

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, December 17, 2015.

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 6:02 p.m.

At this time, Gabe Manis, Chaplain, Johnson City Police Department, gave the invocation, which was followed by the pledge of allegiance.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Ralph Van Brocklin 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, December 3, 2015, be and the same are hereby approved.

At this time, Mayor Clayton Stout presented a Retirement Resolution to Diane Cupp. City Manager Pete Peterson presented Mrs. Cupp with her retirement watch. Judge Sharon Green commended her on her years of service.

**Whereas** Diane Cupp first joined the Johnson City Juvenile Court as a field student from East Tennessee State University's Department of Social Work in May 1991 and upon graduation the following August, stayed on as a probation officer; and

**Whereas** Diane went on to earn a Master of Arts in Liberal Studies Degree with a concentration in Criminal Justice from ETSU in May 2003 and the following year was named Director of Court Services; and

**Whereas** Throughout her career, Diane has assisted in the rehabilitation of hundreds of youth, served as the Juvenile Court representative on the Child Fatality Review Team, and held positions of leadership at the Tennessee Juvenile Court Services Association and the Northeast Council of the Tennessee Commission on Children and Youth; and

**Whereas** Diane's dedication to our community's youth – and her bright smile – have made her a valued and highly respected member of the Juvenile Court for nearly 25 years.

**Now, Therefore, Be It Resolved,** by the Board of Commissioners of the City of Johnson City, Tennessee, upon her retirement on January 4, 2016, that Diane Cupp is officially commended for her service to the City and the community.

**Be It Further Resolved,** that a copy of this Resolution be presented to Diane Cupp along with well wishes in her future endeavors.

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 17th day of December, 2015.

/s/ Clayton Stout

W. Clayton Stout, Mayor

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 Special Air Rights over the City on December 24<sup>th</sup> and 25<sup>th</sup>, as requested by S. Claus from the North Pole, be and the same is hereby approved.

At this time, presentations of the Departmental Performance Dashboards were made by Dan Wheelley, EMS, Angie Carrier, for Development Services, Chief Mark Scott, Fire Department and Tom Witherspoon, Water and Sewer Services.

Upon motion by Commissioner Jeff Banyas, 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 addition to the agenda of the consideration of an IDB Resolution, 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 five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Resolution authorizing the Industrial Development Board to negotiate and accept payment in lieu of ad valorem taxes, be and the same is hereby approved.

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

Upon motion by Commissioner Jeff Banyas, 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 beer license for Amir Hossein Padyab, d/b/a Hungry I at Apex, 604 West Market Street, Johnson City, Tennessee, be and the same is hereby approved. Amir Padyab, applicant, was present.

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-appointments of Nyda Bays, Bernard Hanley, Angela Lewis, Deborah Slawson and Louise Pleasant and the appointments of Alice Spurling, Terry Tollefson and Eugene Gillespie, Jr. to the Senior Services Advisory Council, be and the same are hereby approved.

Upon motion by Vice-Mayor David Tomita, seconded by 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 rejection of both responses to RFP #5981 for a retail recruitment consultant (Consent Agenda-Proposals), 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 the remainder of the Consent Agenda for December 17, 2015, be and the same is hereby approved.

**CONSENT AGENDA:**

**A. GENERAL:**

**i. Fire Department**

Consider approval to apply for the Assistance to Firefighter Grant (AFG)

**ii. Police Department**

Consider approval of Memorandum of Understanding between City of Johnson City, administering the Johnson City Washington County Family Justice Center, and the Sexual Assault Center of East Tennessee, a Service of Helen Ross McNabb Center

**iii. Transit**

Consider approval of TDOT Contract 90STPF-S3-002; TN-95-X06900 to purchase four (4) 30' Heavy Duty Low Floor Buses.

**iv. Development Services**

Consider approval of Revised Contract with First Tennessee Development District to Administer and Implement FY2015-16 Homeowner Rehabilitation Program in the amount of \$272,105.

v. **Development Services**

Consider approval of Revised Contract with Appalachia Service Project, Inc. to Administer and Implement FY2015-16 Homeowner Reconstruction Program in the amount of \$57,000.00.

vi. **Water & Sewer Services**

Consider approval of Amendment #1 to Wastewater Task Order #3 with Littlejohn Engineering Associates for the Cash Hollow Basin Sanitary Sewer System Rehabilitation Project.

vii. **Administration**

Consider review and approval of Energy Analysis and Proposal by Energy Systems Group for Science Hill High School Improvements.

**B. INVOICES:**

i. Littlejohn Engineering Associates.....\$3,057.50  
Water & Sewer Services – Task Order #3  
Cash Hollow Sewer Rehabilitation, Phase 1  
Funding Source: Water/Sewer Budgeted Expense

ii. Littlejohn Engineering Associates.....\$9,225.03  
Water & Sewer Services – Task Order #4  
Division St., N. State of Franklin, I-26 & Upper King Creek Sewer Rehab  
Funding Source: Water/Sewer Bond Funded & Budgeted Expense

iii. Wiedeman & Singleton.....\$1,215.00  
Water & Sewer Services – Task Order #8  
Watauga Water Plant Hypochlorite Disinfection Conversion  
Funding Source: Water/Sewer Bond Funded

iv. Gresham Smith & Partners .....\$6,316.05  
Water & Sewer Services  
Indian Ridge Water & Sewer Relocations  
Funding Source: Water/Sewer Budgeted Expense

v. CDM Smith.....\$47,788.03  
Water & Sewer Services  
Brush Creek/Knob Creek Wastewater Treatment Plant Improvement  
Funding Source: Water/Sewer Bond Funded

vi. Classic Protective Coatings .....\$148,295.00

Water & Sewer Services – Pay Request #2  
Eastman Tank Rehabilitation  
Funding Source: Water/Sewer Budgeted Expense

vii. Tank Industry Consultants.....\$17,078.56

Water & Sewer Services – Task Order #34  
Eastman Tank Rehabilitation  
Funding Source: Water/Sewer Budgeted Expense

viii. Davis Brothers Roofing, Inc .....\$47,811.60

Water & Sewer Services – Pay Request #1  
Reroofing Unicoi Water Treatment Plant  
Funding Source: Water/Sewer Funded & Budgeted Expense

ix. Henley Roofing Company .....\$29,936.88

Administration – Pay Request #2  
Reroofing Old JC Penney’s Building – Hands! On Museum  
Funding Source: Budgeted Expense

x. Shaw & Shanks Architects, PC.....\$31,060.66

Administration  
Freedom Hall Additions & Renovations  
Funding Source: Bond Funded

C. BIDS

i. ITB #5963

Various Truck Vendors.....\$183,117.00

Empire Ford, Ted Russell Ford & Dodge Jeep Ram of Columbia

Water & Sewer Services & Various Departments

Trucks

Funding Source: Capital Equipment Fund & Water/Sewer Rate Fund

TABULATION OF BIDS  
CITY OF JOHNSON CITY, TENNESSEE  
NOVEMBER 18, 2015 - 1:00 PM  
ITB #R-5963 TRUCKS  
VARIOUS DEPARTMENTS

Item #	2015/2016 Trucks	Champion Chevrolet	Empire Ford	2015 Ford F150	Ted Russell Ford	2016 Ford F150 XL	CDJR State Contract
1.	4WD Pick-Up Truck (Solid Waste)	25,380.15	24,034.00	2015 Ford F150	\$23,440.00*	2016 F150 XL	25,685.00 Ram 1500 4WD
2.	2WD Pick-Up Truck (Parks & Recreation)	22,340.06	22,097.00	2016 Ford F150	21,190.00*	2016 Ford XL F150	21,228.00 Ram 1500
3.	4WD Extended Cab Pick-Up Truck (Fleet Maintenance)	X	34,317.00	2016 Ford F150	31,290.00	2016 Ford XLE XL	31,402.00 2500 Crew Cab Lox
4.	4WD Dual Wheel Truck w/ Flat Bed (Solid Waste)	X	57,670.00	2016 Ford F550	58,615.00	2016 F5H XL	
5.	One-Eye Service Truck w/ Utility-Body (Water/Sewer)	X	X		X		
6.	Crew Cab Service Truck w/ Utility Body (Water/Sewer)	X	64,125.00	2015 Ford F450	51,950.00	2016 Ford F350	

\* does not meet engine specs

X = no bid

Excludes: Linc-South  
No Escalade: 4WD 5.0L, Walker Chevrolet, Magic-City Fleet, Picking Ford, Bill Gaska, Chaparral, Stan McHugh, Andy Harlow, West Chevrolet, Courtney Chevrolet, Park Chevrolet,  
Johnson City Health, Utility Vehicle Motors, Utility Vehicle Chevrolet, Lufkin, Judy Jones, Serranoff Egan, Modern Chevrolet, Logan Ford, Nelson Auto, Rick Harold, Cherokee, Wade Ford,  
Long of Chattanooga, Ford of Murfreesboro, Steve Swain, Anne Auto, Auto World of Big Stone Gap, Marmon Auto, Southwestern Fleet Management, Johnson City Toyota

RECOMMEND ACCEPTANCE OF LOW BIDS, THAT MEET SPECIFICATIONS. CIRCLED ABOVE. TOTAL COST: \$ 183,117. (EXCLUDES ITEM #5).

**D. PURCHASES**

i. Contractor’s Machinery.....\$38,000.00  
 Fleet Management  
 Replace Loader Transmission  
 Funding Source: Budgeted Expense

**E. PROPOSALS**

**i. RFP #5981**

Retail Recruitment Strategy Services .....\$50,000.00  
 Development Services  
 Retail Coach  
 Funding Source: Budgeted Expense

**ii. RFP #5988**

BurWil Construction Company.....\$3,246,963.00  
 Administration -Johnson City Schools  
 Freedom Hall Improvements  
 Funding Source: Capital Project Fund

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Jenny Brock, **Ordinance No. 4522-13**, "AN ORDINANCE TO AMEND TITLE 15, CHAPTER 14 OF THE CODE OF THE CITY OF JOHNSON CITY, TENNESSEE, TO REVISE SECTION 15-1406, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERE WITH," was ***passed on first reading***. The motion ***carried*** by four ayes. Commissioner Jeff Banyas was absent from the Chambers. There were no nay votes.

At this time a public hearing was held regarding Ordinance No. 4595-15. No one spoke for or against this item.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Jenny Brock, **Ordinance No. 4595-15**, "AN ORDINANCE TO REZONE PROPERTY LOCATED AT 71 WILSON AVENUE FROM B-3 (SUPPORTING CENTRAL BUSINESS) TO B-2 (CENTRAL BUSINESS)," was ***passed on second reading***. The motion ***carried*** by four ayes. Commissioner Jeff Banyas was absent from the Chambers. There were no nay votes.

At this time, Bob Wilson, Assistant City Manager, presented the Energy Systems Group Annual Report, Year Three (3).

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 7:46 p.m.

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CLAYTON STOUT  
MAYOR

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JANET JENNINGS  
CITY RECORDER

**ITEMS DEFERRED:**

1. None.

**ACTION ITEMS:**

1. None.