

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, September 17, 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 6:05 p.m.

At this time, Josh Mancuso, former youth pastor, 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 Wednesday, September 2, 2015, be and the same are hereby approved.

At this time, Mayor Ralph Van Brocklin presented the JC 101 certificates to the following graduates: Present: Allyson Baertels, William Baertels, Chris Dyer, Nathan Farnor, Ramona Harr, Harold Hunter, Josh Mancuso, Joseph Rasch and Randy Shutt. Graduates who were unable to attend include: Sarah Colson, Ruth Crawford, Tara Dugger, Laurel Farrell, Kristan Ginnings, Chelsie Gregory, Marilyn Sherman, Dwight Sherman and Chris Whitehead.

At this time, Mayor Ralph Van Brocklin presented a proclamation for PTA Membership Enrollment Emphasis Month. Kristin Marshall, President Elect-JCCPTA, Jennifer Clagg, 2<sup>nd</sup> Vice-President of Membership-JCCPTA, and Teresa Shaw, Tennessee PTA Region Director, were present to accept.

*Whereas* the objective of the Parent Teacher Association is to promote the welfare of children and youth in the home, school, community, and place of worship; and

*Whereas* the PTA's goals are to raise the standards of home life, to secure adequate laws for the care and protection of children and youth, and to bring into closer relationship the home and school; and

*Whereas* parents and teachers may work together to ensure quality education, and to develop between educators and the general public an awareness of the need for citizen involvement to secure the highest advantages in every area of education for all children; and

*Whereas* the association encourages all citizens, regardless of whether they have children, to enroll in the PTA so that they will have the opportunity to speak on behalf of every child.

*Now, Therefore, I,* Ralph J. Van Brocklin, mayor of the City of Johnson City, Tennessee, do hereby proclaim September and October 2015

**PTA MEMBERSHIP ENROLLMENT  
EMPHASIS MONTHS**

in Johnson City, and urge all citizens to join the Parent Teacher Association and get involved in meeting the educational, social and economical needs of each child so they may become citizens with quality education, positive self-esteem, and good morals.

*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 17th day of September 2015.

/s/ Ralph J. Van Brocklin

Ralph J. Van Brocklin, Mayor

At this time, Katie Baker, Chair, Washington County Health/Education Committee, provided an update on the request by the City Commission to look at the feasibility of school consolidation. Ms. Baker stated that there is a greater interest in collaboration between the 2 school systems than in consolidation. She suggested creating a task force initially comprised of one (1) member from each school system and one (1) member from each governing body, to discuss collaboration. This core group would identify others with expertise to join the group. She was joined by Gary McAllister, County Commissioner.

At this time, Mark Sirois, Johnson City Police Chief, provided an update on the Police Department's Crime Mapping System.

At this time, Phil Pindzola, Public Works Director, introduced Jason Foster, LDA Engineering, who made a presentation regarding the stormwater modeling for the Kelly Foods site, Boone Street basin and King Creek (U-Haul Property) basin. Jennifer Salyer, Barge, Waggoner, Sumner and Cannon, then presented a concept plan for the U-Haul basin.

At this time, Commissioner Jeff Banyas made a motion, seconded by Vice-Mayor Clayton Stout, That city staff proceed with contract development for design work of the Downtown Drainage Basin for the Kelly Foods site, Boone Street basin and King Creek (U-Haul Property) basin.

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 amendment, to the motion for city staff to proceed with contract development for design work of the Downtown Drainage Basin for the Kelly Foods site, Boone Street basin and King Creek (U-Haul Property) basin, to request that the Johnson City Development Authority (JCDA) come back with proposals for the U-Haul sign, be and the same is hereby approved. The City Commission will be supplied with a recap of available funding in stormwater, the engineers probable cost estimates and a timeline for implementation.

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

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Jenny Brock 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 a beer license for Andrea Rudd, FBC Ventures, LLC, d/b/a We're Cooking, 612 Lyle Street, Suite 101, Johnson City, Tennessee, be and the same is hereby approved. Andrea Rudd was present.

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 a beer license for Lisa Michelle Gibson, Zeke, Inc., d/b/a The Library, 820 West Walnut Street, Johnson City, Tennessee, be and the same is hereby approved. Lisa Gibson was present.

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

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a street closing on Sunday, October 18, 2015 from 9:00 a.m. until 6:00 p.m., as requested by the American Cancer Society Mid South, for the Making Strides Against Breast Cancer 5K Walk, be and the same is hereby approved. Holly Booker 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 on Saturday, December 5, 2015 from 8:30 a.m. until 11:30 a.m., as requested by Ani Boyd, for the Annual Girls on the Run 5K Road Race, be and the same is hereby approved. There was no representative present.

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

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Consent Agenda for September 17, 2015, be and the same is hereby approved. Note: With regard to the Capital Project operating transfer, \$743,000 was approved for equipment. City staff will submit additional items at a future meeting.

CONSENT AGENDA:

**A. GENERAL:**

**i. Police Department**

Consider acceptance of the award from the U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant in the amount of \$19,336.00 for the Special Prosecutor Program

- ii. **Finance Department**  
Consider operating transfer to Capital Projects Fund
- iii. **Water & Sewer Services**  
Consider renewal of Energy Management Agreement with EnerNOC
- iv. **Water & Sewer Services**  
Authorization for Mayor to execute Work Order #4 to Water Master Services Agreement with Tysinger, Hampton & Partners for the Austin Springs Road Water Line Replacement Project
- v. **Public Works Department**  
Consider the Waste Management Charitable Contribution for Program Year 2014 in the amount of \$55,000
- vi. **Administration**  
Consider an appropriation to the Johnson City Convention & Visitors Bureau not to exceed \$60,000 to fund a Sports Market Analysis and Feasibility Study
- vii. **Administration**  
Authorization for Mayor to execute Termination of License and Lease Agreement with the Washington County-Johnson City Animal Control Center, Inc.
- viii. **Johnson City Schools**  
Authorization for Mayor to execute the Certificate of Substantial Completion from J.E. Green Company and Beeson, Lusk & Street, Inc. on the New Fieldhouse @ Kermit Tipton Stadium

**B. INVOICES:**

- i. J.E. Green ..... \$102,433.27  
Finance Department ~ Pay Request #14  
New Fieldhouse @ Kermit Tipton Stadium  
Funding Source: Loan Proceeds
  
- ii. Legend Fitness ..... \$93,660.00  
Finance Department/Johnson City Schools  
Weight Room Equipment  
Funding Source: Fund Donations set aside in a restricted  
fund @ Science Hill High School
  
- iii. Littlejohn Engineering ..... \$4,718.75  
Water & Sewer Services  
Task Order #3 ~ Cash Hollow Sewer Rehab Phase I  
Funding Source: Budgeted Expense
  
- iv. Hazen & Sawyer ..... \$8,229.50  
Water & Sewer Services  
Lower Brush Creek Sanitary Sewer Interceptor Replacement  
Funding Source: Bond Funded
  
- v. Wiedeman & Singleton ..... \$8,643.85  
Water & Sewer Services  
Task Order #8 ~ Watauga Hypochlorite Disinfection Conversion  
Funding Source: Bond Funded
  
- vi. Baker's Construction ..... \$193,780.46  
Public Works Department  
Pay Request #3 ~ Boys & Girls Club  
Funding Source: Economic Development Fund

- vii. Volkert, Inc. . . . . \$4,140.69  
 Public Works Department ~ Progress Billing #35  
 Browns Mill Rd / Mountainview Road  
 Funding Source: 100% Federal Funding
  
- viii. Volkert, Inc. . . . . \$587.42  
 Public Works Department ~ Progress Billing #36  
 Browns Mill Rd / Mountainview Road  
 Funding Source: 100% Federal Funding
  
- ix. Stansell Electric . . . . . \$94,564.80  
 Public Works Department ~ Traffic Division  
 Pay Request #2 ~ Signalization Project  
 Funding Source: 100% Federal Funding
  
- x. Mattern & Craig . . . . . \$12,117.63  
 Public Works Department ~ Traffic Division  
 Signalization Project  
 Funding Source: 100% Federal Funding
  
- xi. Trademark of Virginia . . . . . \$146,848.72  
 Public Works Department  
 Pay Request #7 ~ Farmers Market Project  
 Funding Source: TIF & General Fund
  
- xii. Burleson Construction . . . . . \$1,545.78  
 Public Works Department  
 Farmers Market Project  
 Funding Source: Capital Projects
  
- xiii. Shaw & Shanks Architects . . . . . \$25,027.80  
 Administration ~ Freedom Hall Civic Center  
 Toilets/Dressing Rooms Improvements & Re-roofing  
 Funding Source: Bond Funded

- xiv. Mechanical Design Services .....\$51,616.25
  - Administration ~ Freedom Hall Civic Center
  - HVAC Modifications
  - Funding Source: Bond Funded

C. BIDS

i. ITB #5951

Beuris Construction . . . . . \$48,472.00

Public Works ~ Solid Waste Department

Wall Replacement

Funding Source: Budgeted Expense

**BID TABULATION SHEET**

BEESON, LUSK & STREET, INC.  
207 EAST MAIN STREET, SUITE 3C  
JOHNSON CITY, TN 37604  
PHONE: 423.928.1175  
EMAIL: bis@btsarch.com

NAME OF PROJECT: (ITB No.: 5951)  
WALL REPLACEMENT FOR  
JOHNSON CITY SOLID WASTE TRANSFER STATION  
BID DATE: THURSDAY, AUGUST 27, 2015  
LOCATION: JOHNSON CITY PURCHASING AGENT  
209 WATER STREET, JOHNSON CITY, TN  
TIME OF BID: 3:30 p.m.

BIDDERS	LICENSE NUMBER	BASE BID	TIME OF COMPLETION
Beuris Construction 328 Hunter's Crossing Lane Kingsport, TN 37664	60309	\$48,472.00	√
Holliman Construction Company 513 Twin Oaks Drive Johnson City, TN 37601	26587	\$74,607.00	√
J.E. Green Company 303 E. Market Street Johnson City, TN 37605	3827	\$78,300.00	√
King General Contractors 307 Bonham Road Bristol, VA 24201	NO BID	NO BID	NO BID
Preston Construction Company 1503 Narrow Lane Johnson City, TN 37604	11606	\$56,450.00	√

ii. **ITB #5956**

Taff & Frye Co., Inc. . . . . \$83,300.00  
 Parks & Recreation Department  
 Asbestos Abatement/Demolition of Former Legion Recreation Center  
 Funding Source: General Fund

CITY OF JOHNSON CITY, TENNESSEE  
 TABULATION OF BIDS  
 ITB #5956 ASBESTOS ABATEMENT/DEMOLITION  
 FORMER LEGION STREET REC CENTER  
 SEPTEMBER 3, 2015 - 2:30 PM

<u>VENDOR</u>	<u>LICENSE NUMBER</u>	<u>LUMP SUM</u> <u>ABATEMENT</u>	<u>ABATEMENT &amp;</u> <u>DEMOLITION</u>
E. Luke Greene Co.	14334	\$ 27,840.00	\$ 86,650.00
Taff & Frye	46165	\$ 19,450.00	\$ 83,300.00
Neo Corpotation	28071	\$ 61,800.00	\$ 156,800.00
D.H. Griffin	11845	\$ 32,777.00	\$ 157,777.00

No Response: Waco Inc., Pinnacle, Evergreen AES

RECOMMEND ACCEPTANCE OF THE LOW BID, CIRCLED ABOVE.

iii. **ITB #5958**

Ford of Murfreesboro & Golden Circle Ford.. \$361,661.00

Police Department

Police Pursuit Vehicles (10) & SUV (2)

Funding Source: Capital Equipment & Drug Fund

TABULATION OF BIDS  
 CITY OF JOHNSON CITY, TENNESSEE  
 SEPTEMBER 8, 2015 - 1:30 PM  
 ITB #5958 POLICE PURSUIT VEHICLES SUV - POLICE

VENDOR	2016 Ford Taurus		Total	2016 Ford Taurus Unmarked Vehicle (2/EACH)		Total	2016 Ford Interceptor Unmarked Vehicle (1/EACH)		2016 Ford XLT Unmarked Vehicle (1/EACH)	Optional Towing Package for Item #4
	Marked Vehicle (8/EACH)									
Erwin Motors	\$ 32,327.20	\$ 258,617.60	\$ 59,948.00	\$ 29,974.00	\$ 59,948.00	\$ 35,155.80	\$ 29,279.46	\$ 497.00		
Empire Ford	\$ 38,619.00	\$ 308,952.00	\$ 65,214.00	\$ 32,607.00	\$ 65,214.00	\$ 41,466.00	\$ 29,709.00	\$ 467.00		
Golden Circle Ford	\$ 31,078.00	\$ 248,624.00	\$ 57,748.00	\$ 28,874.00	\$ 57,748.00	\$ 35,229.00	\$ 29,079.00	\$ 497.00		
Ford of Murfreesboro	\$ 30,005.00	\$ 240,040.00	\$ 57,166.00	\$ 28,583.00	\$ 57,166.00	\$ 34,879.00	\$ 29,682.00	\$ 345.00		

Erwin Motors: Auto World of Big Stone Gap  
 Empire Ford: No Acceptance; Mid-State Equipment, Magic City Ford, Friendship Ford, Ford Rental Ford, Stan McNabb, Randy Maron, McNabb, Whaley, Gaffield Government Sales,  
 Golden Circle Ford: Inky, Myers General Fleet Sales, SoundOff Signal, Legacy Ford, Nelson Auto Center, Long of Chattanooga, Whole Ford, Sam Swowe Auto, Acme Auto Leasing,  
 Ford of Murfreesboro: Mega Auto Parts, Reaman Auto

RECOMMEND ACCEPTANCE OF THE LOW INDIVIDUAL BIDS, CIRCLED ABOVE. TOTAL COST: \$ 361,661

iv. **ITB #5962**

Indigo Energy Partners, LLC . . . . . \$3,108,096.00

Fleet Management

Fuel Contract

Funding Source: Budgeted Expense

TABULATION OF BIDS  
 CITY OF JOHNSON CITY, TENNESSEE  
 SEPTEMBER 8, 2015 - 2:00 PM  
 ITB #5962 GASOLINE DIESEL FUEL CONTRACT  
 FLEET MANAGEMENT

VENDOR	ULSD (450,000 GAL) (Mark-up)	GASOLINE (430,000 GAL) (Mark-up)	GASOLINE/ ETHANOL (Mark-up)
Greenville Oil & Petroleum	0.05	0.05	0.05
Rogers Petroleum	0.0513	0.0413	0.0413
RKA Petroleum	0.0556	x	0.0409
Cary Oil	0.0545	0.0478	0.0478
James River Solutions	0.056	0.039	0.039
Petroleum Traders	0.0554	0.0278	0.0398
Indigo Energy Partners	0.0504	x	0.0340
STATE CONTRACT (Rogers Petroleu	0.149		0.149
<i>No Response: Volunteer Oil, Tri Star Energy, PVM Oil, Atlas Oil, Parman Energy</i>			
RECOMMEND ACCEPTANCE OF THE LOWEST TOTAL BID RECEIVED, CIRCLED ABOVE. ANNUAL CONTRACT IS BASED ON FUEL COSTS PLUS MARK-UP (AND FEDERAL LUST & OIL SPILL TAXES). ESTIMATED ANNUAL FUEL EXPENSE: \$ 3,108,096 THREE YEAR CONTRACT, RENEWABLE ANNUALLY.			

D. **PURCHASES**

i. MES Carolinas . . . . . \$29,547.00

Fire Department

Thermal Imaging Cameras

Funding Source: Capital Equipment Fund

- ii. L3 Mobile Vision, Inc. .... \$50,674.55  
 Police Department  
 In-Car Camera Systems for vehicles requested in ITB #5958  
 Funding Source: Police Technology Funds

Upon motion by Commissioner David Tomita, seconded by Vice-Mayor Clayton Stout, **Ordinance No. 4589-15**, "AN ORDINANCE TO ENACT NEW PROVISIONS FOR UNSATISFIED PARKING TICKETS," was **passed on second reading**. The motion **carried** by five ayes. There were no nay votes.

At this time a public hearing was held regarding Ordinance No. 4590-15. David Lefemine, Realtor, and Jan Edwards, representing Towne Acres Homeowner's Association, spoke in favor of the rezoning developer's proposal for a concept plan.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner Jeff Banyas, **Ordinance No. 4590-15**, "AN ORDINANCE TO REZONE 2503 BROWNS MILL ROAD FROM R-5 (HIGH DENSITY RESIDENTIAL) TO RO-2 (MEDIUM DENSITY RESIDENTIAL-PROFESSIONAL OFFICE)," was **passed on second reading**. The motion **carried** by five ayes. There were no nay votes.

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 concept plan for the rezoning from R-5 (High Density Residential) to RO-2 (Medium Density Residential-Professional Office) for property located at 2503 Browns Mill Road, 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 Johnson City Power Board (JCPB) Interstate Lighting Proposal totaling \$639,728, utilizing \$588,000 of the City balance on hand at the Power Board and \$51,728 from General Fund Balance or Fiscal Year 2015 surplus, 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 endorsement of the Johnson City Power Board (JCPB) Downtown Lighting Proposal including the replacement of City lighting with LED lighting over the next five (5) to eight (8) years, be and the same is hereby approved.

At this time, City Manager Pete Peterson reviewed the June 2015 financials.

**COMMISSION CONCERNS:**

1. Commissioner Jenny Brock requested an update on the Retail Study.
2. Vice-Mayor Clayton Stout requested an update on the Langston Building.
3. Vice-Mayor Clayton Stout requested an update on the Buffalo Valley Golf Course future.

There being no further business or discussion, Mayor Ralph Van Brocklin adjourned the meeting at 8:50 p.m.

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RALPH VAN BROCKLIN  
MAYOR

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JANET JENNINGS  
CITY RECORDER

**ITEMS DEFERRED:**

1. None.

**ACTION ITEMS:**

1. None.