

COMMISSION MEETING MINUTES

JULY 2, 2015

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 2, 2015.

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

ABSENT: Commissioner Jeff Banyas.

Mayor Ralph Van Brocklin called the meeting to order at 6:01 p.m.

At this time, Brian Nuff, Pastor, Mount Zion Baptist Church and Johnson City Police Department Chaplain, gave the invocation, which was followed by the pledge of allegiance.

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

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That moving up the consideration of approval for the Mayor to sign a letter to Elizabethton Federal Savings Bank (Consent Agenda Item A.6.), 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 four 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 special called City Commission Meeting held on Monday, June 15, 2015, be and the same are hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by four 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, June 18, 2015, be and the same are hereby approved.

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

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

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That authorization for the Mayor to sign a letter dated July 2, 2015, to Elizabethton Federal Savings Bank granting a permanent curb cut located at 1190 West State of Franklin Road, be and the same is 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 four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That Certificate of Compliance for Shane Abraham and Jamie Abraham d/b/a Happy Hour Liquor and Wine, 2815 West Market Street, Johnson City, Tennessee, 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. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a beer license for Bridgette Gordon and Tiffany Greenlee d/b/a Salt N' Pepper Soul Food, 3002 East Oakland Avenue, Johnson City, Tennessee, be and the same is hereby approved. Bridgette Gordon and Tiffany Greenlee were present.

At this time, the appointments of Joe Wise and Bob Cooper and the re-appointment of Brenda Clarke to the Johnson City Regional Planning Commission were appointed by roll call as follows: Joe Wise and Brenda Clarke were made by unanimous vote. Vice-Mayor Clayton Stout and Commissioners Jenny Brock and David Tomita voted for Bob Cooper. Mayor Ralph Van Brocklin voted for Jacobus Louw.

At this time, the appointment of Sarah Davis to the Johnson City Public Library Board was made by a unanimous roll call vote.

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. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the pulling of the Proposal for Banking Services - First Tennessee Bank from the Consent Agenda for separate consideration, 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** as follows: Mayor Ralph Van Brocklin, Vice-Mayor Clayton Stout and Commissioner Jenny Brock voted aye. 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 Proposal for Banking Services - First Tennessee Banking and Procurement Card Services, 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. 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 July 2, 2015, be and the same is hereby approved.

CONSENT AGENDA:

A. GENERAL:

i. Finance

Consider a Construction Retainage Escrow Account Agreement with Thomas Construction and First Bank & Trust Company

ii. Transit

Consider approval of Contract Agreement with Preston Construction to enclose the skylight and perform related work at the Johnson City Transit Center

iii. Public Works

Consider approval of the installation of Traffic Calming devices on South Barton Street, South North Street, and South Center Street

iv. Public Works

Consider approval and allow Mayor to sign Annual Lease Renewals for the Keystone Community and Artz-Cutshall Building tenants.

v. Public Works

Consider approval of the Development Agreement with Marathon Realty Corp (Food City) and Store It, GP (Seth Kincaid) for the commercial development of Franklin Square Development

vi. Public Works

Consider approval for Mayor to sign Letter dated July 2, 2015 to Elizabethton Federal Savings Bank granting permanent Curb Cut located at 1190 West State of Franklin Road

vii. **Administration**

Consider approval and allow Mayor to execute the Architectural Services Agreement with Shaw & Shanks Architects, PC for improvements to Freedom Hall Civic Center in the amount of \$161,892.00.

viii. **Administration**

Consider approval of the Health Wellness Program Amendment with Mountain State Health Alliance

B. INVOICES:

i. Lamar Dunn & Associates \$11,626.56
Public Works
U-Haul, Basin, King Creek Basin and Kelly Food
Funding Source: Stormwater Fund

ii. Taff and Frye Company \$75,800.00
Public Works ~ Final Invoice
Demolition and Disposal of U-Haul
Funding Source: Stormwater Fund

iii. AMEC Foster Wheeler \$10,169.96
Public Works
Stormwater Planning Group 2015/2016 Services
Funding Source: Stormwater Fund

iv. Mattern and Craig \$513.93
Public Works
ITS CEI Services for 10 Intersections
Funding Source: 100% STP Funding

v. Lamar Dunn & Associates. \$16,476.00
Water & Sewer ~ Work Order #2
State of Franklin Water Booster Station Emergency Generator
Funding Source: Water & Sewer Bond Funded

- vi. Littlejohn Engineering Associates. \$10,567.07
Water & Sewer ~ Task Order #3
Cash Hollow Sewer Rehab Project
Funding Source: Water & Sewer Budgeted Expense

- vii. Tank Industry Consultants. \$979.69
Water & Sewer ~ Work Order #26
Water Wash Tank and Tri-County Industrial Park Water Tanks
Funding Source: Water & Sewer Budgeted Expense

- viii. Tank Industry Consultants. \$8,077.50
Water & Sewer ~ Work Order #34
Eastman Standpipe Rehabilitation
Funding Source: Water & Sewer Budgeted Expense

C. BIDS:

- i. ITB #5932
 Williams Electric \$31,336.38
 Water & Sewer Department
 Exterior LED Light Fixtures
 Funding Source: Rate Funded Capital

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 JUNE 16, 2015 2:00 PM
 ITB #5932 EXTERIOR LED LIGHTING FIXTURES - W/S

Vendor	Lump Sum	"A" (each)	"B" (each)	"C" (each)	"D" (each)	Light Pole (each)	Anchor Bolts (each)
City Electric Supply	35,911.00	590.00	590.00	637.00	366.00	605.00	Included w/Pole
WESCO**	34,665.00	659.00	659.00	486.50	378.40	455.61	28.22
CEC	34,459.50	677.90	677.90	500.00	389.50	450.00	60.35
Williams Electric*	<u>31,336.38</u>	672.23	672.23	425.03	540.00	285.52	97.85
Roxel	33,701.50	725.00	725.00	458.50	556.00	308.00	106.00
Kendall Electric	39,285.35	753.20	753.20	555.55	432.00	500.00	32.40

* All or None
 ** Pricing Includes 10-year warranty, for 5-year warranty deduct \$1,500.00
 No. Responses: Lighthouse Supply Company, Stuart C. Iby, Brighter Days & Nights, WESCO, Terry's Electric Services, Dine-Holter, Graybar Electric

RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE.

- ii. ITB #5933
 - JCI Jones. \$46,665.00
 - Water & Sewer Department
 - Liquid Chlorine
 - Funding Source: Budgeted Expense

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 JUNE 16, 2015 1:30 PM
ITB #5933 -Water/Sewer
LIQUID CHLORINE

	<u>Unit Price/LB</u>	<u>Total</u>
Allied Universal	0.2030	62,930.00
Brenntag Mid-South	0.1780	55,180.00
JCI Jones	0.1505	46,665.00

Decline: Dycho, Momar
No Response: Altivia, DPC Enterprises, Jefferson Sales, Gulbrandsen Technologies, Hill Manufacturing,
 Pool & Electrical Products, The Dumont Company, Industrial Chemicals, BAR Environmental, American Development

**RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. 3 YEAR CONTRACT,
 RENEWABLE ANNUALLY BASED ON UNIT PRICES. ESTIMATED ANNUAL COST \$46,665**

D. PURCHASES:

- i. Data Driven Software. \$69,741.00
 - Police Department
 - Watson Reporting Renewal
 - Funding Source: Police Technology Fund

- ii. MHC Kenworth. \$40,000.00
 - Solid Waste
 - Engine Replacement
 - Funding Source: Budgeted Expense

E. PROPOSALS:

- i. RFP #5928
 - First Tennessee..... \$12,000.00 (est. monthly net)
 - Finance Department
 - Banking and Procurement Card Services
 - Funding Source: Budgeted Expense

Upon motion by Commissioner Jenny Brock, seconded by Mayor Ralph Van Brocklin, **Ordinance No. 4583-15**, "AN ORDINANCE AUTHORIZING CITY OF JOHNSON CITY TO ENTER INTO A FRANCHISE AGREEMENT TO ALLOW SUNSET DIGITAL COMMUNICATIONS TO PERFORM WORK WITHIN THE CITY'S RIGHT-OF-WAY," was **passed on first reading**. The motion **carried** as follows: Mayor Ralph Van Brocklin, Vice-Mayor Clayton Stout and Commissioner Jenny Brock voted aye. Commissioner David Tomita voted nay. The Commission requested that additional information be provided prior to second reading.

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 first reading**. The motion **carried** by four ayes. There were no nay votes.

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

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, **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 first reading**. The motion **carried** by four ayes. There were no nay votes.

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. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Concept Plan Amendment for a 13.07 acre lot on Austin Springs Road, be and the same is hereby approved.

At this time, as a part of the City Manager's Report, Chief Mark Sirois presented an update on Downtown Parking Enforcement. The Commission requested City Staff to begin developing an ordinance to implement booting and towing as a parking enforcement tool.

There being no further business or discussion, Mayor Ralph Van Brocklin adjourned the meeting at 7:49 p.m.

RALPH VAN BROCKLIN
MAYOR

JANET JENNINGS
CITY RECORDER

ITEMS DEFERRED:

1. None.

ACTION ITEMS:

1. The Commission requested City Staff to begin developing an ordinance to implement booting and towing as a parking enforcement tool.
2. The Commission requested that additional information be provided prior to second reading of Ordinance 4583-15.