

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, January 21, 2016.

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 6:03 p.m.

At this time, Lester Lattany, Pastor, New Jerusalem Baptist Church, gave the invocation, which was followed by the pledge of allegiance.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** as follows: Mayor Clayton Stout and Commissioners Jenny Brock and Jeff Banyas voted aye. Vice-Mayor David Tomita 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 7, 2016, be and the same are hereby approved.

At this time, Gary Mabrey, President/CEO, Chamber of Commerce, introduced Brenda Whitson, Director, Convention & Visitors Bureau, who provided an update on tourism activity.

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 moving up of two (2) agenda items as follows: (1) Consider approval of Facility Lease with Boyd Sports, LLC, for the use of Cardinal Park, and (2) Consider a request from Boyd Sports, LLC, regarding naming sponsorship, be and the same is hereby approved.

At this time, the Commission discussed the proposed Facility Lease Agreement between the City and Boyd Sports, LLC for the use of Cardinal Park. With regard to stadium improvements, Jim Epps, IV and Boyd Sports representatives were instructed to work on contract language changes and present those for consideration later in the meeting.

At this time Bob Swanay, Director, Johnson City Public Library, Roger Blakely, Director, Parks and Recreation Department, and Chief Mark Sirois, Police Department, made Dashboard presentations.

At this time, with regard to the previously discussed Cardinal Park Lease Agreement, Jim Epps, IV, presented a language change to provide that the City would not be obligated to make Park improvements greater than \$5,000.00 except for the improvements outlined in Addendum B.

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 a Facility Lease with Boyd Sports, LLC, for the use of Cardinal Park, amended to add the sentence at the end of section 2. a. "Except for the improvements outlined in Addendum B, the Lessor may but shall not be obligated to make any improvements over and above Five Thousand Dollars (\$5,000.00)" be and the same is hereby approved.

Upon motion by Commissioner Ralph Van Brocklin, 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 request from Boyd Sports, LLC, for the stadium at Cardinal Park to be named "TVA Credit Union Stadium" as part of a sponsorship agreement, be and the same is hereby approved.

At this time, Eldonna Janutolo, Director, made the Transit Department Dashboard presentation.

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

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 Consent Agenda for January 21, 2016, be and the same is hereby approved.

CONSENT AGENDA:

A. GENERAL:

i. Police Department

Consider a Memorandum of Understanding between East Tennessee State University Department of Public Safety and the Johnson City Police Department

ii. **Finance Department**

Consider Appointment of Financial Advisor

iii. **Water & Sewer Services**

Consider a Materials Agreement for Garland Farms Phase IV in the amount of \$80,322.21

iv. **Water & Sewer Services**

Consider a Supplemental Funds Posting for the SR 36 Utility Relocation for TDOT Sewer Utility Contract 7619 & TDOT Water Utility Contract 7620 in the amount of \$15,937.31

B. INVOICES:

i. Beeson, Lusk & Street \$10,847.20

Finance Department

Architectural Services: Kermit Tipton New Field House

Funding Source: Loan Proceeds

ii. CDM Smith \$32,970.50

Water & Sewer Services

Brush Creek & Knob Creek WWTP Improvements

Funding Source: Bond Funded

iii. Hazen & Sawyer \$16,154.75

Water & Sewer Services

Lower Brush Creek Sanitary Sewer Interceptor Replacement

Funding Source: Bond Funded

iv. Tank Industry Consultants \$3,334.04

Water & Sewer Services ~ Work Order #34

Eastman Standpipe Rehab

Funding Source: Budgeted Expense

v. Tank Industry Consultants \$8,392.50

Water & Sewer Services ~ Work Order #35

Unicoi Ground Storage Tank Rehab
 Funding Source: Budgeted Expense

vi. Wiedeman & Singleton \$5,447.22

Water & Sewer Services ~ Task Order #8
 Watauga Water Plant Hypochlorite Disinfection Conversion
 Funding Source: Bond Funded

vii. Tysinger, Hampton & Partners \$2,450.00

Water & Sewer Services ~ Work Order #4
 Austin Springs Road Waterline Upgrade
 Funding Source: Budgeted Expense

viii. Westin Engineering \$15,352.50

Water & Sewer Services
 Master Technology Plan
 Funding Source: Budgeted Expense

ix. Mattern & Craig \$10,147.77

Public Works Department
 CEI Services: Traffic Signalization Project
 Funding Source: 100% STP Funding

x. Stansell Electric \$261,796.40

Public Works Department ~ Pay Request #6
 Traffic Signalization Project
 Funding Source: 100% Federal Funding

xi. Trademark of VA \$137,218.13

Public Works Department ~ Pay Request #10
 Farmers Market Project
 Funding Source: TIF & General Fund

xii. Burleson Construction \$1,444.40

Public Works Department
 Farmers Market Project

Funding Source: TIF & Capital Account

- xiii. Barge Waggoner Sumner & Cannon \$4,029.00

Public Works Department

Downtown Plaza Master Plan

Funding Source: Storm Water Fund

- xiv. LDA Engineering \$14,150.00

Public Works Department ~ Design & Permitting Services for
UHaul, King Creek Basin & Kelly Foods

Funding Source: Storm Water Fund

- xv. Shaw & Shanks Architects \$39,613.60

Administration

Freedom Hall Additions/Renovations

Funding Source: Bond Funded

- xvi. Mechanical Design Services \$16,086.20

Administration

Freedom Hall HVAC Project

Funding Source: Bond Funded

- xvii. Henley Roofing Company \$60,420.00

Administration

Re-roofing of the Old JC Penney's Building

(Portion of the Hands! On Regional Museum

Funding Source: Budgeted Expense

C. BIDS

i. ITB #6002

Public Works Equipment & Supply Inc. \$161,657.00

Public Work Department ~ Storm Water Division

Asphalt Patch Truck

Funding Source: Capital Equipment Fund

TABULATION OF BIDS

CITY OF JOHNSON CITY, TENNESSEE

DECEMBER 15, 2015 - 1:30 PM

ITB #6002 SINGLE AXLE TRUCK CHASSIS

W/ ASPHALT PATCH MACHINE

Vendor	Single Axle Truck w/ Patch Machine	Make/Model Chassis	Make/Model Patch Machine
Triad Freightliner	\$ 162,163.00	2017 Freightliner M2 106	PB Model AC-4
Public Works Equipment & Supply	\$ 161,657.00*	2017 International/7400 SBA (6x2)	Pro Patch/H.D. industries LUM 425 80 DHE
Public Works Equipment & Supply -Alt #1	\$ 159,212.00*	Freightliner M2-106, 2016	Pro Patch/H.D. industries TCM 425 80 DHE
Public Works Equipment & Supply -Alt #2	\$ 169,262.00	Kenworth Model T370	Pro Patch/H.D. industries TCM 425 80 DHE

*doesn't meet specs

Dislike: Worldwide Equipment

No Response: Forestry Equipment of VA, Equipment Technology, Mid-Stage Equipment, CMI Equipment Sales, Walker Chevrolet, Magic City Ford, Municipal Equipment, Volunteer Volvo, Cavalier Equipment, Goodpasture Motor, Randy Marion, Special Fleet Service, O.G. Hughes & Sons, NAFECO, Nichols Fleet Equipment, Altac Industries, Michely Whaley Motor, MHC Kenworth Whiteside Chevrolet, Advanced Containment Systems, Waaf Ford, Jicky Jones Central Fleet Sales, Rick Hendrick Chevrolet, Landmark International Trucks, Palfleet Truck Equipment, Ford of Murfreesboro, Acme Auto Leasing, Power Line Rent-E-Quip

RECOMMEND ACCEPTANCE OF LOW BID, MEETING SPECIFICATIONS. CIRCLED ABOVE.

ii. **ITB #6004**

Various Vendors \$172,556.22

Water & Sewer Services

Water Distribution Items

Funding Source: Budgeted Expense

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 DECEMBER 17, 2015 - 1: 30 PM
 ITB #6004 WATER DISTRIBUTION ITEMS
 WATER/SEWER

ITEM	QTY.	DESCRIPTION	Walter A. Wood	Southern Pipe	GM&S	Ferguson	HD Supply	Consolidated	G&C	Empire
1	5 ea	Reed Drill Tap's, No Substitutions: 1/2" Catalog# DT75	115.75	x	142.00	149.61	x	132.99	116.00	x
2	5 ea	2" Catalog# DT100	146.50	x	188.00	283.76	x	176.55	166.91	x
3	5 ea	1-7/8" Mueller bit	x	x	x	x	353.92	346.48	x	x
4	100 ea	8"	70.00	x	x	64.62	67.62	60.45	63.89	x
5	100 ea	12"	116.40	x	x	106.11	111.03	99.27	104.91	x
6	50 ea	16"	275.00	x	x	252.46	264.14	236.17	248.90	x
7	40 ea	Jumbo Meter Box w/CI reader lid Copper Water Service Tubing	126.75	93.67	110.00	99.98	93.27	94.85	118.00	x
8	12000 ft	1/2"	2.00	2.54	4.20	2.16	2.05	2.06	2.10	1.92
9	9000 ft	1"	2.62	3.42	5.45	2.82	2.67	2.69	2.68	2.48
10	100 ea	Traffic Rated Manhole Frame and Covers Frame base: 8" x26" & 1/2" bolt holes	x	187.18	128.00	174.00	187.82	188.30	x	x
11	50 ea	Frame base: 4" x26" & 3/4" bolt holes	x	187.18	142.00	165.00	187.82	188.30	x	x
12	25 ea	Cover that fits 26" frame Following Brass Items	x	75.50	87.00	71.00	75.13	75.24	x	x
13	100 ea	1/2" x 4" brass nipple	3.05	2.94	3.90	3.15	2.93	3.50	2.94	x
14	50 ea	2" x 4" brass nipple	10.00	9.70	12.70	10.30	9.58	11.44	9.49	x
15	50 ea	2" x 6" brass nipple	14.80	14.21	18.76	15.20	14.14	16.89	14.12	x
16	50 ea	2" x 8" brass nipple	19.75	18.55	25.00	20.27	18.86	22.52	18.85	x
17	50 ea	2" x 10" brass nipple	24.45	23.45	31.40	25.11	23.36	28.23	23.40	x
18	25 ea	2" threaded ball valve 250 psi	49.40	33.65	42.30	46.40	x	37.80	39.75	x
19	120 ea	2" brass IP threaded 90 bend	26.85	14.95	20.00	15.21	14.89	17.95	14.89	x
20	200 ea	1/2" curb stop IP X CT5 pack joint	46.11	41.28	53.00	41.49	41.29	41.39	41.12	x
21	200 ea	5/8" x 1/2" line setter	76.16	65.93	99.80	65.92	65.93	67.30	65.46	x
22	50 ea	1" line setter	135.00	116.71	175.00	116.71	116.71	119.25	115.88	x
23	75 ea	5/8" Straight Meter coupling Full circle patch clamps:	6.56	6.10	7.60	6.10	6.28	6.05	6.09	x

ITEM	QTY.	DESCRIPTION	Walter A. Wood	Southern Pipe	CVIC	Ferguson	HD Supply	Consolidated	S&C	Empire
24	400 ea	1/4 x 3" clamp, range 1.05"	9.56	3.51	15.60	1.51	3.55	7.65	10.25	x
25	270 ea	2" x 12.5" clamp, range 2.35"-2.63"	53.15	45.93	73.00	46.00	45.79	43.99	45.48	x
26	20 ea	4" x 12" 4.45" - 4.73" range	66.48	53.45	92.00	53.56	53.29	57.23	53.80	x
27	144 ea	6" x 12.5" clamp, range 6.84" - 7.24"	79.85	69.44	111.00	69.22	69.23	64.09	69.21	x
28	30 ea	6" x 12.5" clamp, range 6.55" - 6.96" Mechanical Joint Ductile Iron Fittings:	79.85	68.17	111.00	68.30	67.96	64.09	68.24	x
29	200 ea	4" wedge container glands	21.45	19.27	31.50	19.17	19.08	25.15	19.79	x
30	200 ea	8" wedge container glands	36.15	32.43	53.40	32.26	32.11	41.65	32.95	x
31	10 ea	5" MI 45 bend	38.22	38.55	53.70	39.20	34.95	39.20	42.50	x
32	15 ea	8 MI 90 bend	68.64	69.30	95.50	70.40	61.69	70.40	74.00	x
33	2 ea	4" x 3" MJ reducer	24.18	24.50	34.00	24.80	21.76	24.80	29.00	x
34	2 ea	6" x 4" MJ reducer	27.30	27.65	38.40	28.00	24.54	28.00	38.00	x
35	2 ea	8" x 4" MJ reducer	37.44	37.80	52.60	38.40	33.65	38.40	48.00	x
<p>x = No Bid</p> <p>3rd Street: Valley Equipment Company, Fermatle, Island Company, Summers Hardware & Supply, Jefferson Ave., Kestoras Squared, Johnson Supply, John Knuchard & Sons, Graybar Electric, Hayes Pipe Supply, U.S. Pipe & Foundry Company, Public Drainage, Neesh Foundry, J.A. Hoe & Sons, Welbrook Plastic, Industrial Plastic Works, Griffin Pipe Products, Line Enterprises, Georgia Underground, Air and Hydraulic Equipment</p> <p>Asquith Fiberglass, Southern Fluidpower, John Derr Landscapes, Tic Utilities, Greenlancers, Modern Supply, WSDCO, (Ekin Thaw, Equipment Sales & Service, Coleman Enterprises, McClunton Redman</p> <p>P-M Tube & Spoolables, Durcan Mechanical, American Mechanical, General Utility Pipe & Supply, Applied Industrial Technologies, Fortline Waterworks, Straight Iron Distributing, B&B Environmental</p>										
<p>RECOMMEND ACCEPTANCE OF LOW BIDS, CIRCLED ABOVE. TOTAL COST-\$172,556.22</p>										

iii. **ITB #6006**

GovConnection \$255,572.00

Johnson City Schools

Dell Minitower Computers Contract

Funding Source: General Purpose School Technology Funds

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 JANUARY 5, 2016 - 2:00 PM
 ITB #6006 DELL MINITOWER COMPUTERS CONTRACT
 JOHNSON CITY SCHOOLS

Vendor	Unit price (400 qty)				
GovConnection	\$ 638.93				
Direct Technology Group	\$ 650.00				
Saltech Inc.	\$ 670.47				
OM Office Supply	\$ 694.75				
TUC Technologies	\$ 701.00				
Aprisa Technology	\$ 708.00				
Unistar-Sparco Computers	\$ 714.80				
SOS Computers	\$ 715.97				
US Pan American Solutions	\$ 716.17				
JW Affinity	\$ 721.82				
AITA Consulting Services	\$ 724.91				
Howard Industries	\$ 732.00				
Trinity3 Technology	\$ 735.00				
AITA Consulting Services #2	\$ 741.39				
En Pointe Technologies	\$ 745.49				
<i>Decline: Central Technologies</i>					
<i>No Response: Southern Computer Warehouse, Networking and Computers, Business Computer Center, STM, Advanced Public Safety, Staples, American M</i>					
<i>Personal Computer Systems, BIS, InfoSystems, CDW, Lenovo, pcQuest, Saratoga, Mason Development, Digital Connections, Core BT5, Stratagen, Insight P</i>					
<i>Core Education Technology, PC Mall Gov, United Data Technologies, Copoint Networks, Spacebound, Ritoh, Virtacom, Black Rock Technology, MSA System</i>					
<i>Lumenos Technology, Mid-Atlantic Data Systems, Computer Systems Plus, Low Markup, Strictly Technology, Barbarian USA, PC Net, Mittech Technology, J</i>					
<i>Central Technologies, Arklay Construction, Rama Computer Technology, Dynamic Recycling, Tri State Camera, E-Logic, School Tech Supply, Katek Solution</i>					
<i>Lee Investment Solutions, Integrated Office Solutions, Conntread</i>					
RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. ONE YEAR CONTRACT, BASED ON UNIT PRICES.					
ESTIMATED ANNUAL COST: \$ 255,572					

D. PROPOSALS

i. RFP #5894

Internetwork Engineering \$82,270.21
Johnson City Schools
Wireless Equipment & Installation @ Five-(5) Schools
Funding Source: General Purpose School Technology Funds

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Jeff Banyas, **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 HEREWITH," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

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 HEREWITH.

BE IT ORDAINED BY THE CITY OF JOHNSON CITY as follows:

SECTION I. That Section 15-1406 of the Code of the City of Johnson City, Tennessee, be amended by revising it as follows:

The original Section 15-1406 read as follows:

15-1406. Abatement and removal by city. If the vehicle is not disposed of after the time provided for in the notice, the manager shall report the location of such vehicle to the police department. The police department or a wrecker company designated by it shall then remove such vehicle or cause it to be removed to the city garage. At the time that the vehicle is removed by the police department or the wrecker company, a tow-in ticket shall be completed by the person towing such vehicle to such garage in the presence of the manager, in triplicate.

The new Section 15-1406, as amended, is substituted as follows:

15-1406. Abatement and removal by city. If the vehicle is not disposed of after the time provided for in the notice, the manager shall report the location of such vehicle to the police department. The police department or a wrecker company designated by it shall then remove such vehicle or cause it to be removed to the wrecker company storage lot. At the time that the vehicle is removed by the police department or the wrecker company, a tow-in ticket shall be completed by the person towing such vehicle to such garage. In the case of a vehicle parked on private property, the manager or his designee shall cause to be served a citation and summons issued by the Municipal Court upon the owner of the vehicle and the owner of the real property where the vehicle is located. If the owner of the vehicle or the owner of the real property cannot be located or identified in the course of due diligence, an affidavit by the manager or his designee stating the efforts to locate and identify the owner of the vehicle or the owner of the real property, as the case may be, shall be submitted to the Municipal Court to show the efforts to provide notice. The Municipal Judge shall be authorized pursuant to T.C.A. §55-5-

122 to order the police department to remove a vehicle from private property when the manager or his designee shows that the vehicle is in violation of this chapter and that notice has been given or that due diligence to provide notice has been satisfactorily shown.

SECTION II. BE IT FURTHER ORDAINED that all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION III. BE IT FURTHER ORDAINED that this ordinance shall take effect upon third and final reading, and publication, as required by law, the public welfare requiring it.

PASSED IN OPEN, PUBLIC MEETING ON
THE FIRST READING 12/17/2015
PASSED IN OPEN, PUBLIC MEETING ON
THE SECOND READING 1/07/2016
PASSED IN OPEN, PUBLIC MEETING ON
THE THIRD READING 1/21/2016

APPROVED AND SIGNED IN OPEN MEETING
ON THE 21st DAY OF January, 2016
FOLLOWING PASSAGE ON THIRD READING.

/s/ Clayton Stout
MAYOR

ATTEST:

/s/ Janet Jennings
CITY RECORDER

APPROVED AS TO FORM:

/s/ James H. Epps, IV
STAFF ATTORNEY

At this time, City Manager Pete Peterson presented a De-annexation Report. The City Commission directed City Staff to get a complete audit of the Suncrest Annexation property owners to determine an accurate count of voters wishing to be de-annexed.

Upon motion by Commissioner Ralph Van Brocklin, 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 instruction to City Staff to develop an ordinance that provides for City Commission de-annexation of select portions of the Suncrest Annexation of 2012 and that this ordinance be available for first reading at the February 4, 2016 City Commission meeting, be and the same is hereby approved.

At this time, City Manager Pete Peterson presented the City Manager's Report.

At this time, Commissioner Jeff Banyas requesting staff to look into naming rights at City facilities with the City retaining the funds.

There being no further business or discussion, Mayor Clayton Stout adjourned the meeting at 8:32 p.m.

CLAYTON STOUT
MAYOR

JANET JENNINGS
CITY RECORDER

ITEMS DEFERRED:

1. None.

ACTION ITEMS:

1. The City Commission directed City Staff to get a complete audit of the Suncrest Annexation property owners to determine an accurate count of voters wishing to be de-annexed.
2. Commissioner Jeff Banyas requesting staff to look into naming rights at City facilities with the City retaining the funds.
3. Instruction to City Staff to develop an ordinance that provides for City Commission de-annexation of select portions of the Suncrest Annexation of 2012 and that this ordinance be available for first reading at the February 4, 2016 City Commission meeting.