

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, April 16, 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 6:00 p.m.

At this time, Angus Shaw, Pastor Emeritus, First Presbyterian Church, gave the invocation, which was followed by the pledge of allegiance.

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 placement of the consideration of the Commission Agenda Item X.D., a Resolution amending a Loan Agreement on Series VII-I-1 Bonds, after Proclamations, 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 minutes of the regularly scheduled City Commission Meeting held on Thursday, April 2, 2015, be and the same are hereby approved.

At this time, Mayor Ralph Van Brocklin presented a proclamation in support of East Tennessee State University (ETSU) Staff Appreciation Week. Present to accept was Dr. Brian Noland, ETSU President, who was joined by members of ETSU's faculty, staff and student body.

**Whereas** East Tennessee State University opened in 1911 as East Tennessee State Normal School with approximately 25 faculty and administrators; and

**Whereas** now in its 103<sup>rd</sup> year, ETSU employs over 2,300 full-time faculty and staff members, as well as 45 part-time faculty and staff and 292 adjunct faculty members who serve more than 14,600 students; and

**Whereas** Quillen ETSU Physicians, which oversees the clinical operations of the Quillen College of Medicine, employs over 230 staff members; and

**Whereas** faculty from ETSU's Academic Health Sciences Center recorded more than 215,000 patient encounters in the 2013-14 year at its various patient care facilities; and

*Whereas* ETSU is dedicated to stewardship of place, including approximately \$1.2 million in uncompensated care through its College of Nursing Faculty Practice Network during the 2013-14 year; and

*Whereas* the faculty of ETSU further the university's mission in the areas of teaching, research, public service, and patient care, guiding students in their journeys toward achieving college degrees and preparing them to become productive citizens around the world.

*Now, Therefore, I,* Ralph J. Van Brocklin, mayor of the City of Johnson City, Tennessee, do hereby proclaim April 27-May 2, 2015

### ETSU Faculty/Staff Appreciation Week

in Johnson City, and encourage citizens to join me in recognizing the contribution that these dedicated employees make to our community, region, nation and beyond, as their students head out into the world and make it a better place.

*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 16th day of April 2015.

/s/ Ralph J. Van Brocklin  
Ralph J. Van Brocklin, Mayor

At this time, Joe Ayres, Cumberland Securities, addressed the Commission regarding an amendment to the Loan Agreement on the City's Series VII-I-1 PEP bonds.

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 Resolution amending the Loan Agreement on the Series VII-I-1 Bonds, be and the same is hereby approved.

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

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 Special Occasion beer license for Friends of Olde Downtown, 325½ East Main Street, Johnson City, Tennessee, for the Founders After 5 Event on May 1, 2015, be and the same is hereby approved. Dianna Cantler, Johnson City Development Authority (JCDA), 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 Special Occasion beer license for Johnson City Morning Rotary Foundation, P.O. Box 3886, Johnson City, Tennessee, for the Founders After 5 Event on May 8, 2015, be and the same is hereby approved. Dianna Cantler, JCDA, 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 Special Occasion beer license for Downtown Johnson City Foundation, 300 East Main Street, Suite 406, Johnson City, Tennessee, for the Founders After 5 Event on May 15, 2015, be and the same is hereby approved. Dianna Cantler, JCDA, 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 Special Occasion beer license for Johnson City Morning Rotary Foundation, P.O. Box 3886, Johnson City, Tennessee, for the Founders After 5 Event on May 22, 2015, be and the same is hereby approved. Dianna Cantler, JCDA, 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 Special Occasion beer license for Downtown Johnson City Foundation, 300 East Main Street, Suite 406, Johnson City, Tennessee, for the Founders After 5 Event on May 29, 2015, be and the same is hereby approved. Dianna Cantler, JCDA, was present.

Upon motion by Mayor Ralph Van Brocklin, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by four ayes. Vice-Mayor Clayton Stout 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 appointment of Bobby Jobe to the Johnson City Industrial Development Board to serve the remaining two (2) years of Scott Folsom's term, be and the same is hereby approved. The vacancy resulted from the resignation of Mr. Folsom.

At this time, the re-appointment of Jon Smith and the appointment of Michael Green were made by roll call as follows: The appointment of Jon Smith was made by unanimous vote. Mayor Ralph Van Brocklin and Commissioners Jeff Banyas, Jenny Brock and David Tomita voted for Michael Green. Vice-Mayor Clayton Stout cast only one roll call vote.

At this time, the appointment of Scott Kudialis to the Johnson City Public Building Authority was made by roll call as follows: Mayor Ralph Van Brocklin and Commissioners Jeff Banyas and David Tomita voted for Scott Kudialis. Vice-Mayor Clayton Stout and Commissioner Jenny Brock voted for Suzy Williams.

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 on Friday, June 5, 2015, from 4:30 p.m. until 9:30 p.m., for the Blue Plum 5K Road Race and Little Plum Half, as requested by the Friends of Olde Downtown, be and the same is hereby approved. Deanna Hays 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 on Sunday, June 7, 2015, from 6:30 a.m. until 4:30 p.m., as requested by Reneau Dubberley for the Southeast Regional Bicycle Race, be and the same is hereby approved. Reneau Dubberley 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 Thursday, August 13, 2015, from 6:00 p.m. until 12:00 a.m. on Sunday, August 16, 2015, as requested by Ralph Davis for the UMOJA Festival, be and the same is hereby approved. Ralph Davis was present.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** as follows: Commissioners Jeff Banyas, Jenny Brock and David Tomita voted aye. Mayor Ralph Van Brocklin and Vice-Mayor Clayton Stout voted nay.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the pulling of Item A. iii. Baker Construction Services Bid on the Boys and Girls Club Athletic Field Reconstruction Project in the amount of \$633,712.75 plus 10% contingency (total contract price \$697,084.03), from the Consent Agenda, in order to allow City staff time to present options for cost savings, 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 remainder of the Consent Agenda for April 16, 2015, be and the same is hereby approved.

**CONSENT AGENDA:**

**A. GENERAL:**

**i. Public Works**

Consider a Counteroffer for Tract 21 on the Indian Ridge Road and State of Franklin Road Intersection Project for an increase of \$13,200 with the final monetary offer of \$145,200

**ii. Public Works**

Consider a Counteroffer for Tracts 14 and 15 on the Indian Ridge Road and the State of Franklin Road Intersection Project for an increase of \$8,200 with the final monetary offer of \$90,200

**iii. Public Works**

Consider approval of Bid No. 5905 by Baker Construction Services, Inc. on the Boys and Girls Club Athletic Field Reconstruction Project in the amount of \$633,712.75 plus a 10% contingency in the amount of \$63,371.28. The total contract price in the amount of \$697,084.03

**iv. Development Services**

Consider approval of FY 2015-2016 Emergency Solutions Grant to the Tennessee Housing Development Agency in the amount of \$177,749.00

**B. INVOICES:**

- i. Wiedeman & Singleton.....\$12,580.00  
Water & Sewer Services  
Task Order #8 ~ Watauga Hypochlorite  
Funding Source: Water/Sewer Bond Funded
  
- ii. CDM Smith.....\$38,934.25  
Water & Sewer Services  
Brush Creek & Knob Creek WWTP Improvements  
Funding Source: Water/Sewer Bond Funded
  
- iii. Hazen & Sawyer.....\$43,192.53  
Water & Sewer Services  
Lower Brush Creek Sanitary Sewer Interceptor Replacement Project  
Funding Source: Water/Sewer Bond Funded
  
- iv. J. E. Green .....\$210,496.61  
Johnson City Schools  
Pay Application #9 ~ New Kermit Tipton Field House  
Funding Source: Loan Proceeds
  
- v. Energy Systems Group .....\$23,587.50  
Administration ~ Pay Request #5  
Freedom Hall Civic Center Lighting Improvements  
Funding Source: Capital Outlay Notes

C. BIDS:

i. ITB #5908

Nissan Cool Springs.....\$131,781.00

Water & Sewer Services

Extended Cab Pick Up Trucks (Includes Surplus Request)

Funding Source: Rate Funded Capital & Budgeted Expense

TABULATION OF BIDS  
 CITY OF JOHNSON CITY, TENNESSEE  
 MARCH 17, 2015  
 ITB #5908- EXTENDED CAB 4WD PICK UP TRUCKS - W/S

	<u>Qty</u>	<u>Unit Price</u>	<u>Total</u>	<u>Proposed Model</u>
Champion Chevrolet	5	\$ 28,609.70	\$ 143,048.50	Chevy/CK15753
Empire Ford	5	\$ 29,732.00	\$ 148,660.00	Ford F-150
Golden Circle Ford	5	\$ 28,259.00	\$ 141,295.00	2015 Ford F-150
West Chevrolet	5	\$ 29,598.20	\$ 147,991.00	Chevy/CK15753
Beaman Auto	5	\$ 27,476.00	\$ 137,380.00	2015 Dodge Ram 1500
CDJR - State Contract	5	\$ 26,379.40	\$ 131,897.00	2015 Dodge Ram 1500
Nissan Cool Springs- State Contract	5	\$ 26,356.20	\$ 131,781.00	2015 Titan S KC
<i>Decline: Randy Marion Automotive</i>				
<i>No Response: Equipment Technology, Mid-State Equipment, Reeder Chevrolet, Walker Chevrolet, Magic City Ford, Friendship Ford, Bill Galton Chevrolet, Chaparral, Ted Russell Ford Isuzu, Stan McNabb Dealerships, Smoky Mountain Truck Center, Stringfellow, Courtesy Chevrolet, Parks Chevrolet, McNelly Whaley Motor Co., Whiteside Chevrolet, Leo-Smith, Worldwide Equipment, Legacy Ford, Jacky Jones Central Fleet Sales, Rick Hendrick Chevrolet, Loyalty Mobile Innovations, Cardinal Chrysler Jeep Dodge, Penske, Freightliner of Knoxville, Wade Ford, Henna Chevrolet, Palfleet Truck Equipment, Ford of Murfreesboro, Acme Auto Leasing, CDJR of Columbia, Cherokee Truck Equipment</i>				
RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. TOTAL COST: \$ 131,781				

ii. ITB #5910

GovConnection, Inc.....\$91,576.26

Johnson City Schools

Laptops & Carts

Funding Source: Technology Reserves & Budgeted Funds

TABULATION OF BIDS  
CITY OF JOHNSON CITY, TENNESSEE  
MARCH 31, 2015  
**ITB #5910 DELL LAPTOPS AND CARTS -SCHOOLS**

	Dell Latitude 3340		Dell Carts	
	Unit Price	Total	Unit Price	Total
	(130/each)		(8/ea)	
Ricoh-USA	729.24	94,801.20	1,453.49	11,627.92
Vantage Point	835.00	108,550.00	1,448.00	11,584.00
New Computech	705.00	91,650.00	1,457.00	11,656.00
GovConnection	625.13	81,266.90	1,288.67	10,309.36
SHI International**	841.09	109,341.70	1,492.25	11,938.00
TUC Technologies	832.00	108,160.00	x	x
E-Logic	1000.00	130,000.00	2,500.00	20,000.00
JW Affinity IT	776.86	100,991.80	1,395.35	11,162.80
Canterbury Corporation	776.14	100,898.20	1,545.00	12,360.00
**does not include imaging				
x = No Bid				
No Response: Central Communications and Electronics, Pomeroy IT Solutions, Southern Computer Warehouse, Howard Industries,				
Computer Connection, Business Computer Center, OM Office Supply, Personal Computer Systems, InfoSystems, En Pointe Technology,				
SOS Computers, Saratoga Technologies, Insight Public Sector, PC Mail Gov, Mid-Atlantic Data Systems, Computer Systems Plus,				
Mitech Technology				
RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE.				
ONE YEAR CONTRACT, BASED ON UNIT PRICES, ACTUAL QUANTITY WILL VARY.				

- iii. ITB #5912
  - WESCO & Kendall Electric.....\$29,857.45
  - Water & Sewer Services
  - General Parts
  - Funding Source: Budgeted Expense

TABULATION OF BIDS  
 CITY OF JOHNSON CITY, TENNESSEE  
 MARCH 31, 2015  
 BID # 5912 - WATER/SEWER  
 GENERATOR PARTS

#	QTY	WESCO		Kendall Electric	
		Unit Cost	Total	Unit Cost	Total
<b>Grand Harbor Sewer Lift Station</b>					
1	2	2,735.00	5,470.00	2,499.02	4,998.04
2	1	1,860.00	1,860.00	1,651.00	1,651.00
		<b>Subtotal</b>	<b>7,360.00</b>		<b>6,649.04</b>
<b>Med Tech Sewer Lift Station</b>					
3	2	2,780.00	5,560.00	2,629.54	5,259.08
4	1	2,960.00	2,960.00	2,434.16	2,434.16
		<b>Subtotal</b>	<b>8,520.00</b>		<b>7,693.24</b>
<b>T-Station Sewer Lift Station</b>					
5	2	6,120.00	12,240.00	3,890.88**	7,781.36
6	1	810.00	810.00	892.46**	892.46
7	1	793.00	793.00	1,996.16**	1,996.16
8	1	2,260.00	2,260.00	1,672.17	1,672.17
		<b>Subtotal</b>	<b>16,103.00</b>	<b>**unacceptable</b>	<b>12,342.15</b>
		<b>Grand Total</b>	<b>\$ 31,983.00</b>		<b>\$ 26,684.43</b>

\*\*\*Alternate - SS 204  
 No Response: Cline-Holder, Graybar Electric, TESCO, Williams Electric Supply,  
 Terry's Electric Services, City Electric Supply, Koontz Electric Company

RECOMMEND ACCEPTANCE OF ACCEPTABLE LOW BIDS, CIRCLED ABOVE. TOTAL PURCHASE \$29,857.45

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jenny Brock, 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 the Baker Construction Services Bid on the Boys and Girls Club Athletic Field Reconstruction Project in the amount of \$633,712.75 plus 10% contingency (total contract price \$697,084.03), be and the same is hereby approved.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, **Ordinance No. 4576-15**, "AN ORDINANCE TO ALLOW POSSESSION AND CONSUMPTION OF BEER AND SALE OF ITEMS FROM STREET VENDORS ON THE CLOSED PORTION OF DOWNTOWN AND FOUNDERS' PARK DURING THE BLUE PLUM FESTIVAL TO BE HELD ON FRIDAY, JUNE 5, 2015 THROUGH SATURDAY, JUNE 6, 2015," was **passed on second reading**. The motion **carried** by four ayes. Vice-Mayor Clayton Stout was absent from the Chambers. There were no nay votes.

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

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the naming of park property located on King Springs Road to "Jacob's Nature Park at Sinking Creek", be and the same is hereby approved. William Francisco addressed the Commission.

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 Housing Demand Study presented by City Staff, be and the same is hereby approved.

At this time, Steve Nielson, Development Coordinator, made a presentation on downtown parking meters. The Commission expressed an interest in enforcing the 2 hour parking limit and working with downtown merchants on solutions.

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 authorization for City Staff to draft a letter to the Tennessee Department of Transportation (TDOT) to request moving State Route 91 designation from Main Street and Market Street to State of Franklin Road, be and the same is hereby approved.

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

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That allowing the request, for a minor modification to the Iris Glen Landfill Operating Permit issued by TDEC (Tennessee Department of Environment and Conservation), to proceed on a 45 day trial basis, subject to the post-trial TDEC results being presented to the Commission for consideration in making a final determination on the permit modification, 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 four ayes. Vice-Mayor Clayton Stout voted nay.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That an amendment to the Architectural Services Agreement on the Freedom Hall HVAC modifications between the City of Johnson City and Mechanical Design Services, be and the same is hereby approved. Commissioners requested that City Staff provide a complete cost estimate to update Freedom Hall to an acceptable level.

At this time, Eldonna Janutolo, Transit Director, presented the Mass Transit budget and Phil Pindzola, Public Works Director, presented the Solid Waste and Stormwater Budgets.

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 10:07 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. Authorization to draft a letter to the Tennessee Department of Transportation (TDOT) to request moving State Route 91 designation from Main Street and Market Street to State of Franklin Road.
2. Allowing the request for a minor modification to the Iris Glen Landfill Operating Permit issued by TDEC (Tennessee Department of Environment and Conservation) to proceed on a 45 day trial basis, subject to the post-trial TDEC results being presented to the Commission for consideration in making a final determination on the permit modification.
3. Commissioners requested that City Staff provide a complete cost estimate to update Freedom Hall (HVAC) to an acceptable level.