

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, October 15, 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 6:01 p.m. At this time, Jim Richter, Senior Pastor, Westminster Presbyterian Church, 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 addition to the agenda to consider a beer license for JC Portico, LLC, 601 Spring 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 the minutes of the regularly scheduled City Commission Meeting held on Thursday, October 1, 2015, be and the same are hereby approved.

At this time, Mayor Ralph Van Brocklin opened the public input session. John Boyd addressed the Board of Commissioners. He expressed concern regarding the potential driving hazard of a major bump at the railroad crossing at State of Franklin Road, traveling from downtown. It is a railroad issue and he has contacted Norfolk Southern with no response. He also expressed concern regarding alleged elephant abuse by Carden International Circus, who is working with the Jericho Shriner Circus, and requested that the Commission to consider making Johnson City an elephant-free zone.

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

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a beer license for JC Portico, LLC, 601 Spring Street, Johnson City, Tennessee, be and the same is hereby approved. Rafael Zabala, applicant, 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 Beer License for K-VA-T Food Stores, Inc., d/b/a Food City #629, 920 State of Franklin Road, Johnson City, Tennessee pending issuance of the Certificate of Occupancy, be and the same is hereby approved. Rick Bishop, District Manager, was present.

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

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Beer License application for Tres Patrones, Inc., d/b/a Don Reyes Mexican Restaurant, 3009 Greenline Road, Johnson City, Tennessee, be and the same is hereby approved. Applicant representatives were present.

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

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Beer License application for 50/Fifty Sports Tavern LLC, d/b/a 50/Fifty Sports Tavern, 2102 North Roan Street, Johnson City, Tennessee, be and the same is hereby approved. An applicant representative was present.

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 application for Kenjo, Inc. #44, 1912 South Roan Street, Johnson City, Tennessee, be and the same is hereby approved. Charlie Carruthers, CEO/President, 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 street closing from 9:00 a.m. until 4:00 p.m. on Saturday, October 24, 2015, as requested by the Johnson City Development Authority for the Walk the Town Event, be and the same is hereby approved. Dianna Cantler, applicant, 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 from 4:30 p.m. until 9:00 p.m. on Saturday, October 31, 2015, as requested by First Freewill Baptist Church for their annual Fall Festival, be and the same is hereby approved. An applicant representative was present.

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 street closing from 7:00 a.m. until 11:00 a.m. on Saturday, November 7, 2015, as requested by Niswonger Children's Hospital for the Scarecrow Skedaddle, be and the same is hereby approved. Lauri Kerns, applicant, 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 from 7:00 a.m. until 3:00 p.m. on Saturday, November 14, 2015, as requested by Jason Sabbides for the annual Veterans Ruck and Roll Half Marathon (including a 10K, 5K and 3K Fun Run), be and the same is hereby approved. Jason Sabbides, applicant, 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 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 a street closing from 7:30 a.m. until 10:00 a.m. on Thursday, November 26, 2015, as requested by Up & At 'Em, Inc. for the annual Turkey Trot, be and the same is hereby approved. Karen Hubbs, applicant, was present.

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 a street closing from 8:00 a.m. until 11:00 a.m. on Saturday, December 12, 2015, as requested by the First United Methodist Church for their annual Reindeer 5K Run and Santa Stroll, be and the same is hereby approved. Kathie Battista, applicant, was present.

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

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Consent Agenda for October 15, 2015, be and the same is hereby approved.

CONSENT AGENDA:

A. GENERAL:

- i. **Purchasing**
Consider declaring three (3) vehicles and seven (7) other equipment line items for Parks & Recreation as surplus.
- ii. **Public Works**
Consider approval and authorize Mayor to sign Contract with Beuris Construction, Inc. for the Johnson City Solid Waste Recycling Transfer Station Wall Replacement Project in the amount of \$48,472.00. The Commission approved the bid.
- iii. **Public Works**
Consider approval of Stansell Electric Change Order No. 1 for the Signalization Project for a cost savings of \$20,104.00
- iv. **Public Works**
Consider approval of Stansell Electric Change Order No. 2 for the Signalization Project for a cost savings of \$70.82.
- v. **Development Services**
Consider approval of TDOT – Federal Highway Administration, Section PL 112 Transportation Planning Grant Contract Amendment Two for the MTPO.

B. INVOICES:

- i. Medical Occupational Medicine \$40,716.00
Human Resources
City and Johnson City School Health Assessments
Funding Source: Health Insurance Fund
- ii. J. E. Green \$82,302.83
Finance ~ Pay Application #15
New Fieldhouse at Kermit Tipton Stadium
Funding Source: Loan Proceeds
- iii. Baker’s Construction..... \$38,177.49
Public Works ~ Pay Application No. 4
Boys and Girls Club
Funding Source: Economic Development Fund
- iv. Stansell Electric \$87,993.95
Public Works ~ Pay Request No. 3
Signalization Project
Funding Source: Federal STP

v. Mattern and Craig\$13,066.68
Public Works
CEI Services for Traffic Signalization Project
Funding Source: 100% Federal

vi. Trademark of VA\$293,096.84
Public Works ~ Pay Application No. 8
Farmers Market Project
Funding Source: TIF & General Fund

vii. Burleson Construction Co.....\$3,085.23
Public Works
Farmers Market Project
Funding Source: TIF & Capital Account

viii. Gresham Smith & Partners.....\$11,546.63
Water & Sewer
Indian Ridge Road Water & Sewer Relocations
Funding Source: Water/Sewer Budgeted Expense

ix. Wiedeman & Singleton.....\$5,521.56
Water & Sewer ~ Task Order #8
Watauga Water Plant Hypochlorite Disinfection Conversion
Funding Source: Water/Sewer Bond Fund

x. Littlejohn Engineering Associates\$6,580.00
Water & Sewer ~ Task Order #3
Cash Hollow Sewer Rehab, Phase 1
Funding Source: Water/Sewer Budgeted Expense

xi. Burleson Construction Co.\$54,927.57
Water & Sewer ~ Pay Request #2
State of Franklin Water Booster Station
Funding Source: Water/Sewer Bond Fund

xii. Burleson Construction Co.\$577.00
Administration
Freedom Hall Additions & Renovations
Funding Source: Bond Funded

xiii. HVAC, Inc.\$54,815.00
Administration
Freedom Hall Additions & Renovations
Funding Source: Bond Funded

xiv. The Johnson City CVB.....\$27,000.00
 Administration
 Sports Market Analysis
 Funding Source: General Fund

C. **BIDS**

i. ITB #5973
 Gov Connection, Inc.\$98,169.40
 Johnson City Schools
 Dell Laptops
 Funding Source: School Technology Fund

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 SEPTEMBER 21, 2015 - 2:30 PM
 ITB #5973 DELL LAPTOPS
 JOHNSON CITY SCHOOLS

VENDOR	Dell Latitude 3340 {140/EACH}			
Ricoh - USA	\$ 841.09			
AKA Comp Solutions	\$ 856.85			
MCD Solutions	\$ 819.53			
Vcloud Tech	\$ 720.00			
GovConnection	\$ 701.21			
SOS Computers/Technology Express	\$ 927.00			
JW Affinity IT	\$ 832.94			
Paxis Technologies	\$ 831.59			
<i>Uetlge: School Tech Supply</i>				
<i>No Response: Central Communications and Electronics, Southern Computer Warehouse, Howard Industries, Networking and Computers,</i>				
<i>Advanced Public Safety, Staples, BarCode ID Systems, Tate Computer Systems, American Micro Technology, UM Office Supply,</i>				
<i>BIS Partnership, SDI Network, InfoSystems, En Pointe Technologies, Lenovo, pcWest, Saratoga Technologies, Mason Development Corp,</i>				
<i>PC Mail, United Data Technologies, Cepoint Networks, SpaceBound, Virtacom, Black Rock Technology, B2B Computer Products,</i>				
<i>Mid-Athletic Data Systems, ARC, Computer Systems Plus, Adorama Inc, Unistar Sparco, Direct Technology Group, LowMarkup Inc.,</i>				
<i>PC Net, Milech Technology, Peacock Enterprises, Central Technologies, Dynamic Recycling, E-Logix, School Tech Supply, Katek Solutions,</i>				
<i>USC Canterbury Corp, PC Quest, Preceptive Products, Business Computer Center, Personal Computer Systems, Core BTS, StrataGen Systems,</i>				
<i>Insight, Digital Connections, Core Education Technologies, MSA Systems, SC-ID, LLC, Unbound Digital, Lumeos Technology,</i>				
<i>Strictly Technology, Barbarian USA Inc, TUC Technologies, New Computech, Vantage Point Corp, SHI International</i>				
RECOMMEND ACCEPTANCE OF LOWEST BID, CIRCLED ABOVE. ESTIMATED ANNUAL COST: \$ 98,169.40				
ONE YEAR CONTRACT BASED ON UNIT PRICES TO BE ORDERED AS NEEDED.				

ii. ITB #5974

Goodpasture Motors Inc\$142,400.00

Public Works ~ Street Division

Tandem Axle Dump Truck

Funding Source: Capital Equipment Fund

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 SEPTEMBER 22, 2015 - 1:30 PM
 ITB #5974 TANDEM AXLE DUMP TRUCK
 P/W STREET

VENDOR	Dump Truck (1/EACH)	CHASSIS MAKE/MODEL	DUMP BODY MAKE/MODEL	CENTRAL HYD. SYSTEM MAKE/MODEL	BODY/CENT. HYD. SYSTEM INSTALLER MAKE/MODEL
Triad Freightliner	\$148,822.00	Freightliner 114SD	Rogers 14051CDACS	Force America	Rogers Mfg. w/Flink Plow
Triad Freightliner	\$147,722.00	Freightliner 114SD	Rogers 14051CDACS	Force America	Rogers Mfg. w/Henderson Plow
Triad Freightliner	\$143,664.00	Freightliner 114SD	R85 CS	Force VT	Stringfellow w/Good Roads Plow
MHC Kenworth	\$166,091.00	Kenworth T800	Rogers 14051CDACS	Force America EASD45L-KIJ	Rogers bod Co
Stowers Machinery	\$193,159.00	Caterpillar CT681	J-Craft/Ultra	Force America/Add A-Stack	J-Craft
Worldwide Equipment	\$140,117.00	Mack GUR 2016*	Godwin	Godwin Hydraulic System	Godwin
Worldwide Equipment	\$155,779.00	Mack GUR 2016*	Rogers/Stealth	Force America	Rogers
Goodpasture Motor Co.	\$140,000.00	2016 Intl Workstar 7600 SBA	R/S Dump Body	Force America	Godwin MFG
5 YR EXTENDED WARRANTY	\$2,400.00				
Goodpasture Motor Co.	\$152,324.00	2016 Intl Workstar 7600 SBA	Rogers MFG IHC 14051CDACS	Ref Rogers	Rogers MFG CO Inc

*doesn't meet engine specs.

Specials: Landmark Trucks
 No Resonance: Empire Ford, Equipment Technology, Mid-State Equipment, Public Works and Supply, CMI Equipment, Reader Chevrolet, Walker Chevrolet, Magic City Ford, Municipal Equipment,
 Volunteer Volvo & GMC, Cavalier Equipment, Randy Marica Automotive, Special Fleet Service, O.G. Hughes & Sons, Nichols Fleet Equipment, Altec Industries, Stringfellow, Natco, Mennelly Whaley,
 Whiteside Chevrolet, Lee Smith, Advanced Containment Systems, Jacky Jones Central Fleet Sales, Rick Hendrick Chevrolet, Forestry Equipment of VA, Penske, Freightliner of Knoxville, Wade Ford,
 Pullbeck Truck Equipment, Trudgore, Ford of Murfreesboro, Aome Auto Leasing, Performance Peterbilt of Bristol, Alley-Cassette Truck Center, Cherokee Truck Equipment, Tulloch, Beaman Automotive,
 Advantage Truck Center, Waste Equipment & Parts, Power Line Rent-A-Equip

RECOMMEND ACCEPTANCE OF THE LOW BID, CIRCLED ABOVE INCLUDING EXTENDED WARRANTY. TOTAL COST : \$142,400

MAA a

iii. ITB #5975
 JCI Jones Chemicals.....\$31,500.00
 Water & Sewer
 Sulfur Dioxide Contract
 Funding Source: Operating Expense

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 SEPTEMBER 30, 2015 - 1:30 PM
 ITB #5975 SULFUR DIOXIDE CONTRACT
 WATER/SEWER

<u>Vendor</u>	<u>Approx. 100,000/LBS.</u>	<u>Unit Price</u>
Allied Universal	\$	0.3248
JCI Jones	\$	0.3150
Brenntag Mid-South	\$	0.3500

Decline: Nalco

No Response: Clear Water Consultants, Unklar, Shannon Chemical, G & C Supply, Altiva, Mosaic Global Sales, Kemiron, DPC Enterprises, Jefferson Sales, Pencco, General Chemical Performance, Stiles-Kam/Met-Pro, Fisher Safety, Water Services, Ashland, Gulbrandsen Technologies, ATCO, GEO Specialty Chemicals, Hill Mfg. Company, The Dycho Company, Tech Coat, Siemens, KC Industries, Aulick Chemical Solutions, Polydyne, OMI, Bart & Associates, Viking Products, Pool & Electrical, F2 Industries, American Development, K.A. Steel Chemicals, Aqua Design Systems, The Durront Company, Sterling Water, PICA USA, HartCo, Finco Services, Momar, Pristine Water Solutions, Organic Products of SC, Chem Treat, Scientific Sales, Guthrie Sales, S4 Water Sales & Services, Industrial Chemicals, Robinson Group, Tidewater, Untied Manufacturing Int'l 2000, ZIO Sourcing, Aquatic Commercial Solutions, Hercules Incorporated, Chemtrade Chemicals, HD Supply, USALCO, Bar Environmental, Alliance Municipal

RECOMMEND ACCEPTANCE OF THE LOW BID, CIRCLED ABOVE. ANNUAL COST:
 \$ 31,500 BASED ON UNIT PRICES. THREE YEAR CONTRACT, RENEWABLE ANNUALLY

D. PURCHASES

i. Central States Bus Sales.....\$175,060.00
 Transit ~ State Contract
 Four (4) ADA Compliant MV-1 Vehicles
 Funding Source: 80% Federal, 10% State & 10% Budgeted Local Funds

E. PROPOSALS

i. RFP #5968
 Playcore Wisconsin dba GameTime.....\$69,989.33
 Parks & Recreation
 Winged Deer Park Playground Project
 Funding Source: Capital Project Fund

ii. RFP #5971

Amplify Education Inc.....\$25,080.00

Johnson City Schools

K-1 Reading/Literacy Skill Assessment Program

Funding Source: General Purpose School Fund

Upon motion by Commissioner David Tomita, seconded by Vice-Mayor Clayton Stout, **Ordinance No. 4592-15**, "AN ORDINANCE TO APPROVE A FRANCHISE AGREEMENT TO ALLOW ZAYO GROUP, LLC TO PERFORM WORK WITHIN THE CITY'S RIGHT-OF-WAY," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes. Terry Davis, Project Manager, Zayo Group, LLC, was present.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner David Tomita, **Ordinance No. 4593-15**, "AN ORDINANCE TO INCREASE THE THRESHOLD OVER WHICH PUBLIC ADVERTISEMENT AND SEALED BIDS ARE REQUIRED IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED SECTION 12-3-1212 AND TO REPEAL ALL ORDINANCES AND PART OF ORDINANCES IN CONFLICT WITH," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes.

At this time a public hearing was held regarding Ordinance No. 4591-15. Ed Barger and Jim Honeycutt spoke in support of the rezoning.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner David Tomita, **Ordinance No. 4591-15**, "AN ORDINANCE TO REZONE PROPERTIES LOCATED AT 2310 AND 2424 WEST WALNUT AND 2250 MCKINLEY ROAD FROM I-2 (HEAVY INDUSTRIAL) TO R-6 (HIGH DENSITY RESIDENTIAL-UNIVERSITY)," was **passed on second reading**. The motion **carried** by five ayes. There were no nay votes.

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 Concept Plan for rezoning properties located at 2310 and 2424 West Walnut and 2250 McKinley Road from I-2 (Heavy Industrial) to R-6 (High Density Residential-University), 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 re-allocation of East Main Wall Repair funds in the amount of \$125,000.00 to the Legion Street Recreation Center Demolition in the amount of \$85,000.00 and Commerce Street projects in the amount of \$40,000.00, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner Jeff Banyas, 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 a Construction Retainage Escrow Agreement with HVAC, Inc. and First Tennessee Bank for Freedom Hall HVAC Improvements, 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 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 Trail Plan and Trail Extension, as presented by staff, and the allocation of \$100,000 from the Capital funds for the links depicted in yellow and red (Legion Street/State of Franklin Road), by the end of the fiscal year, 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 adoption of the Mission and Values Statement for the City of Johnson City, pending a thorough grammatical review by an educated English professional, be and the same is hereby approved.

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 posting of the City of Johnson City Goals on the website, be and the same is hereby approved.

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 8:18 p.m.

RALPH VAN BROCKLIN
MAYOR

JANET JENNINGS
CITY RECORDER

ITEMS DEFERRED:

1. None.

ACTION ITEMS:

1. Posting of Goals on the web site.