

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, November 15, 2018.

PRESENT: Mayor David Tomita, Vice-Mayor Jenny Brock, Commissioners Todd Fowler, Larry Calhoun and Joe Wise, Pete Peterson, City Manager, and Janet Jennings, City Recorder.

Mayor David Tomita called the meeting to order at 6:00 p.m.

At this time, Larry Albrecht, Pastor of Crossroads Christian Church, led the invocation, which was followed by the pledge of allegiance.

Minutes

Upon motion by Commissioner Todd Fowler, seconded by Vice-Mayor 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 minutes of the regularly scheduled City Commission Meeting held on Thursday, November 1, 2018, be and the same are hereby approved.

Address

At this time, Dr. Katelyn Alexander, Quillen College of Pharmacy, addressed the Commission regarding flu shot awareness.

Presentation

At this time, Vice-Mayor Jenny Brock and Commissioners Joe Wise, Todd Fowler, and Larry Calhoun gave a Presentation of Appreciation to Mayor David Tomita for his service to the City of Johnson City.

- Whereas** David Tomita was elected by his fellow citizens to serve them in the capacity of commissioner in April 2013, making him the first Japanese-American to serve on the Johnson City Commission, and in 2016 was named mayor; and
- Whereas** he was committed to enhancing relationships between Johnson City and Washington County, and during his tenure the new Washington County-Johnson City Animal Shelter and the Johnson City/Washington County Family Justice Center were created; and
- Whereas** he worked with mayors from Bristol and Kingsport, Washington County and Sullivan County to sign a partnership agreement to advance Aerospace Park, a project that is significant to the economic development of our region; and
- Whereas** he supported the creation of King Commons, approved a \$3 million annual investment to improve the City's roadways, increased operational funding for City schools and supported the renovation of Langston High School; and
- Whereas** the City's relationship with East Tennessee State University flourished under his leadership, as evidenced by the sale of the Millennium Centre to ETSU, the groundbreaking of the Fine and Performing Arts Center, and major renovations completed at Freedom Hall Civic Center, home court of ETSU men's basketball team; and
- Whereas** during his time in office, the City has provided attractive parks and recreation facilities for the City, with the expansion of Winged Deer Park, the completion of Founders Park, the completion of the Tweetsie Trail, and the installation of a splash pad and inclusive playground at Rotary Park.

Now, Therefore, We, the Commissioners of the City of Johnson City, Tennessee, do hereby commend Mayor David Tomita for his leadership and service to his community.

In Witness Whereof, We have hereunto set our hands and caused the Official Seal of the City of Johnson City, Tennessee, to be affixed this 15th day of November, 2018.

At this time, Mayor David Tomita presented a proclamation recognizing Small Business Saturday. Gary Mabrey, President and CEO of the Johnson City-Jonesborough-Washington County Chamber of Commerce, was present to accept.

Proclamation

Whereas local small businesses contribute to our local economy and community; according to the United States Small Business Administration, there are currently 30.2 million small businesses in the United States, they represent 99.7 percent of all businesses with employees in the United States, are responsible for 65.9 percent of net new jobs created from 2000 to 2017; and

Whereas small businesses employ 47.5 percent of the employees in the private sector in the United States; and

Whereas 90% of consumers in the United States say Small Business Saturday has had a positive impact on their community; and

Whereas 89% of consumers who are aware of Small Business Saturday said the day encourages them to Shop Small all year long; and

Whereas 73% of consumers who reportedly Shopped Small at independently-owned retailers and restaurants on Small Business Saturday did so with friends or family; and

Whereas the most reported reason for consumers aware of the day to shop and dine at small, independently-owned businesses was to support their community (64%); and

Whereas Johnson City is dedicated to promoting small business in our community and will observe Small Business Saturday on Saturday, November 24th.

Now, Therefore, I, David Tomita, Mayor of the City of Johnson City, Tennessee, ask all citizens to support small businesses and merchants on Small Business Saturday and throughout the year.

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 15th day of November, 2018.

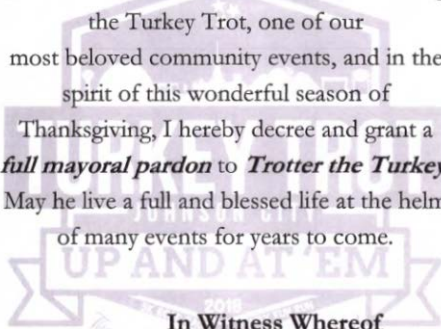
/s/ David Tomita

David Tomita, Mayor

At this time, Mayor David Tomita granted a pardon to Trotter the Turkey for the annual Up and At 'Em Turkey Trot event.

Pardon

Due to the contributions that this fine feathered bird has made toward the health and wellness of our citizens in leading the Turkey Trot, one of our most beloved community events, and in the spirit of this wonderful season of Thanksgiving, I hereby decree and grant a **full mayoral pardon** to **Trotter the Turkey**. May he live a full and blessed life at the helm of many events for years to come.



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 15th day of November, 2018.

/s/ David Tomita

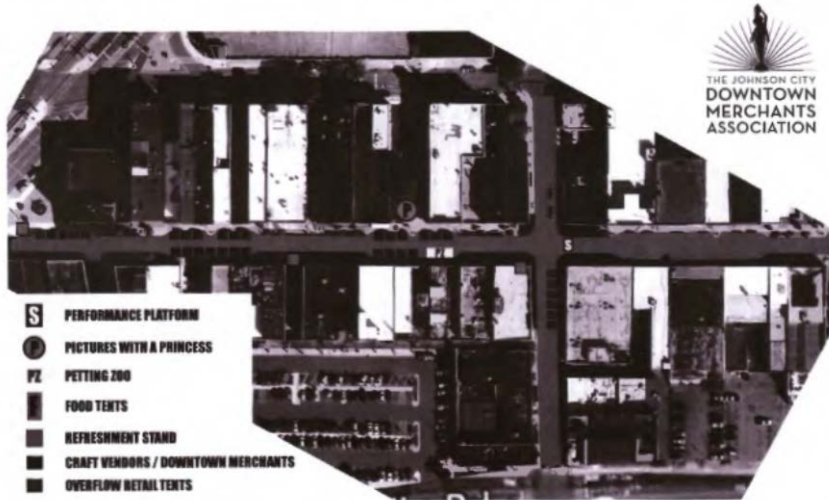
David Tomita, Mayor

Street Closing

Upon motion by Commissioner Joe Wise, 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 street closing of portions of various streets (see map below), on Friday, November 30, 2018, to accommodate the Hometown Holiday Fest event for the Downtown Merchants Association, be and the same is hereby approved. Katherine Latham was present.

HOMETOWN HOLIDAY STREET FEST



Consent Agenda

Upon motion by Commissioner Larry Calhoun, 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 November 15, 2018, be and the same is hereby approved.

A. GENERAL:

Easement

- i. Consider approval for a deed conveyance for an easement to provide an accessible entrance to the Disabled American Veterans (DAV) Post located at 407 East Market Street (**Development Services**)

Adjustment

- ii. Consider approval of a utility adjustment for Tract 16 in the amount of \$9,900 on the Knob Creek Road/CSX Railroad Overpass Project (**Public Works Department**)

- iii. Declare certain City vehicles/equipment as surplus: 1998 Ford Taurus
(Freedom Hall Civic Center) Surplus

- iv. Consider approval of a Settlement Release with Deutsche Bank
(Administration) Release

- v. Consider approval of contract between the Tennessee Department of
Environment & Conservation and the City of Johnson City to initiate the
conversion process for the Keefauver Farm Property **(Administration)** Contract

B. INVOICES:

Invoices

- i. Hazen & Sawyer\$5,050.13
Water & Sewer Services ~ Invoice #34
Lower Brush Creek Sanitary Sewer Interceptor Replacement
Funding Source: Bond Funded

- ii. Tysinger, Hampton & Partners \$1,050.00
Water & Sewer Services ~ Invoice #1510601123R ~ WO#4
Austin Springs Road Waterline Replacement
Funding Source: Budgeted Expense

- iii. Mike Smith Pump Service\$79,787.02
Water & Sewer Services ~ Pay Request #6
Austin Springs Road Waterline Replacement
Funding Source: Budgeted Expense

- iv. LDA Engineering \$25,750.00
Public Works Department ~ Invoice #JCT 810-4
East Oakland Avenue & S. Austin Springs Road Project
Funding Source: Stormwater Fund

- v. Thomas Construction \$166,250.00
Public Works Department ~ Pay Request #1
King Richard Storm Sewer Rehab
Funding Source: Stormwater Fund

- vi. Shaw & Shanks Architects \$2,687.64
Facilities Management ~ Invoice #11
Langston High School Additions & Alterations
Funding Source: Capital Projects Fund
- vii. Goins Rash Cain Inc. \$73,837.66
Facilities Management ~ Pay Request #1818-03
Langston High School Additions & Alterations
Funding Source: Capital Projects Fund
- viii. Washington County 9-1-1 \$30,225.00
Emergency Management Agency ~ Invoice #1193
Lake Park Drive Office Renovations
Funding Source: Operating Budget

Bids

C. BIDS

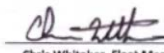
- i. ITB #R6253
Modern Toyota of Boone \$51,600.00
Purchasing for Fleet Management
Hybrid Sedans
Funding Source: Capital Equipment Fund

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
OCTOBER 30, 2018 - 1:00 PM
ITB #R6253 HYBRID SEDANS
FLEET MANAGEMENT

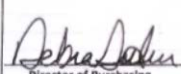
Vendor	Unit Price (2/EACH)	Total
Modern Toyota of Boone	\$ 25,800.00	\$ 51,600.00
Fox Toyota	\$ 28,254.00	\$ 56,508.00

No Response: Beaman Auto, Fox Family Toyota

RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE.


Chris Whitaker, Fleet Management

APPROVED BY:


Debra John
Director of Purchasing

City Commission 11/15/2018

ii. ITB #6270

Western Carolina Forklift \$29,967.13

Purchasing for Public Works Solid Waste Division

Lift Truck

Funding Source: Capital Equipment Fund

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
OCTOBER 10, 2018 - 1:30 PM
ITB #6270 LIFT TRUCK
PUBLIC WORKS/SOLID WASTE DIVISION

Vendor	Unit Price	Make/Model
Octane Forklifts	\$ 29,269.00	2019 Octane PY25 *
Western Carolina	\$ 29,967.13	Unicarriers PFU50
The Bailey Company	\$ 31,954.00	Mitsubishi FG25N
Allied Toycoalfit	\$ 31,994.00	Toyota 8FGU25
The Lilly Company	\$ 32,749.00	Clark 525
Taza Supplies	\$ 40,786.00	Unicarriers AF50 (Nomad)

Notes: Brauer Material Handling
*unable to provide demonstration or adequate references
No Responder: Alys Fleet Maintenance Service, Circle O Truck Sales, Lift One, MHC Knoxville, Stowers, Yale Carlines

RECOMMEND ACCEPTANCE OF LOWEST ACCEPTABLE BID, CIRCLED ABOVE.

Phillip Davis
Phillip Davis, Public Works/Solid Waste

APPROVED BY:

Debra Sabin
Director of Purchasing

City Commission 11/15/2018

iii. ITB #6275

Chalmers & Kubeck \$38,865.00

Purchasing for Water & Sewer Services

Gear Box

Funding Source: Budgeted Expense

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
OCTOBER 11, 2018 - 2:00 PM
ITB #6275 GEAR BOX
WATER/SEWER SERVICES

Vendor	Unit Price	Delivery
Chalmers & Kubeck	\$ 38,865.00	34 Weeks ARO
Smith Services	\$ 44,865.00	35 Weeks
Guthrie Sales & Service	\$ 59,731.00	30 Weeks

No Responder: Stowers Machinery, Atch-Mont Gear Company, European Electrical Equipment, GearWorld, Motor & Gear Engineering

RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE.

Jeff Corder
Jeff Corder, Water & Sewer

APPROVED BY:

Debra Sabin
Director of Purchasing

City Commission 11/15/2018


- iv. ITB #6278
 - Ladd's \$28,028.40
 - Purchasing for Pine Oaks Golf Course
 - All Terrain Tractor w/Mower Attachment
 - Funding Source: Capital Equipment

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
OCTOBER 16, 2018 - 2:00 PM
ITB #6278 ALL TERRAIN TRACTOR W/MOWER ATTACHMENT
PINE OAKS GOLF COURSE


Vendor	Unit Price (1/EACH)	Make/Model
Ladd's	28,028.40	Ventrac 4500 Z

Options: Plateau Truck & Tractor
No. Invoices: Boonville Creek Outdoor Power, Chambers American Products, Chattanooga Tractor and Equipment, Columbia Kubota, Cox Tractor Co., Cumberland Tractor & Equipment, Dickson County Equipment, Greenville Turf & Tractor, Interstate Tractor, John Deere Landscapers, Johnson City Kubota, Masada Equipment, Mid State Equipment, Old School Auto Parts, Stowers Machinery, Warrandy One, West Hill Tractor

RECOMMEND ACCEPTANCE OF ONLY BID, CIRCLED ABOVE.


Bill Fuller, Pine Oaks Golf Course

APPROVED BY:

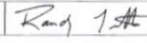

Director of Purchasing

City Commission 11/15/2018

Purchases


D. PURCHASES

- i. Omar Awning Company \$34,960.00
 - Purchasing for Facilities Management
 - Custom Ceiling Covers for Freedom Hall Civic Center
 - Funding Source: Capital Projects

Date Issued:	10/26/18	City of Johnson City	Req. No.	4410011
Date Wanted:	ASAP	Requisition for Supplies	Order No.	
DEPARTMENT:	Facilities Management	TO BE PURCHASED FROM:		
REQUISITIONED BY:	Randy Trvette	Omar Awning Co.	202 Wesley Street	
DIRECTOR:	Randy Trvette	Johnson City, TN 37601		
DIRECTOR'S APPROVAL:	 10/24/18			
FOR SCHOOL USE ONLY	TO BE DELIVERED TO:			
School:	Freedom Hall Civic Center			
Department:	1320 Pictorial Rd.			
Requisitioned By:	Johnson City TN 37601			
Superintendent:				
QUANTITY	DESCRIPTION	CODE	UNIT COST	TOTAL
1	Manufacture and install 3 tension covers with hand winches, pulleys, and steel cable to cover 98' x 36' area in ceiling at Freedom Hall Arena	440-Capital		\$34,960.00
Total:				\$34,960.00
COMPETITIVE PRICES: Specialty unique project with sole source design and proposal.		APPROVED: Purchasing Agent		

- ii. Mid-South Bus Center Inc. \$352,082.00
 Purchasing for Johnson City Transit
 ADA Equipped Vehicles
 Funding Source: Federal, State & Local Funds

Memo

To: Debbie Dillon, Purchasing Director
From: Eldonna Janutolo, JCT Director 
Date: November 5, 2018
Re: Demand Response/Paratransit/Fixed Route Vehicle Procurement from State of TN Contract (TN SWC No. 234; TN Contract Number 0000000000000000058791 And 0000000000000000060162; Contract Period 9-15-18 through 6-14-21)

Johnson City Transit (Mass Transit) proposes to purchase two (2) Startrans Senator II, two (2) Dodge mini-vans, and two (2) Startrans Candidate II buses from the current Tennessee State Contract. All buses/vans are ADA approved utilizing wheelchair ramps or lifts. Purchasing from State contract saves JCT the time and expense of conducting an Invitation to Bid, and the State-wide Invitation to Bid process meets the procurement requirements of JCT's federal funding agency (Federal Transit Administration). Please place this item on the agenda for the November 15, 2018, City Commission meeting.

The vehicles JCT proposes are:

- Two (2) –StarTrans Senator II vehicles with integrated ADA lift, 16 passengers with 2 wheelchair passengers, price per vehicle (with state approved options) \$77,243 (Mid-South Bus Center).
- Two (2) –StarTrans Candidate II vehicles with integrated ADA lift, 8 passengers with 2 wheelchair passengers, price per vehicle (with state approved options) \$57,160 (Mid-South Bus Center).
- Two (2) –Dodge Mini-vans with integrated ADA ramp, 6 passengers with 1 wheelchair passenger, price per vehicle (with state approved options) \$41,638 (Mid-South Bus Center).

The funding sources:

Grant	Federal	State	Local	Commission Grant Approval
TN-57-X004-00	\$127,981	\$13,857	\$13,857	May 17, 2018
TN-2018-007	\$166,929	\$14,729	\$14,729	November 13, 2017
TOTAL	\$294,910	\$28,586	\$28,586	\$352,082

NO NEW LOCAL FUNDS ARE NEEDED.

Anticipated delivery of the StarTrans vehicles is 16 weeks from the date of Purchase Order being issued and 6-8 weeks for the Dodge mini-vans.

Upon motion by Commissioner Joe Wise, seconded by Vice-Mayor Jenny Brock, **Ordinance No. 4664-18**, "AN ORDINANCE TO REZONE PROPERTIES LOCATED AT MOCKINGBIRD LANE AND NORTH LANE FROM B-4 (PLANNED ARTERIAL BUSINESS) TO R-5 (HIGH DENSITY RESIDENTIAL)," was **passed on third reading**. The motion **carried** by four eyes, contingent on modifying the site plan to eliminate the gate and replace it with two (2) traffic circles and another traffic calming device (i.e., speed bump). Vice-Mayor Jenny Brock voted nay.

Ordinance
 4664-18
 Third Reading

ORDINANCE NO. 4664-18

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 CHANGING FROM B-4 (PLANNED ARTERIAL BUSINESS) DISTRICT TO R-5 (HIGH DENSITY RESIDENTIAL) DISTRICT CERTAIN PORTIONS OF PROPERTIES (046A-B-017.00, 046A-D-001.15, 046A-D-001.16) LOCATED AT # MOCKINGBIRD LANE & NORTH LANE - REFER TO SITE MAP BELOW FOR SPECIFIC BOUNDARIES

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 changing the zoning on the following described property from B-4 (Planned Arterial Business) District to R-5 (High Density Residential) District.

See legal property description marked "Exhibit 'A'" hereto
See property survey marked "Exhibit 'B'"
See Concept Plan marked "Exhibit 'C'" hereto.
See zoning map of the above-described property marked "Exhibit 'D'" 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 5 July 2018
PASSED ON SECOND READING 16 August 2018
PASSED ON THIRD READING 15 Nov 2018

APPROVED AND SIGNED IN OPEN MEETING

ON THE 15th DAY OF November 20, 18

/s/ David Tomita

MAYOR

ATTEST:

/s/ Janet Jennings

City Recorder

APPROVED AS TO FORM:

/s/ Erick Herrin

City Attorney

"Exhibit 'A'"



PROPERTY DESCRIPTION 15.395 Acre Tract

Located in the 9th Civil District of Washington County, Tennessee and being more particularly described as follows:

BEGINNING at an iron pipe, said iron pipe being the southeastern corner to Lot 6, North Side Subdivision, Block A, said iron pipe also being on the line of Gimcher MJC LLC;

Thence, with Gimcher MJC LLC, South 41 degrees 35 minutes 03 seconds East - 120.32 feet to an iron rod a northwestern corner to Jimmy R. Lewis;

Thence, with Jimmy R. Lewis two courses:

- (1) South 40 degrees 53 minutes 40 seconds East - 288.09 feet to an iron rod;
- (2) North 48 degrees 53 minutes 03 seconds East - 89.99 feet to a point;

Thence, through MJC Development LLC, South 40 degrees 59 minutes 44 seconds East - 769.36 feet to a point on the northern right-of-way of Mockingbird Lane Extension;

Thence, with Mockingbird Lane Extension two courses:

- (1) South 49 degrees 00 minutes 16 seconds West - 100.74 feet to an iron rod;
- (2) Around a curve to the right (having Chord South 24 degrees 39 minutes 33 seconds West - 147.80 feet, Radius 270.00 feet, Delta 31 degrees 46 minutes 10 seconds, Length 149.71 feet) to an iron rod at the terminus of Mockingbird Lane Extension;

Thence, with the terminus of Mockingbird Lane Extension, South 10 degrees 32 minutes 47 seconds West - 60.00 feet to an iron rod in the line of Walker Brothers, GP et al;

Thence, with Walker Brothers, GP et al three courses:

- (1) North 79 degrees 27 minutes 21 seconds West - 100.61 feet to an iron rod;
- (2) Around a curve to the left (having Chord South 83 degrees 21 minutes 19 seconds West - 295.52 feet, Radius 500.00 feet, Delta 34 degrees 22 minutes 38 seconds, Length 303.00 feet) to an iron rod;
- (3) South 66 degrees 10 minutes 00 seconds West - 120.00 feet to an iron rod at the southeastern terminus of Northgate Drive;

Thence, with the terminus of Northgate Drive and continuing with Lots 1 and 2 of North Hills Subdivision, Section 1, Block D and Lot 9 of North Side Subdivision, Section 2, Block B, North 23 degrees 50 minutes 00 seconds West - 432.98 feet to a planted stone on the line of Lot 10 North Side Subdivision, Section 2, Block B;

Thence, with Lot 10 North Side Subdivision, Section 2, Block B, North 48 degrees 44 minutes 59 seconds East - 48.13 feet to an iron rod;

Thence, with Lot 10 and Lot 12 North Side Subdivision, Section 2, Block B, North 35 degrees 37 minutes 42 seconds West - 352.62 feet to an iron rod;

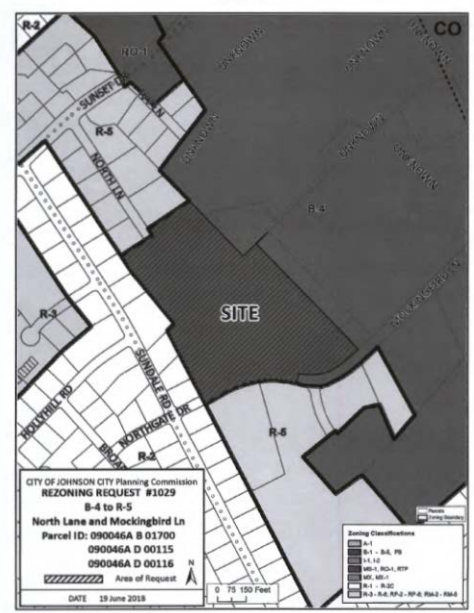
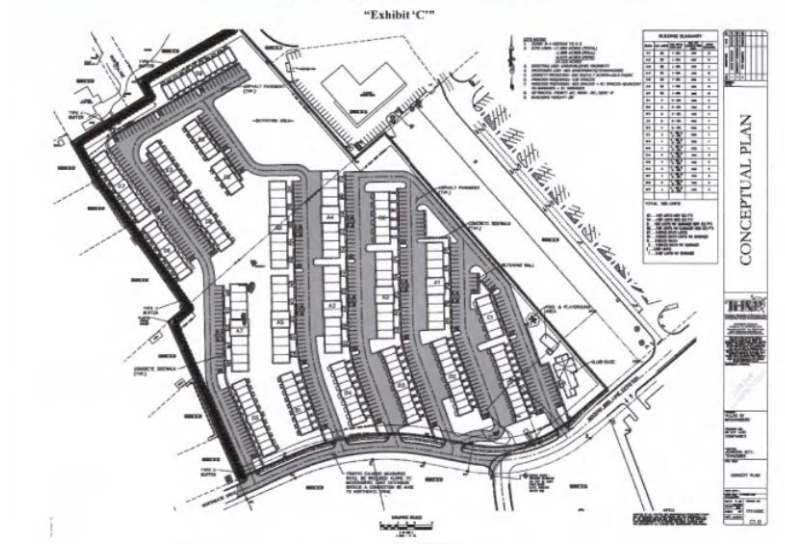
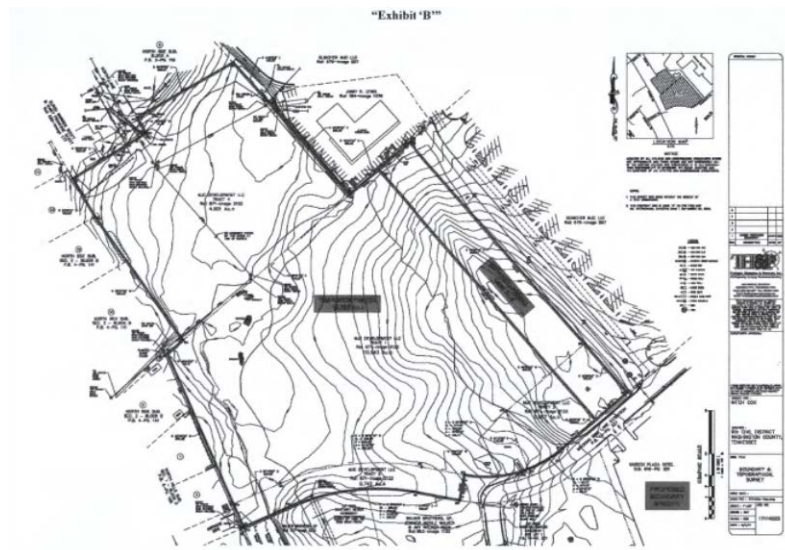
Thence, with Lot 13 North Side Subdivision, Section 2, Block B, North 29 degrees 58 minutes 11 seconds West - 102.68 feet to an iron rod a southwestern corner to Elrod Warren Scott & Mary Francine Scott;

Thence, with Elrod Warren Scott & Mary Francine Scott and continuing with the terminus of North Lane, North 58 degrees 56 minutes 49 seconds East - 202.40 feet to an iron rod;

Thence, with the eastern right-of-way of North Lane, North 30 degrees 04 minutes 24 seconds West - 41.40 feet an iron pipe a southwestern corner to Lot 6, North Side Subdivision, Block A;

Thence, with Lot 6, North Side Subdivision, Block A, North 59 degrees 55 minutes 36 seconds East - 258.21 feet to the BEGINNING.

Containing 15.395 acres, more or less.



Agreement

Upon motion by Vice-Mayor Jenny Brock, 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 an Agreement of Conveyance between the City of Johnson City and R&G Ventures for the Tannery Knob property, be and the same is hereby approved.

Closing
Remarks

At this time, Mayor David Tomita addressed the Commission with his closing remarks as Mayor.

There being no further business or discussion, Mayor David Tomita adjourned the meeting at 6:49 p.m.

/s/ Jenny Brock

JENNY BROCK
VICE-MAYOR

/s/ Janet Jennings

JANET JENNINGS
CITY RECORDER