

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, July 21, 2016.

PRESENT: Mayor Clayton Stout, Vice-Mayor David Tomita, Commissioners Jeff Banyas, Jenny Brock and Ralph Van Brocklin, Pete Peterson, City Manager, and Janet Jennings, City Recorder.

Mayor Clayton Stout called the meeting to order at 6:01 p.m.

At this time, Matthew Young, Police Department Chaplain, gave the invocation, which was followed by the pledge of allegiance.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Jeff Banyas 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 minutes of the regularly scheduled City Commission Meeting held on Thursday, July 7, 2016, with a correction to note that the resolution and ordinance related to the Bank of Tennessee-Gray Annexation (Ordinance No. 4606-16) failed, be and the same are hereby approved. Subsequent to the July 7th meeting, it was determined that the state law change regarding annexations now requires three (3) affirmative votes rather than a simple majority.

At this time, Mayor Clayton Stout presented a proclamation recognizing the 100 Year Anniversary of Hunter, Smith & Davis LLP. Stephen Darden and William Argabrite, Managing Partner, were present to accept.

Whereas in 1916, Judge Hugh G. Morison formed Morison, Kelly & Penn, now known as Hunter, Smith & Davis, LLP; and

Whereas the firm, which was founded in Kingsport, opened its Johnson City office in 1991 and today has 26 attorneys in both cities; and

Whereas Hunter, Smith & Davis, LLP has employed more than 500 people over the course of a century – including former Johnson City Mayor Steve Darden – with many of those loyally serving for decades; and

Whereas community involvement has always been a driving principle throughout the history of Hunter, Smith & Davis, L.L.P, with its members supporting a lengthy list of civic and charitable organizations such as United Way, CASA, Boys and Girls Clubs, Habitat for Humanity and numerous others.

Now, Therefore, I, W. Clayton Stout, Mayor of the City of Johnson City, do hereby congratulate Hunter, Smith & Davis LLP on its

100-Year Anniversary

and commend its partners and staff for their commitment to providing excellent legal services to the citizens of our region.

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 21st day of July, 2016.

/s/ Clayton Stout
W. Clayton Stout, Mayor

At this time, Scott Bowman, Johnson City Power Board (JCPB) Chair, addressed the Commission. Jeff Dykes, JCPB CEO, made a presentation regarding the creation of an Energy Authority.

At this time, Mayor Clayton Stout opened the public input session. No one spoke.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Ralph Van Brocklin, 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 two-(2) Temporary Occasion Licenses for the Blue Plum Organization to sell beer at the Founders After Five events at Founders Park on July 22 and 29, 2016, be and the same are hereby approved. Jenny Lockmiller was present.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Vice-Mayor David Tomita, 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 Amelework Teshim Tamrat, d/b/a Bays Mart #27, 801 South Roan Street, Johnson City, Tennessee, be and the same is hereby approved. Timmit Amine was present.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Vice-Mayor David Tomita, 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 Mountain Empire Oil Co., d/b/a Roadrunner Market #165, 6757 Bristol Highway, Johnson City, Tennessee, be and the same is hereby approved. Jordan Broyles was present.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Vice-Mayor David Tomita, 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 Slice of the Pie, LLC, d/b/a Pie Five, 2059 Hamilton Place Drive, Johnson City, Tennessee, be and the same is hereby approved. Spencer Merrill was present.

At this time, the re-appointment of Stephen Dixon and Heidi Dulebohn and the appointment of Melissa Thomas to the Public Building Authority were made by unanimous roll call. Commissioner Jenny Brock was absent from the Chambers.

Upon motion by Commissioner Ralph Van Brocklin, 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 **deferral** of three (3) appointments to the Johnson City Development Authority until the September 1, 2016 City Commission Meeting, be and the same is hereby approved.

Upon motion by Vice-Mayor 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-appointment of Jack Hall to Emergency Medical Services, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor 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 2:00 p.m. until 9:00 p.m. on Saturday, July 23, 2016, as requested by West Davis Park Community Organization, for the Extreme Tour, be and the same is hereby approved. Deborah Grey was present.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Vice-Mayor 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 9:00 p.m. on Friday, August 12, 2016, as requested by UMOJA Arts and Culture, Inc., for the UMOJA 5k Road Race, be and the same is hereby approved.

Chamita Hammonds was present.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Ralph Van Brocklin, 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 Noon on Saturday, August 20, 2016, as requested by Mountain States Health Alliance, for the Beast Bike Ride, be and the same is hereby approved. Timothy Murray was present.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Jeff Banyas 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 street closing from 8:00 p.m. until 9:00 p.m. on Saturday, August 27, 2016, as requested by The Goose Chase, for the Fit 4 Life 5K Glow Run, be and the same is hereby approved. Karen Hubbs was present.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Ralph Van Brocklin, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Jeff Banyas 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 street closing from Noon until 5:00 p.m. on Sunday, September 19, 2016, as requested by the American Heart Association, for the 2016 Heart Walk, be and the same is hereby approved. Joette Street was present.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Vice-Mayor 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 7:30 a.m. until 11:00 a.m. on Saturday, October 15, 2016, as requested by the Washington County Health Department, for the 3 plus One 5K Run/Walk, be and the same is hereby approved. David Sullivan 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 the Consent Agenda for July 21, 2016, be and the same is hereby approved.

CONSENT AGENDA:

A. GENERAL:

- i. **Purchasing Department**
Consider declaring certain Solid Waste items as surplus

- ii. **Public Works Department**
Consider Change Order No. 1 on the VA Access Road Construction Contract for an increase in the amount of \$10,261.70 for fencing

- iii. **Transit Department**
Consider the approval of contract for JCT Bucshot Transit Services to ETSU for three-(3) years

B. INVOICES:

- i. Littlejohn Engineering \$3,704.66
Public Works Department ~ Invoice #4398
VA Access Road Project
Funding Source: Safe Route to School Grant & STP Funds

- ii. Steve Ward & Associates, Inc. \$93,569.96
Administration ~ Pay Request #1
Arena Seating Replacement for Freedom Hall Civic Center
Funding Source: Bond Funded

C. BIDS

- i. **ITB# 6026**
Preferred Sandblasting & Painting \$250,000.00
Water & Sewer Services
Unicoi Backwash Tank Rehab Project

Funding Source: Rate Funded

REPAIRING AND REPAINTING THE INTERIOR AND EXTERIOR OF ONE 170,000 GAL. "UNICOI WATER TREATMENT TANK"
ITB# 6026
2:00 PM JUNE 12, 2016



TANK INDUSTRIES CONSULTANTS

ITEM DESCRIPTION ITEM# 1-4	TME COATING FT. PAUL, MN	SUPERIOR INDUST. MAINT CONCORD, NC	CLASSIC PROT. COATINGS MENDOTA, WI	AMERICAN BUNCRAFT MEDWAY, OH	PREFERRED SANDBLAST. SHELBYVILLE, TN	UTILITY SERVICE CO. PERRY, GA
1. BASE BID FOR 170,000 GAL. UNICOI TANK	\$348,000.00	\$625,354.00	\$256,000.00	\$249,825.00	\$231,350.00	NO BID
2. REPAIR WELD IF REQUIRED	\$4,800.00	\$3,450.00	\$3,750.00	\$2,700.00	\$3,750.00	
3. PIT FILLING & SURF IF REQUIRED	\$1,200.00	\$542.50	\$1,200.00	\$1,350.00	\$500.00	
4. SHT. CHIP & GRIND IF REQUIRED	\$8,000.00	\$6,200.00	\$5,000.00	\$5,400.00	\$8,000.00	
5. ADD. WORK IF REQUIRED	\$4,000.00	\$4,650.00	\$5,000.00	\$4,800.00	\$6,000.00	
TOTAL AMOUNT BID	\$364,200.00	\$640,194.00	\$274,950.00	\$254,875.00	\$360,000.00	
ALTERNATE BID ITEMS ITEM# 5-8	TME COATING FT. PAUL, MN	SUPERIOR INDUST. MAINT CONCORD, NC	CLASSIC PROT. COATINGS MENDOTA, WI	AMERICAN BUNCRAFT MEDWAY, OH	PREFERRED SANDBLAST. SHELBYVILLE, TN	UTILITY SERVICE CO. PERRY, GA
6. SPOT CLEAN AND TOPCOATING EXT	\$60,000.00	\$81,120.00	\$23,400.00	\$15,000	\$11,000.00	

ii. **ITB #6044**

JCI Jones \$50,685.00
 Water & Sewer Services
 Liquid Chlorine Contract

Funding Source: Budgeted Expense

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 JUNE 8, 2016 - 2:00 PM
 ITB #6044 LIQUID CHLORINE
 WATER/SEWER DEPARTMENT

Vendor	Unit Price	
	(310,000 lbs)	Total
JCI Jones	\$ 0.1635	\$ 50,685.00
Brenntag Mid-South	\$ 0.1775	\$ 55,025.00
Decline: Industrial Chemicals		
No Response: Altivia, DPC Enterprises, Jefferson Sales, Gulbrandsen Technologies, Hill Manufacturing Company, Pool & Electrical Products, Allied Universal Corporation, The Dumont Company, Momar Inc, Industrial Chemicals, BAR Environmental, Chemrite		
RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. THREE YEAR CONTRACT, RENEWABLE ANNUALLY BASED ON UNIT PRICES. ESTIMATED ANNUAL COST: \$50,685		

iii. **ITB #6048**

BWI Companies \$32,815.20

Parks & Recreation Department & Golf

Perennial Ryegrass Seed

Funding Source: Budgeted Expense

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 JULY 8, 2016 - 1:30 PM
 ITB #6048 PERENNIAL RYEGRASS SEED
 PARKS AND RECREATION

Vendor	Unit Price	
	(33,000 Lbs)	Total
BWI Companies	\$ 0.9944	\$ 32,815.20
Howard Fertilizer	\$ 1.0800	\$ 35,640.00
Southern States Co-op	\$ 1.1000	\$ 36,300.00
Pennington Seed	\$ 1.1800	\$ 38,940.00
Sigma Organics	\$ 1.2300	\$ 40,590.00
SiteOne Landscape Supply	\$ 1.2750	\$ 42,075.00
Washington Farmer's Co-op	\$ 1.3200	\$ 43,560.00
No Response: Warranty One, Helena Chemical Company, Landscape Supply, Local Plant Source, AgCare Products, Green Seed Company		
RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE.		

D. PURCHASES

- i. Compass Minerals \$299,880.00
 Public Works Department ~ Street Division
 Road / Rock Salt
 Funding Source: Budgeted Expense

- ii. PowerSchool Group \$43,100.00
 Johnson City Schools
 Annual Software License Fees for FY 2016-17
 Funding Source: General Purpose School Funds

- iii. Harris Computer Systems \$32,886.00
 IT Department
 Annual Software Maintenance
 Funding Source: Budgeted Expense

E. PROPOSALS

- i. RFP# 6035**
 RPM Transportation Consultants, LLC \$199,250.00
 MTPO
 Long Range Transportation Plan
 Funding Source: Federal & Local Budgeted Firms

- ii. RFP# 6038**
 Pace Analytical \$47,000.00
 Water & Sewer Services
 Environmental Laboratory Services
 Funding Source: Budgeted Expense

At this time, a public hearing was held regarding the Plan of Services Progress Report for the Benedict, Walnut Hill, Hawk III,

Murray, Kite, Keplinger, Arwood Estates, Kalogeros, New Frontier LLC, I-26, Piney Flats, Timberlake Road, Landy, Isenberg, Suncrest, Old Boones Creek, 6315 Kingsport Highway, and Willows Ridge, Phase 3 Annexation Areas. No one spoke for or against this item.

Upon motion by Commissioner Ralph Van Brocklin, 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 Plan of Services Progress Report for the Benedict, Walnut Hill, Hawk III, Murray, Kite, Keplinger, Arwood Estates, Kalogeros, New Frontier LLC, I-26, Piney Flats, Timberlake Road, Landy, Isenberg, Suncrest, Old Boones Creek, 6315 Kingsport Highway, and Willows Ridge, Phase 3 Annexation Areas, be and the same is hereby approved.

At this time, a public hearing was held regarding Ordinance No. 4609-16. No one spoke for or against this item.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Jenny Brock, **Ordinance No. 4609-16**, "SUPPLEMENTAL BUDGET ORDINANCE FOR FY 2015-2016," 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. 4607-16. Todd Wood and Dustin Hughes spoke in support of the Ordinance.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner Ralph Van Brocklin, **Ordinance No. 4607-16**, "AN ORDINANCE TO REZONE PROPERTY ALONG BRISTOL HIGHWAY FROM PB (PLANNED BUSINESS) TO RP-2 (PLANNED RESIDENTIAL)," 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 a Concept Plan for rezoning of property along Bristol Highway from PB (Planned Business) to RP-2 (Planned Residential). No one spoke for or against this item.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Ralph Van Brocklin, 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 of property along Bristol Highway from PB (Planned Business) to RP-2 (Planned Residential), be and the same is hereby approved.

At this time a public hearing was held regarding a resolution to annex certain properties that together are known as the Helvey Annexation (See Ordinance 4608-16 Assigning Zoning). Todd Wood spoke in support of the resolution.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Ralph Van Brocklin, 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 resolution to annex certain properties that together are known as the Helvey Annexation (See Ordinance 4608-16 Assigning Zoning), be and the same is hereby approved.

At this time a public hearing was held regarding Ordinance No. 4608-16. No one spoke for or against this item.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Jenny Brock, **Ordinance No. 4608-16**, "AN ORDINANCE TO ASSIGN ZONING OF R-2B (LOW DENSITY RESIDENTIAL) TO TWO-(2) CERTAIN PROPERTIES THAT TOGETHER ARE KNOWN AS THE HELVEY ANNEXATION," 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 the Plan of Services for the Helvey Annexation. No one spoke for or against this item.

Upon motion by Commissioner Ralph Van Brocklin, 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 Plan of Services for the Helvey Annexation, be and the same is hereby approved.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by four ayes. Vice-Mayor 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 account agreement with Summers-Taylor, Inc. and First Tennessee Bank, be and the same is hereby approved.

Upon motion by Commissioner Ralph Van Brocklin, 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 Barge, Waggoner, Sumner and Cannon's final design for the King Creek Basin, with caveat that the lighting plan be reviewed, be and the same is hereby approved. Jennifer Salyer, Barge, Waggoner, Sumner and Cannon, presented the site design for the King Creek Basin.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Vice-Mayor David Tomita, the following resolution was offered for adoption.

The motion **carried** by four ayes. Commissioner Jeff Banyas voted nay.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a purchase of property/building for City Facilities, with the addition that within ninety (90) days staff would study the feasibility of merging the City and Schools maintenance departments and present a plan for executing, be and the same is hereby approved.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Ralph Van Brocklin, 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 Interlocal Agreement between the City of Johnson City and 9-1-1 Emergency Communications District, be and the same is hereby approved.

At this time, Mitch Miller, Washington County Economic Development Council, addressed the Commission. Alicia Summers, Washington County Economic Development Council, made a presentation on the Mullican Flooring Incentive.

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor 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 support of a \$600,000 investment from Economic Development committed funds, with IDB as operating entity for the Mullican Flooring Incentive to hold title to the facility, 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 Clayton Stout adjourned the meeting at 9:23 p.m.

CLAYTON STOUT
MAYOR

JANET JENNINGS
CITY RECORDER

ITEMS DEFERRED:

1. Consider three-3 appointments to the Johnson City Development Authority. (To be considered at the September 1, 2016 City Commission Meeting).

ACTION ITEMS:

1. None.