

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, March 7, 2019.

PRESENT: Mayor Jenny Brock, Vice-Mayor Joe Wise, Commissioners Larry Calhoun, John Hunter and Todd Fowler, Charles Stahl IV, Assistant City Manager, and Janet Jennings, City Recorder.

Mayor Jenny Brock called the meeting to order at 6:01 p.m.

At this time, Pastor Barry Burns, Cornerstone Church, led the invocation, which was followed by the pledge of allegiance.

Materials Agreement Movement

Upon motion by Mayor Jenny Brock, seconded by Vice-Mayor 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 movement of consideration of a materials agreement for the Johnson City Center from Other Business to the Consent Agenda, be and the same is hereby approved.

Addition to Agenda

Upon motion by Vice-Mayor 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 the addition to the agenda of consideration of a beer license application for Deux Ron Inc., d/b/a Play It Again, 1805 North Roan Street, Suite G9, Johnson City, Tennessee, be and the same is hereby approved.

Minutes

Upon motion by Commissioner Todd Fowler, seconded by Commissioner John Hunter, 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, February 21, 2019, be and the same are hereby approved.

Appointment

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 appointment of Preston Mitchell to the Housing & Community Development Advisory Board, be and the same is hereby approved.

Street Closing

Upon motion by Vice-Mayor 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 Thursday, July 25, 2019, to accommodate the Johnson City Public Library Summer Reading block party, be and the same is hereby approved. Julia Turpin, Director of the Johnson City Public Library, was present.



**Johnson City Public Library
Block Party
Thursday, 7/25/2019 6pm-8pm**

Upon motion by Commissioner Todd Fowler, seconded by Commissioner John Hunter, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

Beer License

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a beer license application for Deux Ron Inc., d/b/a Play It Again, 1805 North Roan Street, Suite G9, Johnson City, Tennessee, be and the same is hereby approved. Ron Hensley was present.

Upon motion by Commissioner Todd Fowler, seconded by Commissioner Larry Calhoun, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

Consent Agenda

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Consent Agenda for March 7, 2019, be and the same is hereby approved.

A. GENERAL:

- Contract
 - i. Consider approval of an Audit Contract for the Fiscal Year Ending June 30, 2019 **Finance Department**
- Surplus
 - ii. Consider certain departmental equipment, vehicles and obsolete parts inventory as surplus (Transit, Schools, Communications & Marketing & Fleet Management) **Purchasing Department**
- Amendment
 - iii. Consider approval of an Amendment of Contract in lieu of performance bond for the post-closure financial assurance of the Bowser Ride Landfill **Public Works Department**
- Proposal
 - iv. Consider approval of Schematic Design Proposals with CHA Design & Construction Solutions for sports field development at Winged Deer Park **Parks & Recreation Department**
- Proposal
 - v. Consider approval of Schematic Design Proposals with CHA Design & Construction Solutions for sports field development at Winged Deer Park Lake Front Expansion **Parks & Recreation Department**
- Changes to Project
 - vi. Consider changes to Liberty Bell Middle School project and use of future PEP bond funds as funding source **Administration**

B. INVOICES:

- Invoices
 - i. Vaughn & Melton \$52,020.00
Public Works Department ~ Pay Request #4
Knob Creek Road / CSX Railroad Overpass Project
Funding Source: 80% Federal & 20% General Fund
 - ii. Barge Design Solutions \$30,875.00
Public Works Department ~ Invoice #1679257
Sesquicentennial Project
Funding Source: Capital Fund

- iii. TMI Coatings \$133,000.00
Water & Sewer Services ~ Pay Request #3
Watauga Water Treatment Plant Clarifier Bridge
Funding Source: Budgeted Expense
- iv. Barge Design Solutions \$3,649.12
Water & Sewer Services ~ Invoice #167839
B Date for I-26 Interchange @ Boones Creek Road
Funding Source: Budgeted Expense

C. BIDS

Bids

- i. ITB #6291
Nixon Power Services \$32,847.00
Water & Sewer Services
Emergency Generator
Funding Source: Capital Fund

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
JANUARY 31, 2019 - 2:00 PM
ITB #6291 EMERGENCY GENERATOR
WATER/SEWER SERVICES

Vendor	Unit Price	Proposed Generator	Delivery
Nixon Power Services	<u>\$32,847.00</u>	Yuhler 300KDCGP	17-19 weeks from PO issued
Towers CAT	\$ 42,230.00	CG-4 Engine w/100 KW Alternator	11-15 weeks after approved submittals
Technology International	\$ 47,230.00	CG-4 Engine w/100 KW Alternator	21 weeks ARO
PowerSecure	\$ 48,486.35	Cummins 125kw	14 weeks

Technology International - King Power, Amana, New Environmental, City Electric Supply, Cummins, HI Supply, Imperial Construction Methods, J&L Technologies, John Baughman & Sons, John Generation, Lion's Electric Service, Mission Machinery, Northland, Shultz Electric Company, Tennessee Associated Electric, Water & Sewer Supply

RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE.

Sam Winton
Sam Winton, Water & Sewer Dept

APPROVED BY:
Debra Barber
Director of Purchasing

City Commission 03/07/2019

- ii. ITB #6297
Vermeer Heartland \$178,734.00
Water & Sewer Services
Horizontal Directional Drilling (HDD) Machine
Funding Source: Capital Budget

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
JANUARY 31, 2019 - 2:00 PM
ITB #6297 HORIZONTAL DIRECTIONAL DRILLING MACHINE
WATER/SEWER SERVICES

#	QTY	Description	Vermeer Heartland	Dirch W/5ch
1	1	HDD Machine w/Trailer	\$ 175,195.00	\$ 178,885.00
		Link Proposed:	Vermeer D2002233	DirchW/5ch J730
		Optional Equipment:		
2	1	6" Fluted Rotary Tooth Reamer	\$ 1,963.00	\$ 1,474.32
3	1	8" Fluted Rotary Tooth Reamer	\$ 1,963.00	\$ 1,675.30
		TOTAL:	<u>178,734.00</u>	182,034.62
		Delivery Time Frame:	1 Week	60-90 Days

Beitzel; Ber Environmental Services, CM Equipment, Contractors Machinery Tr-O-Gee, Johnson County Equipment, Home Machines, J&L Equipment, Knapik Equipment, Northland Construction, Taylor, Tennessee Associated Electric, Vermeer Machinery, Vermeer Supply Association, Water & Sewer Supply, Wood Hill

RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE.

Michael Manuel
Michael Manuel, Water & Sewer Dept

APPROVED BY:
Debra Barber
Director of Purchasing

City Commission 03/07/2019

iii. ITB #6302

UWS \$48,240.00

Water & Sewer Services
Large Water Meter Contract

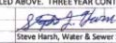
Funding Source: Budgeted Expense

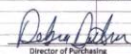
TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
FEBRUARY 7, 2019 - 2:30 PM
ITB #6302 LARGE WATER METER
TESTING SERVICES
WATER/SEWER SERVICES

	M.E. Simpson	UWS	Vanward Utility
Large Water Meter Testing/meter	\$ 395.00	190.00	215.00
Bench Meter Testing/meter			
Up to 1"	\$ 45.00	\$ 75.00	\$ 9.75
Up to 3.5"	\$ 145.00	\$ 125.00	\$ 45.00
Optional:			
Meter repairs: cost/meter (labor only)	\$ 120.00	\$ 300.00	\$ 75.00
Proposed time Schedule:			
Beginning Date	4/1/2019	30 days from date of award	May 2019
Ending Date	10/15/2019	45 days from start date	August 2019
Reporting Date	Within 5 weeks of each replacement for each group of meters to be tested.	Within 5 days of completion	5 Days
Min. # of Meters Required for Contract Renewal	100	1	50

NO BIDDING: AEG Environmental, ATC Group Services, Bar Environmental, Blue Team Remediation, United Safe Solutions, Fresh Environmental Services, O2 Associates, REPACD, Inverchill Consultants, Justice Environmental, Kaffa Hanning PA, Kinley-Horn, Midwestern Environmental Services, Reed Construction, PRMS-Data, The Engineering, I & M, Stevens, Taitelbaum, Trenchard & Associates, UWS, West of the River (WOTR), World Hazard Engineering.

RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. THREE YEAR CONTRACT, RENEWABLE ANNUALLY. ESTIMATED ANNUAL EXPENSE \$ 48,240.


 Steve Marsh, Water & Sewer Services

APPROVED BY:

 Robert Johnson
 Director of Purchasing

City Commission 03/07/2019

Ord. 4683-19
First Reading

Upon motion by Commissioner Todd Fowler, seconded by Commissioner Larry Calhoun, **Ordinance No. 4683-19**, "AN ORDINANCE FOR THE REZONING OF 4721 LAKE PARK DRIVE FROM I-1 (LIGHT INDUSTRIAL) TO B-4 (ARTERIAL BUSINESS DISTRICT)," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes.

Resolution

Upon motion by Commissioner Larry Calhoun, seconded by Commissioner John Hunter, 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 for the Annexation of 111 & 0 Julie Lane, be and the same is hereby approved.

Ord. 4685-19
First Reading

Upon motion by Commissioner Todd Fowler, seconded by Commissioner John Hunter, **Ordinance No. 4685-19**, "AN ORDINANCE FOR THE ZONING DESIGNATION OF R-4 FOR 111 & 0 JULIE LANE," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes.

Plan of
Services

Upon motion by Commissioner Todd Fowler, seconded by Commissioner John Hunter, 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 Plan of Services for 111 & 0 Julie Lane, be and the same is hereby approved.

Upon motion by Commissioner Larry Calhoun, seconded by Commissioner Todd Fowler, **Ordinance No.4682-19**, "AN ORDINANCE TO REZONE PROPERTY LOCATED AT 4835 NORTH ROAN STREET FROM B-4 (PLANNED ARTERIAL BUSINESS DISTRICT) TO RP-3 (PLANNED RESIDENTIAL)," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

Ord. 4682-19
Third Reading

ORDINANCE NO. 4682-19

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 (ARTERIAL BUSINESS) DISTRICT TO RP-3 (PLANNED RESIDENTIAL) DISTRICT A PORTION OF CERTAIN PROPERTY (021 049.01) LOCATED AT 4835 N ROAN ST.

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 I-1 (Light Industrial) District to B-4 (Planned Arterial) District.

See legal property description marked "Exhibit 'A'" hereto
See zoning 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 2-7-19
PASSED ON SECOND READING 2-21-19
PASSED ON THIRD READING 3-7-19

APPROVED AND SIGNED IN OPEN MEETING

ON THE 7th DAY OF March, 2019

/s/ Jenny Brock

MAYOR

ATTEST:

/s/ Janet Jennings

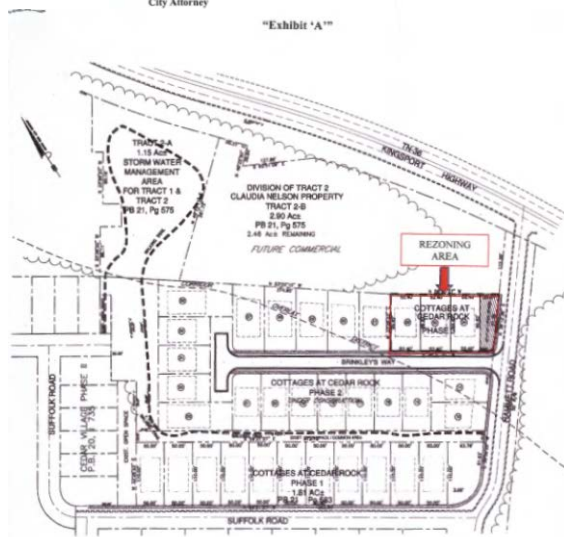
City Recorder

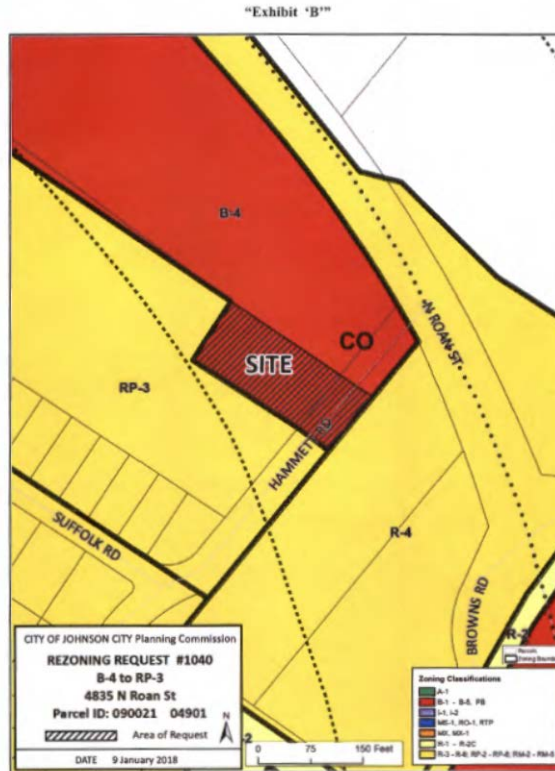
APPROVED AS TO FORM:

/s/ Erick Herrin

City Attorney

"Exhibit 'A'"





Public Hearing

At this time a public hearing was held regarding Ordinance No.4684-19. No one spoke for or against this item.

Ord. 4684-19 Third Reading

Upon motion by, seconded by, Ordinance No.4684-19, "AN ORDINANCE TO REZONE A PARCEL LOCATED AT 220 EAST MILLARD STREET FROM B-3 (SUPPORTING CENTRAL BUSINESS DISTRICT) TO I-1 (LIGHT INDUSTRIAL DISTRICT)," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

ORDINANCE NO. 4684-19

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-3 (SUPPORTING CENTRAL BUSINESS DISTRICT) TO I-1 (LIGHT INDUSTRIAL DISTRICT) CERTAIN PROPERTY (090046M A 03500) LOCATED AT 220 EAST MILLARD STREET.

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-3 (Supporting Central Business District) to I-1 (Light Industrial District).

See zoning map marked "Exhibit A" 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	<u>2-21-19</u>
PASSED ON SECOND READING	<u>3-4-19</u>
PASSED ON THIRD READING	<u>3-7-19</u>



At this time, Phil Pindzola, Public Works Director, gave a Capital Project Update.

Capital Project Update

Upon motion by Commissioner Todd Fowler, seconded by Commissioner Larry Calhoun, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

Approval Modification

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the motion to rescind approval on third reading of Ordinance 4684-19 due to an indicated street address of 122 East Millard Street in the ordinance caption and to approve with a corrected address of 220 East Millard Street, be and the same is hereby approved. It is noted that the tax map identification for this parcel was correct, as well as all packet materials.

Presentation

At this time, Matt Manley from Development Services gave a presentation on Small Cell Facilities.

At this time, the Commissioners gave updates regarding other Boards and Committees on which they respectively serve.

Update from Commissioners

There being no further business or discussion, Mayor Jenny Brock adjourned the meeting at 8:09 p.m.

/s/ Jenny Brock

JENNY BROCK

MAYOR

/s/ Janet Jennings

JANET JENNINGS

CITY RECORDER