

COMMISSION MEETING MINUTES

AUGUST 16, 2018

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, August 16, 2018.

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

ABSENT: Commissioner Todd Fowler.

Mayor David Tomita called the meeting to order at 6:04 p.m.

At this time, Dr. Vic Young, Pastor of Fountain of Life Bible Church, led the invocation, which was followed by the pledge of allegiance.

Minutes

Upon motion by Commissioner Ralph Van Brocklin, seconded by Vice-Mayor 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 regularly scheduled City Commission Meeting held on Wednesday, August 8, 2018, be and the same are hereby approved.

Proclamation

At this time, Mayor David Tomita presented a proclamation recognizing the Washington County Area United Way Local Campaign Kickoff & Request approval for placement of Certain Signage Associated with the Campaign. Kristan Ginnings, United Way President and CEO, and Jennifer Owen, Campaign Chair, were present to accept.

Whereas the United Way of Washington County TN fights for the health, education and financial stability of every person in our community; and

Whereas 36,494 Johnson City residents received assistance from or took part in programs supported by United Way of Washington County, TN in 2017; and

Whereas the United Way of Washington County, TN provides more than \$1.7million dollars of assistance in our area each year; and

Whereas the United Way of Washington County, TN officially begins its annual fundraising campaign, "Changing Lives & Making a Difference in Our Community," at a kickoff event on August 23, 2018.

Now, Therefore, I, David Tomita, Mayor of Johnson City, Tennessee, do hereby proclaim August 23, 2018

**UNITED WAY OF WASHINGTON COUNTY TN
LOCAL KICKOFF DAY**

and urge residents to participate in the fund-raising campaign in support of United Way and its partners and programs, thereby making ours a more caring and compassionate community, where we all "Give. Advocate. Volunteer. LIVE UNITED."

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 August 2018.

/s/ David Tomita
David Tomita, Mayor

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Joe Wise, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

Temporary Occasion License

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Temporary Occasion license for Blue Plum Organization to sell beer at the Founders After 5 event on Friday, September 14, 2018, Johnson City, Tennessee, be and the same is hereby approved. Jason Onks was present.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Joe Wise, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

Temporary Occasion License

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Temporary Occasion license for Blue Plum Organization to sell beer at the Founders After 5 event on Friday, September 28, 2018, Johnson City, Tennessee, be and the same is hereby approved. Jason Onks was present.

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

Temporary Occasion License

COMMISSION MEETING MINUTES

AUGUST 16, 2018

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Temporary Occasion license for Johnson City Brewing Company to sell beer at the Operation Warm Coats for Local Kids event on Saturday, September 29, 2018, Johnson City, Tennessee, be and the same is hereby approved.

Temporary Occasion License Upon motion by Commissioner Joe Wise, seconded by Commissioner Ralph Van Brocklin, 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 Temporary Occasion license for Shakespeare in Johnson City to sell beer at the Much Ado About Nothing events on Saturday, September 1 through Sunday, September 2, 2018 and on Saturday, September 8 through Sunday, September 9, 2018, Johnson City, Tennessee, be and the same is hereby approved. Lynnea Hunter was present.

Appointment At this time, the appointment of Karen Hubbs and the re-appointments of Ross Duncan, Larry Glaspie, and Jonathan Kinnick to the Parks & Recreation Advisory Boards were made by roll call as follows: Mayor David Tomita and Commissioner Joe Wise voted for Ross Duncan, Larry Glaspie, Karen Hubbs, and Jonathan Kinnick. Vice-Mayor Jenny Brock voted for Danny Burks, Larry Glaspie, Karen Hubbs, and Jonathan Kinnick. Commissioner Ralph Van Brocklin voted for Danny Burks, Ross Duncan, Karen Hubbs, and Jonathan Kinnick.

Appointment Upon motion by Commissioner Joe Wise, seconded by Commissioner Ralph Van Brocklin, 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 appointment of Michael Clark and the re-appointment of Sarah Davis to the Johnson City Public Library Board as recommended by Joy Fulkerson, President of the Johnson City Public Library Board of Directors, be and the same are hereby approved.

Appointment Upon motion by Commissioner Joe Wise, seconded by Commissioner Ralph Van Brocklin, 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 appointment of Gwen Hunter to the Board of Dwelling Standards & Review, be and the same is hereby approved.

Consent Agenda Upon motion by Commissioner Ralph Van Brocklin, seconded by Vice-Mayor 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 Consent Agenda for August 16, 2018, be and the same is hereby approved.

A. **GENERAL:**

- i. Consider approval of Change Order #1 for Beuris Construction, Inc. on the Fleet Management Fencing project for a contract decrease in the amount of \$126.42 (**Facilities Management**) Change Order
- ii. Consider declaring certain Juvenile Court, Police Department and Water/Sewer Department equipment as surplus (**Purchasing Department**) Surplus
- iii. Consider approval of placing the Keefauver Property conversion under contract (**Administration**) Contract
- iv. Consider approval of salary of the Juvenile Court Judge (**Human Resources**) Salary
- v. Consider approval of a Utility Adjustment for Tract 21 on the Knob Creek Road/CSX Railroad Overpass Project for an increase in the amount of \$954.00 (**Public Works Department**) Adjustment
- vi. Consider approval of a Memorandum of Understanding with Frontier Health (**Police Department**) Memorandum
- vii. Consider approval of an Amendment with Tank Industry Consultants on the Tannery Knob Resident Project Representation (**Water & Sewer**) Amendment
- viii. Consider approval of payment to Johnson City Development Authority for Fiscal Year 2018 (Tax Year 2017) Tax Increment Financing in the amount of \$204,138.26 (**Finance Department**) TIF Payment

Invoices

B. INVOICES:

- i. Barnard Roofing Company \$384,568.55
Facilities Management ~ Pay Request #2
Partial Reroofing of Indian Trail, Lake Ridge & SHHS
Funding Source: PEP Bonds

- ii. Thomas Construction Company \$84,094.07
Public Works Department ~ Pay Request #4
Science Hill High School Sports Complex Slope Rehab
Funding Source: Capital Project Fund (General Fund)

- iii. Mike Smith Pump Service \$175,436.26
Public Works Department ~ Pay Request #3
Austin Springs Waterline Replacement
Funding Source: Budgeted Expense

- iv. Tysinger Hampton & Partners\$1,050.00
Public Works Department ~ Work Order #4
Austin Springs Waterline Replacement
Funding Source: Budgeted Expense

- v. Shaw & Shanks Architects \$41,750.00
Administration ~ Pay Request #4
Liberty Bell Middle School New Cafeteria & Gymnasium
Funding Source: Bond Funded

- iii. ITB #6242
 Bakers Waste Equipment Inc. \$224,195.00
 Purchasing for Public Works ~ Solid Waste Department
 Waste Containers Contract
 Funding Source: Budgeted Expense

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 JULY 11, 2018 - 2:00 PM
 ITB #6242 WASTE CONTAINERS
 PUBLIC WORKS/SOLID WASTE

#	QTY	Description	Bakers Waste	
			Unit	Price
FRONT LOADER CONTAINERS:				
1	25	4 Cubic yards	\$ 620.00	\$ 15,500.00
2	4	6 Cubic yards	\$ 806.00	\$ 3,224.00
3	80	8 Cubic yards	\$ 207.00	\$ 16,560.00
ADDITIONAL LIDS:				
4	40	4 Cubic yards Front loader, 36" x 41"	\$ 21.00	\$ 840.00
5	200	8 Cubic yards Front loader, 36" x 41"	\$ 24.00	\$ 4,800.00
FRONT LOADER COMPACTOR CONTAINERS:				
6	10	6 Cubic yards	\$ 915.00	\$ 9,150.00
OPTIONAL:				
7	10	6 Cubic yards without side doors	\$ 900.00	
OPEN TOP TOLLTOP CONTAINERS:				
8	20	30 Cubic yards	\$ 2,740.00	\$ 54,800.00
9	5	15 Cubic yards	\$ 3,280.00	\$ 16,400.00
10	2	20 Cubic yards	\$ 4,000.00	\$ 8,000.00
11	6	30 Cubic yards	\$ 4,170.00	\$ 25,020.00
12	1	40 Cubic yards	\$ 7,699.00	\$ 7,699.00
TECHNICAL COMPACTOR CONTAINERS:				
13	1	40 Cubic yards	\$ 6,653.00	\$ 6,653.00
RECYCLE CONTAINERS:				
14	1	15 Cubic yards	\$ 6,113.00	\$ 6,113.00
15	1	20 Cubic yards	\$ 6,900.00	\$ 6,900.00
16	2	30 Cubic yards	\$ 6,977.00	\$ 13,954.00
17	1	40 Cubic yards	\$ 7,988.00	\$ 7,988.00
Grand Total				\$ 224,195.00

Supplier: Tennessee, Inc. (USA)
 Manufacturer: AMF Equip Co., Midwest Container Co., Acute Systems, Midwestern, Empire Equipment, (10' to 16') Power 1 Working, Luma Steel Works, Weber & Wood, Midwest Equipment, Municipal Equipment, Ultra Environmental, A. H. Thomas Co., Midwest Equipment, Environmental, Power 1.

RECOMMEND ACCEPTANCE OF ONLY BID RECEIVED. ESTIMATED ANNUAL COST \$ 224,195.

Philip D. Cook
 PHILIP D. COOK, Asst. Solid Waste Manager

APPROVED BY:
Richard L. Johnson
 Director of Purchasing

City Commission 08/16/2018

- iv. ITB #6245
 Worldwide Ford \$320,980.00
 Purchasing for Police Department
 Police Pursuit Vehicle
 Funding Source: Capital Equipment Fund

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 JULY 25, 2018 - 2:00 PM
 ITB #6245 POLICE PURSUIT VEHICLES
 POLICE DEPARTMENT

Vendor	Unit Price (\$/EACH)	Delivery
Worldwide Ford	\$ 32,098.00	Nov-18
TT of Murfreesboro	\$ 32,298.00	16-18 Weeks ARO
Empire Ford	\$ 32,379.00	120 Days

No Response: Freeland Auto, Friendship Auto, Landers McClary, Lennie Cobb Ford, Magik City Ford, M/Merls Wholesale, Mid-Tenn Ford, Modern Chevrolet, Neighborhood Ford, Parks Chevrolet, Raywamer Ford, Sam Sweig Group, Secret City CDW, Stan McCallis, Stowers, Ted Russell Ford, Wade Ford

RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. TOTAL PURCHASE: \$320,980

Major Debbie Botelho
 MAJ. Debbie Botelho, J C Police

APPROVED BY:
Richard L. Johnson
 Director of Purchasing

City Commission 08/16/2018

D. ITB #6248

Howard Fertilizer and Chemical \$30,300.00

Purchasing for Parks & Recreation

Ryegrass Seed

Funding Source: Budgeted Expense

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
AUGUST 1, 2018 - 1:30 PM
ITB #6248 PERENNIAL RYEGRASS SEED
PARKS AND RECREATION

Vendor	Unit Price (\$6,000 lbs.)	Total	Brand	Delivery
BWI	\$ 1.01	\$ 30,300.00	Futura 2000 Perennial Rye Three Way Blend	Mid August or when needed
Howard Fertilizer & Chemical	<u>\$ 1.01</u>	\$ 30,300.00	Sunbird 3-Way 1/2 Everingham 1/2 Prince 4, 1/2 Aquaria 4	Can ship by 9-1-2018 or before
Simplex	\$ 1.04	\$ 31,200.00	League Master Perennial Rye	Can deliver as needed
Mize Farm & Garden	\$ 1.06	\$ 31,890.00	3 Allied Seed ASP Varieties	Anytime after August 15
Southern States Co-op	\$ 1.07	\$ 32,100.00	Royal Flush Blend	Per spec
Pennington Seed	\$ 1.15	\$ 34,500.00	Noble Eagle Blend	3 days ARD
Silverson Landscaping Supply	\$ 1.22	\$ 36,600.00		

RECOMMEND ACCEPTANCE OF LOWEST PREFERRED BID, CIRCLED ABOVE. TOTAL PURCHASE: \$ 30,300.

Roger Cox
Roger Cox, Parks & Recreation

APPROVED BY:
Debra Belton
Debra Belton, Director of Purchasing

City Commission 08/16/2018

E. PURCHASES

Purchases

i. Tennessee Book Company \$96,983.93

Purchasing for Johnson City Schools

AP Textbooks for Science Hill High Schools

Funding Source: General Purpose School Textbook Fund

JOHNSON CITY SCHOOLS
P. O. BOX 1817
JOHNSON CITY, TN 37606

REQUISITION

SCHOLARSHIP(S):
PERSONAL SCHOLARSHIP HEAD:

TO BE PURCHASED FROM:
Tennessee Book Company
1809 Hall Quaker Blvd
PO Box 3059
LaVergne, TN 37086-1898
PHONE NUMBER: 800-426-5413
FAX: 615-213-8845

Science Hill High School
Dr. Todd Bennett

TO BE DELIVERED TO:
SHHS
1809 John Esam Parkway
Johnson City, TN 37604
PHONE NUMBER: 423-333-2190

QUANTITY	CATALOG NUMBER	DESCRIPTION	ACCOUNT CODE	UNIT COST	TOTAL
120	34433891	Campbell Biology AP Student Edition with ETEXT 6 Year	141-71100-448-2	167.47	20,096.75
120	34852881	Chemistry: Central Science AP Edition Student with ETEXT, 5 Year		167.87	20,184.40
80	18201148	History of Western Society 12E, 1E		118.00	9,440.00
180	34208141	Cultural Landscapes An Introduction to Human Geography with ETEXT		154.88	27,878.40
70	18032389	Market Psychology for AP Textbook & Licensure 8 Years		187.56	13,129.20
16	06330891	Curriculum: Core AP 19 1989 YGA & Fair Trade in 5 AP		118.28	1,892.48
40	84080141	Statistics: Learning from Data AP 6th-12		107.00	4,280.00
10	171809	American Government 13E, 1E		169.00	1,690.00
		Estimated Shipping 5%			4,618.28
		TOTAL ORDER			96,983.83

COMPETITIVE PRICES
SEE ATTACHED

FINANCE DIRECTOR
Lena Vally
PURCHASING AGENT
Doreen J. J...

Public Hearing

At this time a public hearing was held regarding Ordinance No. 4664-18. Mitch Cox, developer, spoke in favor of this item. Jeffrey Lucas, Arthur Roupas, McKenna Cox, Carlos Conerly, Jonathan Peterson, James Fox, Michael Thompson, and Marvin Hopland spoke against this item. Concerns were expressed regarding safety, flooding, and the wetland area.

Ord. 4664-18
Second
Reading

Upon motion by Commissioner Joe Wise, seconded by Vice-Mayor Jenny Brock, **Ordinance No. 4664-18**, "AN ORDINANCE TO REZONE PROPERTY ALONG MOCKINGBIRD LANE AND NORTH LANE FROM B-4 TO R-5," was **passed on second reading**. The motion **carried** by four ayes. There were no nay votes.

Public Hearing

At this time a public hearing was held regarding a Concept Plan for property along Mockingbird Lane and North Lane. Mitch Cox spoke in favor of this item. The following people spoke against this item: McKenna Cox, Michael Mabry, Ryan Matthews, Jennifer Margeson, Carlos Conerly, Duane King, Jeffrey Lucas, Froylan Hernandez, Gail Gallemore, Chad Cepeda, James Fox, and Lee McVey, who was there as a legal representative for some of the neighbors. Concerns were expressed regarding traffic and the connector between the Mall and the neighborhood.

Concept Plan

Upon motion by Commissioner Ralph Van Brocklin, seconded by Mayor Tomita, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Joe Wise voted nay.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Concept Plan for property along Mockingbird Lane and North Lane, with stipulations regarding the implementation of a Gate Option, traffic calming measures on Sundale by the City, and consideration of other options for ingress and egress by the developer, be and the same is hereby approved.

Resolution

Upon motion by Commissioner Joe Wise, seconded by Commissioner Ralph Van Brocklin, 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 Resolution relating to the Sale by the Public Building Authority of Johnson City, Tennessee of the Millennium Center and approving the execution of documents relating therein, be and the same is hereby approved.

Agreement

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. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Purchase and Sales Agreement of the Millennium Center and Garage to the State of Tennessee, be and the same is hereby approved.

COMMISSION MEETING MINUTES

AUGUST 16, 2018

There being no further business or discussion, Mayor David Tomita adjourned the meeting at 9:40 p.m.

/s/ David Tomita

DAVID TOMITA

MAYOR

/s/ Janet Jennings

JANET JENNINGS

CITY RECORDER