

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, February 1, 2018.

PRESENT: Mayor David Tomita, Vice-Mayor Jenny Brock, Commissioners Todd Fowler, Ralph Van Brocklin and Joe Wise, Charlie Stahl, IV, Assistant City Manager, and Janet Jennings, City Recorder.

Mayor David Tomita called the meeting to order at 6:01 p.m.

At this time, Commissioner Todd Fowler led the invocation, which was followed by the pledge of allegiance.

Upon motion by Commissioner Joe Wise, 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 consideration of a beer license for Marx the Spot, LLC, be and the same is hereby approved.

Upon motion by Commissioner Joe Wise, seconded by Vice-Mayor Jenny Brock, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Ralph Van Brocklin 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 the delay of the City Manager's report to the end of the agenda, be and the same is hereby approved.

Upon motion by Commissioner Todd Fowler, seconded by Vice-Mayor Jenny Brock, the following resolution was offered for adoption. The motion **carried** as follows: Mayor David Tomita, Vice-Mayor Jenny Brock and Commissioner Todd Fowler voted aye. Commissioner Joe Wise abstained from the vote. Commissioner Ralph Van Brocklin 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 the minutes of the regularly scheduled City Commission Meeting held on Thursday, January 18, 2018, be and the same are hereby approved.

At this time, Mayor David Tomita presented a proclamation recognizing Black History Month. Herb Greenlee, Parks and Recreation Department, was present to accept.

Whereas

we are a strong and vibrant nation, thanks to the creativity, fortitude, and resilience of people of every race and every background; and

Whereas

we owe the study of black history and the celebration of Black History Month to the efforts of Dr. Carter Godwin Woodson, born in 1875 in New Canton, Virginia; and

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Todd Fowler, 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 February 1, 2018, be and the same is hereby approved.

CONSENT AGENDA:

A. GENERAL:

- i. Consider Change Order #4 with the Tennessee Department of Transportation for a contract increase in the amount of \$23,251.80 on the State of Franklin and Indian Ridge Road Project
(Public Works Department)
- ii. Consider Change Order #5 with CSX Transportation for a contract increase in the amount of \$190,677.00 on the State of Franklin and Indian Ridge Road Project **(Public Works Department)**
- iii. Consider approval for Reimbursement for Incidental Costs in the amount of \$26,070.17 for Tract 16 on the Knob Creek Road / CSX Railroad Overpass Project **(Public Works Department)**
- iv. Consider approval of a License and Management Agreement with the Johnson City Development Authority for the management of events at King Commons **(Public Works Department)**

B. INVOICES:

- i. LDA Engineering \$3,864.89
Water & Sewer Services ~ Task Order #5
Tannery Knob Water Tank Replacement
Funding Source: Bond Funded

- ii. LDA Engineering \$10,177.50
Water & Sewer Services ~ Task Order #9
B2D Sewer Basin Rehab
Funding Source: Budgeted Expense

- iii. Mike Smith Pump Service \$145,236.95
Water & Sewer Services ~ Pay Request #5
Galvanized Waterline Replacement
Funding Source: Budgeted Expense

- iv. Frizzell Construction \$272,190.73
Water & Sewer Services ~ Pay Request #22
Brush Creek & Knob Creek WWTP Improvements
Funding Source: Bond Funded

- v. Smith, Seckman & Reid \$25,446.94
Public Works Department
State of Franklin & Indian Ridge Road Project
Funding Source: 80% STP & 20% Local Funding

- vi. Thomas Construction Company \$36,775.78
Public Works Department ~ Pay Request #10
King Commons Project
Funding Source: Stormwater Fund

- vii. Cannon & Cannon \$2,450.00
Public Works Department ~ Invoice #33931
Downtown LED Lighting Project
Funding Source: General Fund

- viii. Barnard Roofing Company \$3,443.75
Administration ~ Pay Request #4
Columbus Powell Partial Reroofing
Funding Source: PEP Bonds

- ix. Barnard Roofing Company \$30,875.00
Administration ~ Pay Request #8
Science Hill High School Partial Reroofing
Funding Source: PEP Bonds

- x. Shaw & Shanks Architects \$2,436.77
Administration ~ Pay Request #20 **FINAL PAYMENT**
Freedom Hall Civic Center Additions & Renovations
Funding Source: Bond Funded

- xi. Burleson Construction Company \$201.08
Administration ~ Invoice #2734027 **FINAL PAYMENT**
Freedom Hall Civic Center Additions & Renovations
Funding Source: Bond Funded

C. BIDS

- i. ITB #6194
Titan ASE \$28,723.70
Purchasing Department for Public Works Department
Thermoplastic Equipment
Funding Source: Capital Equipment Fund

Upon motion by Commissioner Ralph Van Brocklin, seconded by Vice-Mayor Jenny Brock, **Ordinance No. 4654-18**, "AN ORDINANCE TO REZONE PROPERTY LOCATED AT 2721 EAST OAKLAND AVENUE FROM I-1 (LIGHT INDUSTRIAL) TO RO-1 (HIGH DENSITY RESIDENTIAL-PROFESSIONAL OFFICE)," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes.

Upon motion by Vice-Mayor Jenny Brock, seconded by Commissioner Joe Wise, 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 property known as the Isaacs Annexation (reference zoning Ordinance No. 4655-18), be and the same is hereby approved.

Upon motion by Commissioner Joe Wise, seconded by Commissioner Todd Fowler, **Ordinance No. 4655-18**, "AN ORDINANCE TO ASSIGN ZONING (LOW DENSITY RESIDENTIAL) TO CERTAIN PROPERTY KNOWN AS THE ISAACS ANNEXATION," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Todd Fowler, 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 property known as the Royston Annexation (reference zoning Ordinance No. 4656-18), be and the same is hereby approved.

Upon motion by Commissioner Joe Wise, seconded by Vice-Mayor Jenny Brock, **Ordinance No. 4656-18**, "AN ORDINANCE TO ASSIGN ZONING FROM R-3 (HIGH DENSITY RESIDENTIAL) TO RP-2 (PLANNED RESIDENTIAL) TO CERTAIN PROPERTY KNOWN AS THE ROYSTON ANNEXATION," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes.

At this time, a motion by Commissioner Joe Wise to approve Ordinance No. 4657-18, "AN ORDINANCE (HISTORIC ZONING OVERLAY DISTRICT) OF THE ZONING CODE REGARDING MEMBERSHIP REQUIREMENTS," **died** for lack of a second.

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

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the remanding of **Ordinance No. 4657-18** back to the Historic Zoning Commission for revision, with the request that the proposed text be struck and replaced with the single requirement that the member be a municipal citizen with no minimum residency, be and the same is hereby approved.

At this time, a public hearing was held regarding Ordinance No. 4653-18. No one spoke for or against this item.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Vice-Mayor Jenny Brock, **Ordinance No. 4653-18**, "AN ORDINANCE TO REZONE A PORTION OF THE PROPERTY LOCATED ALONG PEOPLES STREET (3.3 ACRES) FROM PB (PLANNED BUSINESS DISTRICT) TO R-4 (MEDIUM DENSITY 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 Ordinance No. 4653-18 to rezone a portion of the property located along Peoples Street (3.3 acres) from PB (Planned Business District) to R-4 (Medium Density Residential). No one spoke for or against this item.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Joe Wise, 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 Concept Plan for Ordinance No. 4653-18 to rezone a portion of the property located along Peoples Street (3.3 acres) from PB (Planned Business District) to R-4 (Medium Density Residential), be and the same is hereby approved.

At this time, Anthony Todd, Traffic Engineering Manager, and Becky Bottoms, Cannon and Cannon, made a presentation on the Downtown Lighting Upgrade along State of Franklin Road at Roan, Spring and Buffalo Streets. Commissioners stated that they will consider funding for upgrades as a part of the upcoming budget process.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Joe Wise, 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 application for a Tourism Enhancement Grant, in the amount of \$75,000, to build a play area within the King Commons area with authorization for the Mayor to sign the application, be and the same is hereby approved.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Joe Wise, 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 **deferral** of the consideration of Commitment and Statement of Purpose for the Northeast Tennessee Regional Economic Partnership (NeTREP) until the Washington County Economic Development Council provides additional clarification in the commitment document with the direction of what the city's contribution is to be and the parameters to operate under as this change is made, be and the same is hereby approved.

At this time, Steve Willis, Human Resource Director, provided an Employee Health Center update.

CITY MANAGER'S REPORT:

- Commissioners will take action on appointing individuals to a Sesquicentennial Committee at the next commission meeting.
- Janet Jennings, Finance Director, presented highlights of the December 2017 Financials.
- Tom Witherspoon, Water/Sewer Director, presented an update on the Water and Sewer Services Capital.

COMMISSION CONCERNS:

1. Vice-Mayor Jenny Brock would like to see something on the next agenda dealing with the Freedom Hall RFP.

There being no further business or discussion, Mayor David Tomita adjourned the meeting at 8:21 p.m.

DAVID TOMITA
MAYOR

JANET JENNINGS
CITY RECORDER

ITEMS DEFERRED:

1. The Commitment and Statement of Purpose for the Northeast Tennessee Regional Economic Partnership (NeTREP) until the Washington County Economic Development Council provides additional clarification in the commitment document with the direction of what the city's contribution is to be and the perimeters to operate under as this change is made.

ACTION ITEMS:

1. Commissioners will take action on appointing individuals to a Sesquicentennial Committee at the next commission meeting.
2. Vice-Mayor Jenny Brock would like to see something on the next agenda dealing with the Freedom Hall RFP.