

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 Wednesday, September 2, 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, Rabbi S. Rutberg, B'nai Sholom Congregation, gave the invocation, which was followed by the pledge of allegiance.

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 the addition to the Consent Agenda of the consideration of a Certificate of Substantial Completion by Beeson, Lusk and Street for construction of the skylight closure by Preston Construction, 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 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, August 20, 2015, be and the same are hereby approved.

At this time, Mayor Ralph Van Brocklin presented a proclamation recognizing Suicide Prevention Month. Tim Carson, Director, and Heatherly Sifford, Educator, Washington County Health Department, were present to accept.

*Whereas* suicide is one of the most disruptive and tragic events a family and community can experience, and public awareness is the key to preventing further suffering and loss of life; and

*Whereas* suicide is the 10th leading cause of all deaths in the United States, carrying an economic impact of \$34 billion a year; and

*Whereas* suicide is the 10th leading cause of all deaths in Tennessee, claiming more than 900 lives annually, with 8-25 attempted suicides for each suicide death; and

*Whereas* the suicide rate in Washington County went from 20.8 in 2012 to 12.7 in 2013, and through awareness, education and treatment that number can continue to decline.

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

**SUICIDE PREVENTION AWARENESS MONTH**

in Johnson City, Tennessee, and urge our citizens to learn about the risk factors and warning signs so that we may help prevent suicide, and to raise awareness and tolerance around all people affected by this tragedy.

*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 2nd day of September, 2015.

/s/ Ralph J. Van Brocklin

Ralph J. Van Brocklin, Mayor

At this time, Dan Wheeley, Director, Washington County/Johnson City Emergency Medical Services, made a presentation of the 911 Dispatch Software and Mobile Application.

At this time, Becky Haas, TCCRP Director, presented an update on the Targeted Community Crime Reduction Project.

At this time, Janet Jennings, Finance Director, presented the Commission with the Certificate of Achievement for Excellence in Financial Reporting that was issued by the Government Finance Officers Association for the Fiscal Year Ended June 30, 2014. She was joined by Staff Accountants Brooke Corey, Christie Ward, Leia Valley, Sarah Roberts and Jessica Fisher.

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

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 Background Investigation & Zoning Application for Kroger #261, 112 Sunset Drive, Johnson City, Tennessee, be and the same is hereby approved.

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 Background Investigation & Zoning Application for Kroger #367, 1805 West State of Franklin Road, Johnson City, Tennessee, 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 a Special Occasion License for Johnson City Morning Rotary Foundation, P.O. Box 3866, Johnson City, Tennessee, for the Founders After 5 Event on September 18, 2015, 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 a Special Occasion License for Downtown Johnson City Foundation, 300 East Main Street, Suite 406, Johnson City, Tennessee, for the Founders After 5 Event, ETSU Homecoming Concert, on the Great Lawn at Founders Park on September 25, 2015, be and the same is hereby approved.

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 a Certificate of Compliance for Universal Wine and Spirits, LLC d/b/a Happy Hour Liquor and Wine, 2815 West Market Street, Johnson City, Tennessee, be and the same is hereby approved. Shane Abraham 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 Certificate of Compliance for Chris Joker, Tri-Liquor LLC, d/b/a Tri-Liquor, 6681 Bristol Highway, Suite 75, Piney Flats, Tennessee, be and the same is hereby approved.

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 Certificate of Compliance for Northside Package of Johnson City, Inc., d/b/a Northside Wine & Spirits, 2311 Browns Mill Road, Johnson City, Tennessee, be and the same is hereby approved.

At this time, the appointment of Grant Summers to the Parks and Recreation Advisory Board was made by roll call as follows: Mayor Ralph Van Brocklin and Commissioner Jenny Brock voted for Jane Myron. Vice-Mayor Clayton Stout and Commissioners Jeff Banyas and David Tomita voted for Grant Summers.

At this time, the appointments of Nancy Fischman, Cole Hendrix and Bonny Stanley to the Public Arts Committee, for a three-year term, were made by a roll call vote as follows: Cole Hendrix - unanimous; Bonny Stanley - unanimous; Nancy Fischman - Mayor Ralph Van Brocklin, Vice-Mayor Clayton Stout, and Commissioners Jenny Brock and David Tomita; Elvis Kee - Mayor Ralph Van Brocklin and Commissioner Jeff Banyas; Eva Hunter - Commissioners Jenny Brock and David Tomita; Catherine Murray - Commissioner Jeff Banyas; Charles Caudle - Vice-Mayor Clayton Stout. The roll call vote resulted in a tie between Elvis Kee and Eva Hunter for the fourth appointment. The appointment of Elvis Kee to the Public Arts Committee, for a two-year term, was made by a second roll call vote as follows: Mayor Ralph Van Brocklin, Vice-Mayor Clayton Stout and Commissioner Jeff Banyas voted for Elvis Kee. Commissioners Jenny Brock and David Tomita voted for Eva Hunter.

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 Consent Agenda for September 2, 2015, be and the same is hereby approved.

**CONSENT AGENDA:**

**A. GENERAL:**

**i. Police Department (Targeted Community Crime Reduction Project)**

Consider approval of the MOU with the Boys & Girls Club of Johnson City/Washington County for the Positive Action Program

ii. **Legal**

Consider agreement accepting donation from Carter County, Tennessee in the amount of \$10,000 to the City of Johnson City for completion of the unfinished portion of the Tweetsie Trail extending through Carter County

iii. **Public Works Department**

Consider contract amendment on the TDOT Traffic Signalization Project to extend the expiration date to April 30, 2016

iv. **Water & Sewer Services**

Authorization for Mayor to execute agreement with Barnard Roofing Co. for the reroofing of the Watauga Water Treatment Plant

v. **Water & Sewer Services**

Authorization for Mayor to execute agreement with Davis Brothers Roofing for the reroofing of the Unicoi Water Treatment Plant

vi. **Water & Sewer Services**

Authorization for Mayor to execute Task Order #4 to Wastewater Master Services Agreement with Littlejohn Engineering for Sewer Improvements on Division Street, Upper King Creek and North State of Franklin/I-26

**B. INVOICES:**

- i. Beeson, Lusk & Street, Inc., Architects . . . . . \$10,847.20

Finance Department  
New Field House @ Kermit Tipton Stadium  
Funding Source: Loan Proceeds

- ii. Beeson, Lusk & Street, Inc., Architects . . . . . \$11,485.03

Transit Department  
Skylight Closure Project  
Funding Source: Federal, State & Local Funding

- iii. Stansell Electric Company . . . . . \$98,362.90  
Public Works Department ~ Signalization  
Pay Request #1 ~ \$87,968.90 / Pay Request #2 ~ \$10,394.00  
Funding Source: Federal STP
  
- iv. Barge Waggoner Sumner & Cannon . . . . . \$3,881.15  
Public Works Department  
Downtown Plaza Master Plan  
Funding Source: Stormwater Fund
  
- v. Gresham, Smith & Partners . . . . . \$1,079.38  
Public Works Department  
Indian Ridge Improvements  
Funding Source: STP Funds
  
- vi. Gresham, Smith & Partners . . . . . \$7,692.59  
Water & Sewer Services  
Indian Ridge Road Water & Sewer Relocations  
Funding Source: Budgeted Expense
  
- vii. Thomas Construction Company . . . . . \$68,275.93  
Water & Sewer Services ~ Pay Request #1  
Galvanized Waterline Replacement  
Funding Source: Budgeted Expense

C. BIDS

i. ITB #5945

HVAC Inc. . . . . \$6,187,000.00

Freedom Hall Civic Center

HVAC Improvements

Funding Source: Capital Project Fund

TABULATION OF BIDS  
 CITY OF JOHNSON CITY, TENNESSEE  
 AUGUST 25, 2015 2:00 PM  
 BID # 5945 FREEDOM HALL HVAC IMPROVEMENTS

BIDDER	BID AMOUNT	SUBCONTRACTORS
<b>VENDOR: HVAC, Inc.</b>		
License Number: 24069	Base Bid: 6,187,000.00	HVAC, Inc
Addendums Acknowledged YES	Unit Price/cubic yard	Plumbing: HVAC, Inc Electrical: HVAC, Inc
		GEOTHERMAL: Inc MASONRY: HVAC, Inc
<b>VENDOR: Comfort Systems USA</b>		
License Number: 7003	Base Bid: 6,795,400.00	Comfort Systems
Addendums Acknowledged YES	Unit Price/cubic yard: 300.00	Comfort Systems Kingsport Armature
		CONTROLS: MASONRY: Construction Partners Plumbing: Electrical:
		GEOTHERMAL: N/A

Debbie Nee-Avell, SR. White  
 Mr. Jonathan Saffner Kalhoff

ii. **ITB #5953**

Pipeline Utility Contractors ..... \$285,075.00

Water & Sewer Services

Horizontal Directional Drilling Contract

Funding Source: Budgeted Expense

TABULATION OF BIDS  
 CITY OF JOHNSON CITY, TENNESSEE  
 AUGUST 11, 2015 - 2:00 PM  
 ITB #5953 HORIZONTAL DIRECTIONAL DRILLING  
 WATER/SEWER

	Estimated Quantity	Pipeline Utility Contractors		Heavy Contractors	
		Unit Cost	Total Cost	Unit Cost	Total Cost
		linear feet	linear feet	linear feet	linear feet
1. MOBILIZATION (EACH)	0	200.00	1,600.00	500.00	4,000.00
2. 2" HDPE water line					
PE 3408 DR7.3	100	11.00	1,100.00	9.90	990.00
PE 3408 DR9	600	11.00	6,600.00	9.90	5,940.00
PE 3408 DR11	1000	11.00	11,000.00	10.90	10,900.00
3. 2" HDPE water line -rock					
PE 3408 DR7.3	100	22.00	2,200.00	99.00	9,900.00
PE 3408 DR9	100	22.00	2,200.00	99.00	9,900.00
PE 3408 DR11	400	22.00	8,800.00	99.00	39,200.00
4. 4" HDPE water line					
PE 3408 DR9	50	15.50	775.00	14.90	745.00
PE 3408 DR11	400	15.50	6,200.00	15.90	6,360.00
5. 4" HDPE water line -rock					
PE 3408 DR9	50	32.00	1,600.00	128.00	6,400.00
PE 3408 DR11	200	32.00	6,400.00	128.00	25,600.00
6. 6" HDPE water line					
PE 3408 DR9	50	25.00	1,250.00	22.00	1,100.00
PE 3408 DR11	400	25.00	10,000.00	22.00	8,800.00
Pipe provided by City	100	25.00	2,500.00	17.00	1,700.00
7. 6" HDPE water line - rock					
PE 3408 DR9	50	65.00	3,250.00	158.00	7,900.00
PE 3408 DR11	200	65.00	13,000.00	158.00	31,600.00
Pipe provided by City	50	65.00	3,250.00	150.00	7,500.00
8. 8" HDPE water line					
PE 3408 DR9	50	52.00	2,600.00	33.00	1,650.00
PE 3408 DR11	400	52.00	20,800.00	34.00	13,600.00
9. 8" HDPE water line -rock					
PE 3408 DR9	50	100.00	5,000.00	178.00	8,900.00
PE 3408 DR11	200	100.00	20,000.00	178.00	35,600.00
10. 12" HDPE water line					
PE 3408 DR9	500	60.00	30,000.00	196.00	98,000.00
11. 4" HDPE gravity sewer line					
PE 3408 DR11	100	24.00	2,400.00	19.00	1,900.00
12. 4" HDPE gravity sewer line-rock					
PE 3408 DR11	100	36.00	3,600.00	138.00	13,800.00
13. 6" HDPE gravity sewer line					
PE 3408 DR11	100	36.00	3,600.00	32.00	3,200.00
14. 6" HDPE gravity sewer line-rock					
PE 3408 DR11	100	75.00	7,500.00	168.00	16,800.00
15. 8" HDPE gravity sewer line					
PE 3408 DR11	100	65.00	6,500.00	43.00	4,300.00
16. 8" HDPE gravity sewer line-rock					
PE 3408 DR11	100	150.00	15,000.00	198.00	19,800.00
17. 2" Butt-Fused to male adapter (each)	8	175.00	1,400.00	75.00	600.00
18. 4" Butt-Fused to M.J. adapter (each)	2	175.00	350.00	100.00	200.00
19. 6" Butt-Fused to M.J. adapter (each)	4	175.00	700.00	125.00	500.00
20. 8" Butt-Fused to M.J. adapter (each)	4	550.00	2,200.00	135.00	540.00
21. 12" Butt-Fused to M.J. adapter (each)	4	550.00	2,200.00	155.00	620.00
22. Conduit Duct Bank of two (each)	2000	15.00	30,000.00	15.00	30,000.00
23. Single (1) SDR 11 HDPE 3" Conduit	500	15.00	7,500.00	14.00	7,000.00
<b>TOTAL</b>		<b>3,099.00</b>	<b>285,075.00</b>		<b>495,745.00</b>

Declarer: Beavis Construction, Jones Locating Service

iii. **ITB #5954**

Meade Tractor . . . . . \$48,272.45

Public Works Department ~ Street Division

Mowing Tractor

Funding Source: Capital Equipment Fund

TABULATION OF BIDS  
 CITY OF JOHNSON CITY, TENNESSEE  
 AUGUST 11, 2015 - 1:30 PM  
 ITB #5954 MOWING TRACTOR-P/W STREET

Vendor	(1/EACH)	Extended Warranty	
Chattanooga Tractor & Equipment	56,476.00	824.00	New Holland TS.105
Meade Tractor		1,458.00	John Deere 5100M
West Hills Tractor	57,807.00	included in price	New Holland TS6.110
: Civil Equipment, Johnson City Kubota			
: Ritchie Tractor, Wells Repair Service & Sales, Boones Creek Outdoor Power, Smith Truf & Irrigation, Ladd's, Murfreesboro Kubota, Cox Tractor, Greenville Turf & Tractor, Eaton & Sons, Alpha Outdoor Power Equipment, Cumberland Tractor			
RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. TOTAL COST: \$48,272.45			

iv. **ITB #5957**

John Deere Landscapes ..... \$32,200.00  
 Parks & Recreation Department  
 Athletic Field Sod  
 Funding Source: Budgeted Expense

TABULATION OF BIDS  
 CITY OF JOHNSON CITY, TENNESSEE  
 AUGUST 27, 2015 - 11:00 AM  
 ITB #5957 ATHLETIC FIELD SOD - PARKS REC

Vendor	Approximately 100,000 Sq. Ft.		Proposed Sod/Roll Size	Delivery
	Unit Price	Total		
Mid TennTurf	0.33	\$ 33,000.00	42' x 108' magnum rolls or 42" x 50" mini rolls	ASAP, delivery as needed 15 Loads @ 5 Loads/day starting 9/9/15
Turfgrass of Tennessee	0.41	\$ 41,000.00	42" rolls or 270 sq.ft./roll	One Week Notice, Possibly Sooner
Mize Farm and Garden	0.485	\$ 48,500.00	3.5' x 95' or 333 sq.ft./roll	2-7 days ARO
John Deere Landscapes	0.32	\$ 32,000.00 +\$200 pallet fee	3.5' x 72' or 252 sq.ft./roll	
Decline: Carolina Green Corp., Washington Farmers Co-op, Vesco's SportsFields				
No Response: BuySod, Terry Henderson Landscaping				
RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. TOTAL COST: \$32,200				

At this time, Tommy Burleson, Construction Manager, Burleson Construction Company, presented an update on the Farmers Market Project.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, **Ordinance No. 4589-15**, "AN ORDINANCE TO ENACT NEW PROVISIONS FOR UNSATISFIED PARKING TICKETS," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes. City Staff was instructed to research forcing the payment of all outstanding parking tickets prior to releasing the towed vehicles back to the owners.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner Jenny Brock, **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 first reading**. The motion **carried** by five ayes. There were no nay votes.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, "A RESOLUTION TO ANNEX CERTAIN PROPERTY KNOWN AS GARLAND FARMS PHASE IV ANNEXATION" was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

**RESOLUTION – GARLAND FARMS PHASE IV ANNEXATION  
(SEE ALSO ORDINANCE NO. 4588-15)**

A RESOLUTION TO ANNEX CERTAIN PROPERTY LOCATED WITHIN THE FOURTEENTH (14<sup>TH</sup>) CIVIL DISTRICT OF WASHINGTON COUNTY, TENNESSEE ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF JOHNSON CITY, TENNESSEE, AND TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF JOHNSON CITY, TENNESSEE, SAID PROPERTY BEING KNOWN AS THE "GARLAND FARMS PHASE IV ANNEXATION"; TO ZONE SAID PROPERTY R-2A (LOW DENSITY RESIDENTIAL) AS DESCRIBED HEREIN AND TO AMEND THE ZONING MAP OF THE CITY OF JOHNSON CITY, TENNESSEE ACCORDINGLY, BEING A PART OF THE APPENDIX TO ORDINANCE NO. 1519.

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**WHEREAS**, the annexation of such territory is deemed necessary for the welfare of the territory as well as for the welfare of the city as a whole; and

**WHEREAS**, the Johnson City Regional Planning Commission has considered and approved the area for annexation during regular session on June 9, 2015; and

**WHEREAS**, the Johnson City Regional Planning Commission has considered and approved a Plan of Services for the area during regular session on June 9, 2015, a copy of which is attached hereto; and

**WHEREAS**, the Johnson City Regional Planning Commission has considered and approved a proposal for zoning said property during regular session on June 9, 2015 (see also Ordinance 4588-15);

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF JOHNSON CITY AS FOLLOWS:**

**SECTION 1.** Pursuant to authority conferred by Chapter 113, Public Acts of Tennessee, 1955, there is hereby annexed to the city of Johnson City, Tennessee, and incorporated within the corporate boundaries thereof, the following described territory adjoining the present corporate boundaries and situate, lying and being in the Fourteenth (14<sup>th</sup>) Civil District of Washington County, Tennessee.

See description marked "Exhibit 'A'" hereto.

See map of the above-described property marked "Exhibit 'B'" hereto.

**SECTION 2. BE IT FURTHER RESOLVED** that this resolution shall become operative from and after its passage provided in Chapter 113, Public Acts of Tennessee, 1955, and Chapter 1101, Public Acts of Tennessee, 1998 as supplemented and amended.

PASSED ON FIRST READING	<u>8/06/2015</u>
PASSED ON SECOND READING	<u>8/20/2015</u>
PASSED ON THIRD READING	<u>9/02/2015</u>

APPROVED AND SIGNED IN OPEN MEETING  
ON THE 2<sup>nd</sup> DAY OF September, 2015

/s/ Ralph Van Brocklin  
MAYOR

**ATTEST:**

/s/ Janet Jennings  
City Recorder

**APPROVED AS TO FORM:**

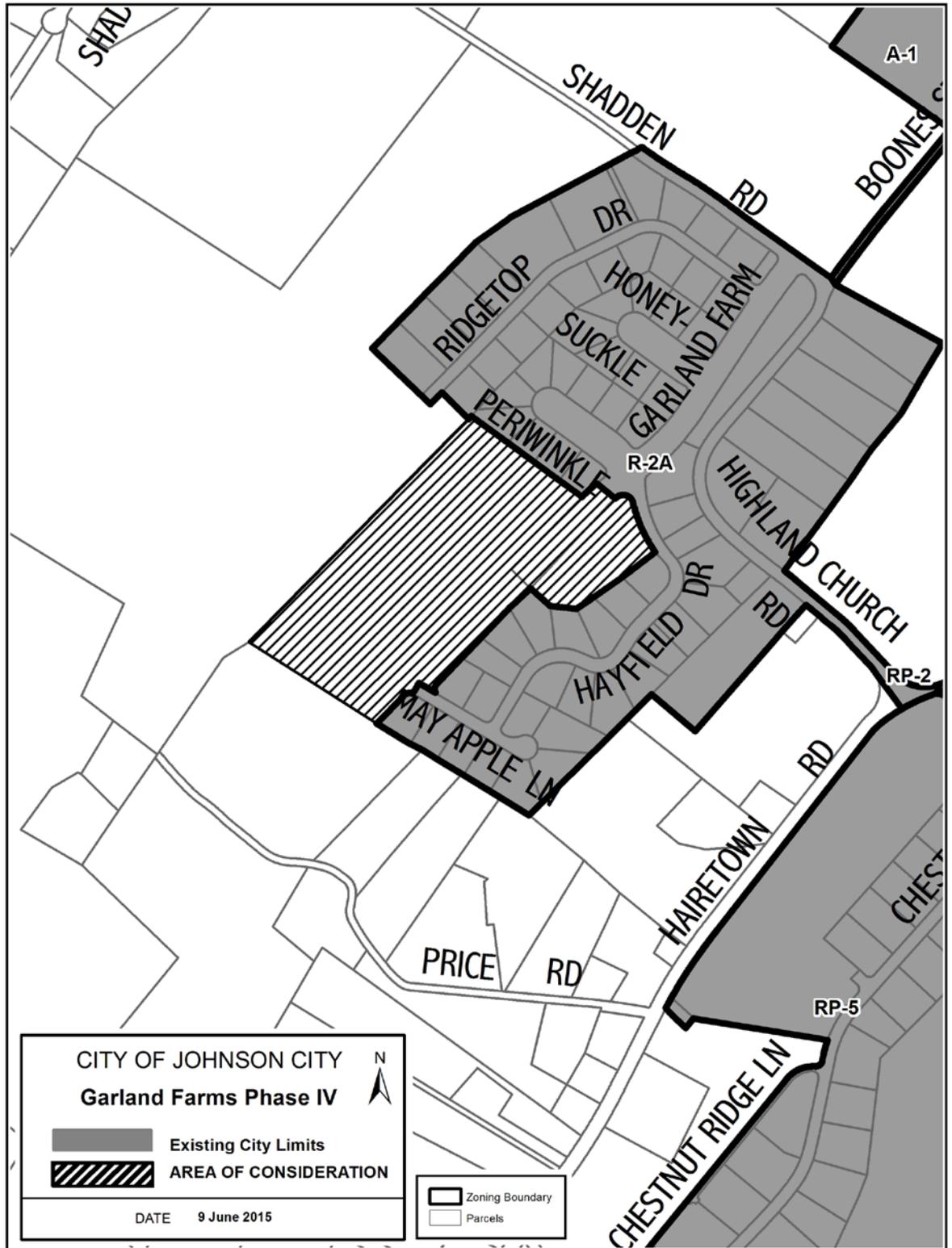
/s/ James H. Epps, IV  
Staff Attorney

**“EXHIBIT ‘A’”**

Beginning at a point the Northeast corner to lot 28 Garland Farms Estates, Phase 3 and the and the Garland Farm Estates Homeowners Association, Inc. (Roll 297 Image 455) and the Westerly side of Hayfield Drive; thence with lots 28,27,26,25,24,23,22, and 20 the following 6 courses. South 57°45'00" West a distance of to a point; THENCE South 59°19'06" West a distance of 221.65 feet to a point; THENCE North 79°52'05" West a distance of 108.94 feet to a point; THENCE North 41°55'00" West a distance of 114.09 feet to a point; THENCE South 48°05'00" West a distance of 546.02 feet to a point of curve; THENCE along a curve to the left having a radius of 25.00 feet, a delta of 103°04'50", an arc length of 44.98 feet, and a chord which bears South 03°27'25" East having a chord distance of 39.15 feet to a point on the Easterly right of way of May Apple Lane; THENCE along the right of way of May Apple Lane 2 courses; North 55°08'36" West a distance of 85.09; THENCE South 34°50'00" West a distance of 50.00 feet to a point on a curve on the Northerly lot line of lot 19 Garland Farm Estates, Phase 3; THENCE along a curve to the left having a radius of 25.00 feet, a delta of 76°45'00", an arc length of 33.49 feet, and a chord which bears South 86°27'30" West having a chord distance of 31.04 feet to a point; THENCE South 48°05'00" West a distance of 162.86 feet to a point corner to other lands of David G. Garland III (Deed Book 508 - page 254); THENCE leaving lot 19 North 54°49'31" West a distance of 590.82 feet to a point; THENCE North 47°19'10" East a distance of 1,290.87 feet to a point corner to Lot 66 Garland Farm Estates, Phase 2; THENCE with lots 66,65,64,63 South 49°57'00" East a distance of 548.48 feet to a point on the Northerly right of way of Garland Farm Blvd.; THENCE 4 courses North 48°05'00" East a distance of 37.88 feet to a point of curve; THENCE along a curve to the right having a radius of 607.33 feet, a delta of 06°48'60", an arc length of 72.26 feet, and a chord which bears North 51°29'30" East having a chord distance of 72.21 feet to a point; THENCE South 49°45'32" East a distance of 113.72 feet to a point; THENCE South 54°54'00" West a distance of 29.05 feet to a point on the right of way of Hayfield Drive; THENCE with the right of way of Hayfield Drive along a curve to the right having a radius of 40.00 feet, a delta of 117°16'12", an arc length of 81.87 feet, and a chord which bears South 66°27'54" East having a chord distance of 68.31 feet to a point; THENCE along a curve to the left having a radius of 525.00 feet, a delta of 24°25'12", an arc length of 223.76 feet, and a chord which bears South 20°02'24" East having a chord distance of 222.07

feet to the POINT OF BEGINNING, and containing 21.318 acre(s) of land, more or less.

“EXHIBIT ‘B’ ”



Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jenny Brock, **Ordinance No. 4588-15**, "AN ORDINANCE TO ASSIGN ZONING OF R-2A (LOW DENSITY RESIDENTIAL) TO CERTAIN PROPERTY KNOWN AS THE GARLAND FARMS PHASE IV ANNEXATION," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

**ORDINANCE NO. 4588-15**

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF JOHNSON CITY, TENNESSEE BEING PART OF THE APPENDIX TO ORDINANCE NO. 1519 ENTITLED "AN ORDINANCE TO ADOPT A CODE OF LAWS AND ORDINANCES FOR THE CITY OF JOHNSON CITY, TENNESSEE, AND TO REPEAL ALL LAWS AND ORDINANCES IN CONFLICT THEREWITH", AND AMENDATORY THEREOF, BY ASSIGNING A R-2A (LOW DENSITY RESIDENTIAL) DISTRICT TO CERTAIN PROPERTY WITHIN THE FOURTENTH (14<sup>TH</sup>) CIVIL DISTRICT OF WASHINGTON COUNTY, TENNESSEE KNOWN AS THE "GARLAND FARMS PHASE IV ANNEXATION".

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**BE IT ORDAINED BY THE CITY OF JOHNSON CITY AS FOLLOWS:**

**SECTION 1.** That the Zoning Map of the city of Johnson City, Tennessee, being a part of the appendix to Ordinance No. 1519 entitled, "An Ordinance to Adopt a Code of Laws and Ordinances for the City of Johnson City, Tennessee, and to Repeal All Laws and Ordinances in Conflict Therewith," and all ordinances supplementary thereto and amendatory thereof, be and the same is hereby amended and modified by assigning the zoning on the following described property of a R-2A (Low Density Residential) District.

See description marked "Exhibit 'A'" hereto.

See map of the above-described property marked "Exhibit 'B'" hereto.

**SECTION 2. BE IT FURTHER ORDAINED,** That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 3. BE IT FURTHER ORDAINED**, That this ordinance shall take effect from and after its passage on third and final reading and publication as required by law, the public welfare requiring it.

PASSED ON FIRST READING 8/16/2015  
PASSED ON SECOND READING 8/20/2015  
PASSED ON THIRD READING 9/02/2015  
APPROVED AND SIGNED IN OPEN MEETING  
ON THE 2<sup>nd</sup> DAY OF September, 2015

/s/ Ralph Van Brocklin  
MAYOR

**ATTEST:**

/s/ Janet Jennings  
**City Recorder**

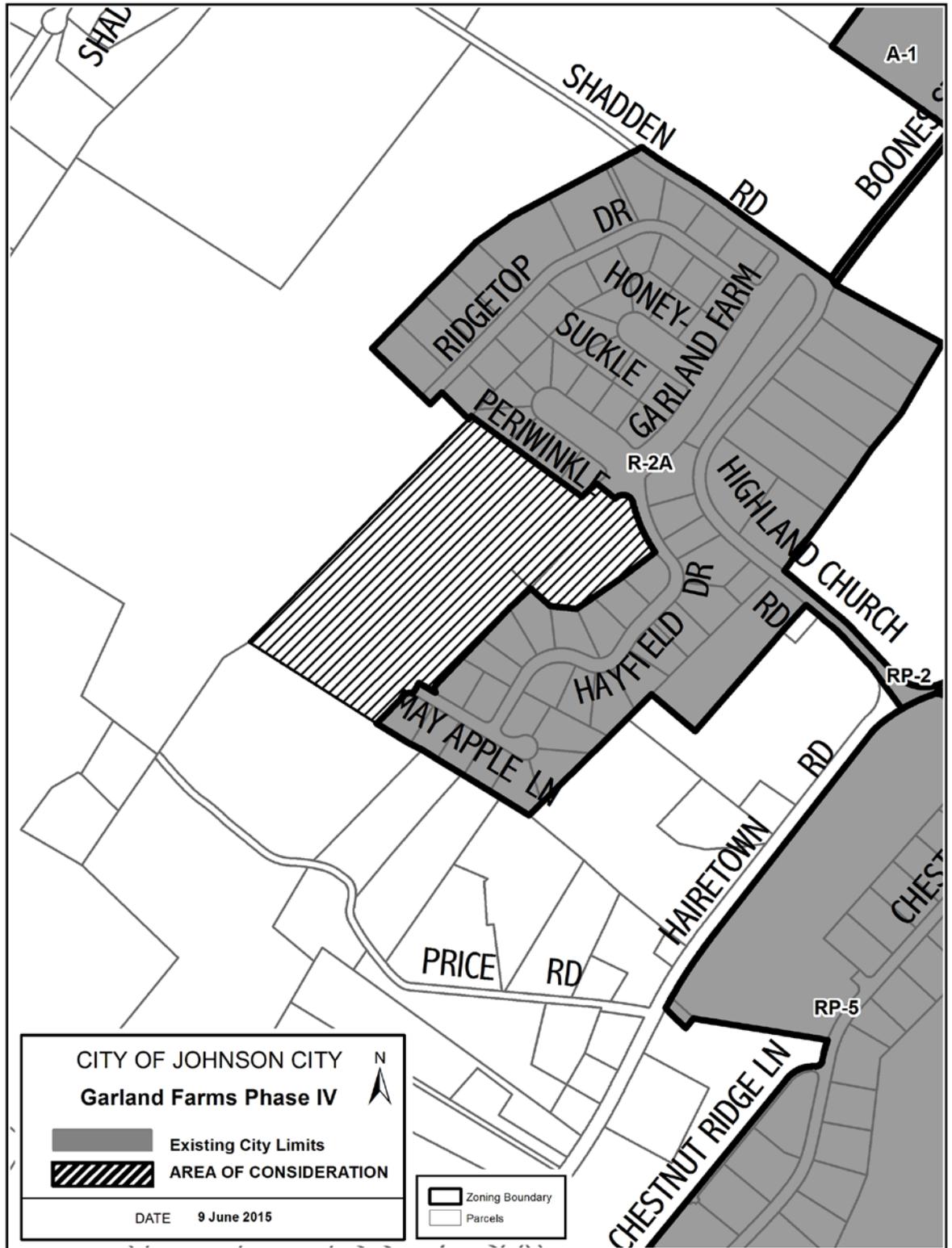
**APPROVED AS TO FORM:**

/s/ James H. Epps, IV  
**Staff Attorney**

**“EXHIBIT ‘A’”**

Beginning at a point the Northeast corner to lot 28 Garland Farms Estates, Phase 3 and the and the Garland Farm Estates Homeowners Association, Inc. (Roll 297 Image 455) and the Westerly side of Hayfield Drive; thence with lots 28,27,26,25,24,23,22, and 20 the following 6 courses. South  $57^{\circ}45'00''$  West a distance of to a point; THENCE South  $59^{\circ}19'06''$  West a distance of 221.65 feet to a point; THENCE North  $79^{\circ}52'05''$  West a distance of 108.94 feet to a point; THENCE North  $41^{\circ}55'00''$  West a distance of 114.09 feet to a point; THENCE South  $48^{\circ}05'00''$  West a distance of 546.02 feet to a point of curve; THENCE along a curve to the left having a radius of 25.00 feet, a delta of  $103^{\circ}04'50''$ , an arc length of 44.98 feet, and a chord which bears South  $03^{\circ}27'25''$  East having a chord distance of 39.15 feet to a point on the Easterly right of way of May Apple Lane; THENCE along the right of way of May Apple Lane 2 courses; North  $55^{\circ}08'36''$  West a distance of 85.09; THENCE South  $34^{\circ}50'00''$  West a distance of 50.00 feet to a point on a curve on the Northerly lot line of lot 19 Garland Farm Estates, Phase 3; THENCE along a curve to the left having a radius of 25.00 feet, a delta of  $76^{\circ}45'00''$ , an arc length of 33.49 feet, and a chord which bears South  $86^{\circ}27'30''$  West having a chord distance of 31.04 feet to a point; THENCE South  $48^{\circ}05'00''$  West a distance of 162.86 feet to a point corner to other lands of David G. Garland III (Deed Book 508 - page 254); THENCE leaving lot 19 North  $54^{\circ}49'31''$  West a distance of 590.82 feet to a point; THENCE North  $47^{\circ}19'10''$  East a distance of 1,290.87 feet to a point corner to Lot 66 Garland Farm Estates, Phase 2; THENCE with lots 66,65,64,63 South  $49^{\circ}57'00''$  East a distance of 548.48 feet to a point on the Northerly right of way of Garland Farm Blvd.; THENCE 4 courses North  $48^{\circ}05'00''$  East a distance of 37.88 feet to a point of curve; THENCE along a curve to the right having a radius of 607.33 feet, a delta of  $06^{\circ}48'60''$ , an arc length of 72.26 feet, and a chord which bears North  $51^{\circ}29'30''$  East having a chord distance of 72.21 feet to a point; THENCE South  $49^{\circ}45'32''$  East a distance of 113.72 feet to a point; THENCE South  $54^{\circ}54'00''$  West a distance of 29.05 feet to a point on the right of way of Hayfield Drive; THENCE with the right of way of Hayfield Drive along a curve to the right having a radius of 40.00 feet, a delta of  $117^{\circ}16'12''$ , an arc length of 81.87 feet, and a chord which bears South  $66^{\circ}27'54''$  East having a chord distance of 68.31 feet to a point; THENCE along a curve to the left having a radius of 525.00 feet, a delta of  $24^{\circ}25'12''$ , an arc length of 223.76 feet, and a chord which bears South  $20^{\circ}02'24''$  East having a chord distance of 222.07 feet to the POINT OF BEGINNING, and containing 21.318 acre(s) of land, more or less.

“EXHIBIT ‘B’”



At this time, Phil Pindzola, Public Works Director, provided and update on the downtown maintenance efforts.

There being no further business or discussion, Mayor Ralph Van Brocklin adjourned the meeting at 8:12 p.m.

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RALPH VAN BROCKLIN  
MAYOR

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JANET JENNINGS  
CITY RECORDER

**ITEMS DEFERRED:**

1. None.

**ACTION ITEMS:**

City Staff was instructed to research forcing the payment of all outstanding parking tickets prior to releasing the towed vehicles back to the owners.