268,119.

ii. ITB #5936

Worldwide Equipment, Co.,\$497,350.00

Public Works ~ Solid Waste

Front Loader Collection Trucks

Funding Source: Budgeted Expense

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 JUNE 23, 2015 2:00 PM
 ITB #5936 FRONT LOADER COLLECTION TRUCKS
 SOLID WASTE

Vendor	Front Loader (Unit Price)	Chassis Proposed Make/Model	Compaction Body
Advantage Truck Center	271,714.76	2016 Autocar/ACX64	Heil Dura Pack Half Pack Eject
Performance Peterbilt of Bristol	223300.00*	2016 Peterbilt 320	New Way Mammoth*
Stringfellow	250,675.00	2016 MRU 613	Heil Dura Pack Half Pack Eject
Worldwide Equipment	257,669.00	2016 Mack MRU 613	Heil Dura Pack Half Pack Eject
Worldwide Equipment	248,675.00	2016 MRU 613	Heil Dura Pack Half Pack Eject
Worldwide Equipment	237740.00*	2016 Mack MRU 613	New Way Mammoth*
Worldwide Equipment	228746.00*	2016 Mack MRU 613	New Way Mammoth*
* DOES NOT MEET SPECS			
Non-Responses: Waste Equipment & Parts			
Bedline: Cavalier Equipment, Kinn Manufacturing, Kingport Iron & Metal			
No Response: Special Fleet Service, Mid State Equipment, Public Works Equipment & Supply, CMI Equipment Sales, Walker Chevrolet, Municipal Equipment, McLenas, Goodpasture, Smoky Mountain Truck Center, D.G. Hughes & Sons, Volunteer Volvo & GMC, Nicholas Fleet Equipment, Altec Industries, MHC Kenworth, Whiteside Chevrolet, Rudco South, Otto Environmental Systems, Professional Welding Company, Forestry Equipment of VA, Wasequip, Wade Ford, Landmark International, Palllett Truck Equipment, Alty Cassette Truck, Beamon Auto, GSP Marketing			
			RECOMMEND ACCEPTANCE OF LOWEST BID MEETING SPECIFICATIONS. TOTAL COST:\$497,350

iii. ITB #5939

Summers Taylor, Inc.\$3,000,000.00

Public Works ~ Street Department

Asphalt Resurfacing Annual Contract

Funding Source: Budgeted Expense

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 JULY 14, 2015 2:30 PM
 BID # 5939 -PW/STREET
 ASPHALT RESURFACING CONTRACT

DESCRIPTION		Summers-Taylor Unit Cost
Section I Street Paving and Associated Work		
1	Asphaltic Concrete Mix - Grading A PG64-22 (100 tons)	93.75
2	Asphaltic Concrete Mix - Grading A-S PG64-22 (100 tons)	85.40
3	Asphaltic Concrete Mix - Grading A-S PG70-22 (100 tons)	88.75
4	Asphaltic Concrete Mix - Grading B-M PG64-22 (800 tons)	95.30
5	Asphaltic Concrete Mix - Grading B-M PG70-22 (100 tons)	98.70
6	Asphaltic Concrete Mix - Grading C PG64-22 (600 tons)	95.50
7	Asphaltic Concrete Mix - Grading C PG70-22 (300 tons)	98.95
8	Asphaltic Concrete Mix - Grading CS PG64-22 (600 tons)	107.75
9	Asphaltic Concrete Mix - Grading CS PG70-22 (300 tons)	117.95
10	Bituminous Tack Coat (6700 gals)	3.65
11	Milling Asphalt-prep for resurfacing (2500 tons)	25.50
12	Asphaltic Concrete Surface Mix - Grading D PG70-22 (2500 tons)	112.90
13	Asphaltic Concrete Surface Mix - Grading E RDWY PG64-22 (3500 tons)	106.55
14	Asphaltic Concrete Surface Mix - Grading E RDWY PG70-22 (500 tons)	112.65
15	Bituminus Plant Mix (Hot Mix) Grading D (200 tons)	113.75
16	Adjust Existing Sanitary Sewer Manhole	480.00
17	Adjust Existing Storm Sewer Manhole	520.00
18	Adjust Existing Round Water Valve	350.00
19	Adjust Existing Square Water Valve	360.00
	DEDUCT - Unit Price Reduction/Ton for each Additional 5% RAP	-1.25
Section II Maintenance and Repair		
1	Maintenance Milling-corrective & repair work (Sq. Yd.)	25.50
2	Bituminous Tack Coat (gals)	3.75
3	Asphaltic Concrete Mix Grading B-M (tons)	142.00
4	Asphaltic Concrete Mix - Grading C (tons)	146.00
5	Asphaltic Concrete Mix - Grading D (tons)	158.00
6	Asphaltic Concrete Mix - Grading E RDWY (tons)	147.00
7	Mobilization (per job - each)	3,800.00
Section III Parking Lot Paving		
1	Mineral Aggregate Base Type A Grading D (50 tons)	38.25
2	Asphaltic Concrete Mix Grading B-M (150 tons)	99.75
3	Asphaltic Concrete Mix Grading C (300 tons)	99.50
4	Bituminous Tack Coat (400 gals)	3.75
5	Asphaltic Concrete Surface Mix Grading E RDWY (500 tons)	109.85
Total for PARKING LOT PAVING		
Section IV Miscellaneous		
1	Mineral Aggregate for Bituminous Seal Coat (ton)	49.50
2	Mineral Aggregate Base Type A Grading D (ton)	38.50
3	Milling Concrete (sq. yd.)	35.00

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 JULY 14, 2015 2:30 PM
 BID # 5939 -PW/STREET
 ASPHALT RESURFACING CONTRACT

	DESCRIPTION	Unit Cost
4	Engineering Fabric (sq. yd.)	3.50
5	Replace Speed Hump (18'x3.5") (l. ft.)	225.00
	<i>Painted Pavement Marking Line</i>	
6	4" Double solid yellow centerline - unit cost for line pair (l. ft.)	0.31
7	4" Single solid line-white (l. ft.)	0.15
8	4" Single solid line-yellow (l. ft.)	0.15
9	4" Single Lane Line (dashed) - white (l. ft.)	0.15
10	4" Single Lane Line (dashed) - yellow (l. ft.)	0.15
	<i>Thermoplastic Pavement Markings</i>	
11	4" Double solid yellow centerline -unit cost for line pair (l. ft.)	1.35
12	4" Single Solid Line-white (l. ft.)	0.70
13	4" Single solid line-yellow (l. ft.)	0.70
14	4" Single Lane Line (dashed) - white (l. ft.)	0.70
15	4" Single Lane Line (dashed) - yellow (l. ft.)	0.70
16	6" Barrier line - yellow (l. ft.)	3.45
17	6" Barrier line - white (l. ft.)	3.45
18	8" Barrier line - yellow (l. ft.)	4.75
19	8" Barrier line - white (l. ft.)	4.75
20	8" Short skip line-yellow (l. ft.)	4.75
21	8" Short skip line-white (l. ft.)	4.75
22	12" Barrier line-yellow (l. ft.)	7.45
23	12" Barrier line-white (l. ft.)	7.45
24	24" Stop bar/crosswalk line (l. ft.)	14.90
25	Word "ONLY" (each)	265.00
26	Turn arrow (each)	160.00
27	Combination turn/straight arrow (each)	245.00
	<i>Snow-plowable Reflective Pavement Markers</i>	
28	One-way white (each)	32.00
29	One-way yellow (each)	32.00
30	Two-way yellow (each)	32.00
31	White/red (each)	32.00
32	Yellow/red (each)	32.00
	No Response: W-L Construction & Paving, Pave-Well Paving Company	

iv. ITB #5940
 Classic Protective Coatings\$287,950.00
 Water & Sewer
 Eastman Tank Rehab Project
 Funding Source: Water/Sewer Rate Funds

REPAIRING AND REPAINTING THE INTERIOR AND EXTERIOR OF
 ONE 200,000 GAL. "EASTMAN TANK"
 ITB# 5940
 2:00 PM JULY 22, 2015



TANK INDUSTRY CONSULTANTS

NO SUBMISSION REQUIREMENTS	THE COATING SYSTEM	AMERICAN SUBSTRATE	CLASSIC PROT. COATINGS	DAVID'S PART SERVICE	PREFERRED SUBSTRATE	UTILITY SERVICE CO.
ACK OF RQMTS FOR BIDS	YES	NO BID	YES	NO BID	NO BID	YES
DRUG-FREE FORM	YES		YES			YES
ST. LICENSE FORM	YES		YES			YES
BID FORM SIGNED	YES		YES			YES
COI FORM						
BID BOND	YES		YES			YES
FROM BIDDING REQUIREMENTS						
1. BIDS FOR 200,000 GAL EASTMAN TANK	\$404,000.00	NO BID	\$299,500.00	NO BID	NO BID	\$325,100.00
2. REPAIR WELD IF REQUIRED	\$4,200.00		\$3,750.00			\$3,750.00
3. PFT FILLING & SUPP. IF REQUIRED	\$1,200.00		\$900.00			\$1,100.00
4. INT. CHOP & GRIND IF REQUIRED	\$9,000.00		\$8,000.00			\$7,000.00
5. ADV. W/KNLY IF REQUIRED	\$7,200.00		\$6,000.00			\$5,000.00
TOTAL AMOUNT BID	\$428,200.00		\$387,800.00			\$345,150.00
REPAIRS NOT FROM BIDDING						
6. INT. EXT. COATING SYSTEM	\$14,200.00		\$12,000.00			\$8,100.00
PREFERRED SUBSTRATE						
						UTILITY SERVICE CO.

RECOMMEND ACCEPTANCE OF LOWEST BID, CIRCLED ABOVE.

v. ITB #5944

Goodpasture Motor Company.....\$148,225.00

Public Works ~ Solid Waste

Roll Off Collection Vehicle

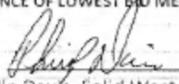
Funding Source: Capital Equipment Fund

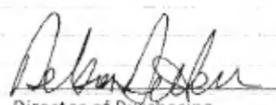
TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 JULY 14, 2015 2:00 PM
 BID #5944 ROLL-OFF COLLECTION VEHICLE
 SOLID WASTE

	Unit Price (1 Each)	Chasis Make/ Model Proposed	Roll Off Hoist	Rear Camera System
Advantage Truck Center	\$ 159,073.56	2016 Volvo VHD64B	Heil	Provision
Advantage Truck Center	\$ 160,942.56	2016 Volvo VHD64B	Galfab	Provision
Performance Peterbilt of Bristol	\$ 162,505.00	2016 Peterbilt 567	Galbreath/Accurate	Provision
Goodpasture Motor Company	\$ 148,225.00	2016 International Workstar 7600 SBA	Galbreath/Accurate	Provision
Goodpasture Motor Company	\$ 147,081.00	2016 International Workstar 7600 SBA	Galbreath/Accurate* (Hoist n/a)	Provision
Goodpasture Motor Company	\$ 144,625.00	2016 International Workstar 7600 SBA	60,000 LB Rudco* (tarping system n/a)	Buyers Products
Worldwide Equipment	\$ 158,946.18	2016 Mark GU 813	Heil C6022	Provision
Worldwide Equipment	\$ 160,815.18	2016 Mack GU 813	Gal Fab NOR 75174	Provision
Worldwide Equipment	\$ 156,830.18	2016 Mack GU 813	Galbreath/Accurate	Provision
Worldwide Equipment	\$ 153,230.18	2016 Mack GU 813	60,000 LB Rudco Galbreath* (hoist n/a)	Buyers Products
Triad Freightliner	\$ 148,066.00	Freightliner 1145D	Galbreath* (hoist n/a)	Provision
Triad Freightliner	\$ 152,695.00	Freightliner 1145D	Galfab NOR 751745	Provision
Triad Freightliner	\$ 148,710.00	2016 Freightliner 1145D	Galbreath/Accurate	Provision
Triad Freightliner	\$ 145,110.00	2016 Freightliner 1145D	60,000 LB Rudco* (tarping system n/a)	Buyers Products
Triad Freightliner	\$ 150,826.00	2016 Freightliner 1145D	Heil C6022	Provision

Decline: CMI Equipment Sales, Kann Manufacturing, Palfleet Truck Equipment
 No Response: Mid-State Equipment, Public Works Equipment & Supply, Municipal Equipment, McNellis Truck & Manufacturing, Cavalier Equipment,
 Stringfellow, Wastequip Manufacturing, Otto Environmental Systems, Professional Welding Company, Forrestry Eqpt., Aley-Cassettey, GSP Marketing

RECOMMEND ACCEPTANCE OF LOWEST BID MEETING SPECIFICATIONS, CIRCLED ABOVE.


 Phillip Davis, Solid Waste Asst Manager

APPROVED BY:

 Director of Purchasing

City Commission 08/6/2015

D. PROPOSALS:

i. RFP #5943

Interactive Achievement LLC\$37,101.50

Johnson City Schools

Student Assessment Software Program

Funding Source: General Purpose School Funds

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner Jenny Brock, **Ordinance No. 4588-15**, "AN ORDINANCE TO ASSIGN ZONING OF R-2A (LOW DENSITY RESIDENTIAL) TO CERTAIN PROPERTY KNOWN AS THE GARLAND FARMS PHASE IV ANNEXATION," 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 Jeff Banyas, "A RESOLUTION TO ANNEX CERTAIN PROPERTY KNOWN AS GARLAND FARMS PHASE IV ANNEXATION," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, **Ordinance No. 4586-15**, "FISCAL YEAR 2015-2016 SUPPLEMENTAL BUDGET," was **passed on second reading**. The motion **carried** by five ayes. There were no nay votes.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, **Ordinance No. 4583-15**, "AN ORDINANCE TO AUTHORIZE THE CITY OF JOHNSON CITY TO ENTER INTO A FRANCHISE AGREEMENT TO ALLOW SUNSET DIGITAL COMMUNICATION TO PERFORM WORK WITHIN THE CITY'S RIGHT-OF-WAY," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

ORDINANCE NO. 4583-15

AN ORDINANCE AUTHORIZING THE CITY OF JOHNSON CITY TO ENTER INTO A CERTAIN RIGHTS-OF-WAY ACCESS AGREEMENT WITH SUNSET DIGITAL COMMUNICATIONS, INC., WHICH AGREEMENT IS APPENDED TO THIS ORDINANCE AS EXHIBIT "A" AND INCORPORATED BY REFERENCE HEREIN AS FULLY AS IF SET FORTH VERBATIM, AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH

WHEREAS, Sunset Digital Communications, Inc., a corporation duly authorized to do business under the laws of the State of Tennessee, and is authorized by the Federal Communications Commission to provide telecommunications services; and,

WHEREAS, the aforementioned Sunset Digital Communications, Inc., hereinafter referred to as "SDC", desires to construct, install and operate telecommunications facilities within the public rights-of-way of the City of Johnson City in order to provide telecommunications services within the City; and,

WHEREAS, the aforementioned SDC wishes to enter into an agreement with the City of Johnson City for access to its rights-of-way in order to construct, install, and operate the aforementioned telecommunications facilities; and,

WHEREAS, the City of Johnson City wishes to enter into such an agreement for access to its rights-of-way and considers it in the manifest best interest of the City and of its citizens to enter into such an agreement.

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

SECTION I. That the Mayor be and is hereby authorized to execute on behalf of the City of Johnson City a certain rights-of-way access agreement between the City of Johnson City and the aforementioned SDC, which agreement is appended to this ordinance as Exhibit "A" and is incorporated in its entirety into this ordinance by reference as fully as if set forth verbatim.

SECTION II. BE IT FURTHER ORDAINED that all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

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

PASSED IN OPEN, PUBLIC MEETING
ON THE FIRST READING 7/02/2015
PASSED IN OPEN, PUBLIC MEETING
ON THE SECOND READING 7/16/2015
PASSED IN OPEN, PUBLIC MEETING
ON THE THIRD READING 8/06/2015
APPROVED AND SIGNED IN OPEN
MEETING ON THE 6th DAY OF
August, 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
ATTORNEY FOR THE CITY

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner David Tomita, **Ordinance No. 4584-15**, "AN ORDINANCE TO AMEND THE ZONING ORDINANCE REGARDING SUBMITTAL AND REVIEW REQUIREMENTS OF TRANSMISSION TOWERS," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

ORDINANCE NO. 4584-15

AN ORDINANCE TO AMEND ARTICLE II, DEFINITIONS AND, ARTICLE X, 10.3, SUBMITTAL AND REVIEW OF THE TRANSMISSION TOWER REGULATIONS OF THE ZONING CODE OF THE CITY OF JOHNSON CITY, TENNESSEE CONCERNING VESTING RIGHTS OF DEVELOPMENT.

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

SECTION 1. That Article II, Definitions and Article X, Section 10.3 Submittal and Review of the Transmission Tower Regulations of the Zoning Code of the City of Johnson City, Tennessee be and the same is hereby amended and modified as follows:

Amend Article II, Definitions to include the following definitions:

ELIGIBLE SUPPORT STRUCTURE. Any tower or support building and equipment as defined in this section, provided that it is existing at the time the relevant application is filed with the city.

SUBSTANTIAL CHANGE. A modification substantially changes the physical dimensions of a eligible support structures if it meets any of the following criteria:

- A. Increase in height. For towers structures other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater. Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.

- B. Increase in width. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support.
- C. Excessive equipment cabinets. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
- D. Expands tower site. It involved any excavation or deployment outside the current site;
- E. Buffers. It would not violate any buffer requirements; or
- F. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified above.

Amend Article X, Transmission Tower Regulations

10.3 - SUBMITTAL AND REVIEW

10.3.1 ADMINISTRATIVE REVIEW:

- 10.3.1.1 The following uses shall be subject to administrative review by the Chief Building Official:
 - A. The co-location of an antenna array on an existing tower structure or existing structure such as a building, water tank, or light pole. The existing tower structure must meet the latest standards for wind and ice loads;
 - B. The placement of additional support buildings or equipment;

- C. A replacement tower structure which does not exceed the height of the existing tower structure. If the existing tower structure encroached into the minimum setback, the replacement tower structure shall conform to minimum setbacks;
 - D. A temporary facility; and
 - E. Any modification to an existing tower structure which is not a “substantial change”.
- 10.3.1.2 The following shall be submitted to the Chief Building Official for administrative review:
- A. A site plan drawn to scale indicating the location and height of the tower structure and any new improvements including any additional site and tower structure modifications; and
 - B. Review fee.
- 10.3.1.3 Within thirty (30) days of receiving an application, the Chief Building Official shall determine if the application is complete. If the application is deemed incomplete, it must be stated what specific provisions of the code are deficient. Once new information is submitted, the city has ten (10) days to determine if the new information completes the application. Second or subsequent notices that the application is incomplete may not specify missing information not contained in the original notice of incompleteness.
- 10.3.1.4 Within sixty (60) days of receiving a complete application, the Chief Building Official shall notify the applicant of approval or reason for denial. If the Chief Building Official fails to notify the applicant within sixty (60) days of receiving a completed application, the application shall be deemed approved.

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 IN OPEN, PUBLIC MEETING
ON THE FIRST READING 7/02/2015
PASSED IN OPEN, PUBLIC MEETING
ON THE SECOND READING 7/16/2015
PASSED IN OPEN, PUBLIC MEETING
ON THE THIRD READING 8/06/2015
APPROVED AND SIGNED IN OPEN
MEETING ON THE 6th DAY OF
August, 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
CITY ATTORNEY

Upon motion by Commissioner Jenny Brock, seconded by Commissioner Jeff Banyas, **Ordinance No. 4585-15**, "AN ORDINANCE TO ABANDON A PORTION OF THE RIGHT-OF-WAY LOCATED OFF ALAN STREET AND BEHIND 512 DYER STREET," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

ORDINANCE NO. 4585-15

AN ORDINANCE TO ABANDON A PORTION OF RIGHT-OF-WAY
LOCATED OFF ALAN STREET AND BEHIND 512 DYER STREET.

WHEREAS, the Johnson City Regional Planning Commission has recommended the abandonment of the aforesaid right-of-way during regular session on May 12, 2015;

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

SECTION 1. That a portion of right-of-way located off Alan Street and behind 512 Dyer Street is hereby abandoned.

See description marked "Exhibit 'A'" hereto.

SECTION 2. BE IT FURTHER ORDAINED, That all laws and 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 as required by law, the public welfare requiring it.

PASSED ON FIRST READING 7/02/2015
PASSED ON SECOND READING 7/16/2015
PASSED ON THIRD READING 8/06/2015
APPROVED AND SIGNED IN OPEN MEETING
ON THE 6th OF August, 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’”



Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, Ordinance No. 4587-15, "AN ORDINANCE TO ALLOW THE CITY OF JOHNSON CITY TO ENTER INTO A SALES AGREEMENT TO CONVEY 208 EAST MAIN STREET TO SANJAY BAKSHI," was **passed on third reading**. The motion **carried** by four ayes. Commissioner Jenny Brock was absent from the Chambers. There were no nay votes.

ORDINANCE NO. 4587-15

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF JOHNSON CITY, TENNESSEE TO MR. SANJAY BAKSHI UPON THE TERMS AND CONDITIONS SET FORTH HEREIN.

WHEREAS, the City of Johnson City is the owner of a parcel of real property located within the corporate limits of the City of Johnson City ; and,

WHEREAS, Mr. Sanjay Bakshi wishes to receive the aforesaid property from the City; and,

WHEREAS, the City of Johnson City considers it advantageous and in the manifest best interest of the public to convey the aforesaid parcel of real property to the aforesaid Mr. Sanjay Bakshi, and will enter into a contract with him to effectuate such a conveyance, which contract is appended to this ordinance and incorporated by reference herein as fully as if set forth verbatim, and which contract also includes an Exhibit A which more particularly describes and illustrates the aforementioned parcel.

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

SECTION I. That conveyance of the parcel of real property as more particularly described on the aforementioned Exhibit A is hereby authorized, said conveyance to be made to Mr. Sanjay Bakshi upon the terms and conditions hereby authorized and contained in the contract appended to this ordinance and incorporated by reference herein as fully as if set forth verbatim.

SECTION II. BE IT FURTHER ORDAINED that the Mayor is hereby authorized to execute any and all instruments as may be necessary to effectuate the transaction authorized herein, which instruments shall in form and substance be satisfactory to the City Manager and the legal counsel for the City.

SECTION III. BE IT FURTHER ORDAINED that all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION IV. BE IT FURTHER ORDAINED that this ordinance shall take effect from and after its passage on third and final reading.

PASSED IN OPEN, PUBLIC MEETING
ON THE FIRST READING 7/02/2015
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/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 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 Coalyard Restoration, LLC's materials and exterior treatment plan for property located at 1120 West State of Franklin Road, 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 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 plan for Traffic Calming devices on East Holston Avenue, from Baxter Street to Broadway, as presented by Staff, 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. Mayor Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Three (3) Year Resurfacing List, presented by City Staff, be and the same is hereby approved.

At this time, Robert Wilson, Assistant City Manager, presented an overview of the benefits of on-site health clinics.

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 8:33 p.m.

RALPH VAN BROCKLIN

MAYOR

JANET JENNINGS
CITY RECORDER

ITEMS DEFERRED:

1. None.

ACTION ITEMS:

1. None.