

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 5, 2015.

PRESENT: Mayor Ralph Van Brocklin, Vice-Mayor Clayton Stout, Commissioners Jeff Banyas, Jenny Brock and David Tomita, Pete Peterson, City Manager, and Janet Jennings, City Recorder.

Mayor Ralph Van Brocklin called the meeting to order at 6:01 p.m.

At this time, Pastor Mike Cummings, Greater Love Church of God In Christ, gave the invocation, which was followed by the pledge of allegiance.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by four ayes. Mayor Ralph Van Brocklin abstained from the vote. 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 19, 2015, be and the same are hereby approved.

At this time, Becky Haas, TCCRP (Targeted Community Crime Reduction Project) Director, introduced Dr. Kelly Foster, Director, East Tennessee State University (ETSU) Applied Social Research Lab. Dr. Foster made a presentation regarding the outcome of the TCCRP survey conducted in October 2014 on "Attitudes and Opinions of the Residents and Businesses in the TCCRP Target Area".

At this time, Mayor Ralph Van Brocklin opened the public input session. No one spoke.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner 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 a beer license for Tri Star South, LLC, d/b/a Cheddars, 3000 Franklin Terrace, Johnson City, Tennessee, be and the same is hereby approved. Jon Long, General Manager, was present.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner David Tomita abstained from the vote. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the pulling of Consent Agenda Item A.3., Retainage Escrow Account Agreement with Trademark of Virginia and First Tennessee Bank, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner David Tomita abstained from the vote. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Retainage Escrow Account Agreement with Trademark of Virginia and First Tennessee Bank, be and the same is hereby approved.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, 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 remainder of the Consent Agenda for March 5, 2015, be and the same is hereby approved.

CONSENT AGENDA:

A. GENERAL:

i. Senior Services Department

Review and Approval of FTDD Area Agency on Aging and Disability annual project award application

ii. Finance Department

Consider the FY2015 Audit Contract with Blackburn, Childers & Stegall in the amount of \$182,500

iii. Finance Department

Consider construction retainage escrow account agreement with Trademark of Virginia, Inc. and First Tennessee Bank

iv. Legal Department

Consider Amendment No. 1 to Agreement for Sale of Real Property with Coalyard Restoration, LLC

v. Public Works Department

Consider a counteroffer for Tract 17 on the Indian Ridge /State of Franklin Road Project for an increase of \$2,350 with the final monetary offer of \$20,850

vi. **Public Works Department**

Consider a counteroffer for Tract 23 on the Indian Ridge / State of Franklin Road Project for an increase of \$400 with the final monetary offer of \$4,400

vii. **Public Works Department**

Consider Amendment No. 1 from Gresham, Smith & Partners on the ITS Project for CEI Services for an increase of \$26,000

viii. **Public Works Department**

Consider Change Order #3 from Stansell Electric on the ITS Project for a 38 day time extension and a cost decrease

ix. **Public Works Department**

Consider approval of emergency purchase for 1,000 tons of salt

B. INVOICES:

i. Stansell Electric \$285,363.70

Public Works Department ~ **FINAL PAYMENT**

ITS Project

Funding Source: Capital Projects

ii. Mattern & Craig \$1,370.00

Public Works Department

VA Access Road

Funding Source: HPP & 20% Local Funds

iii. Gresham Smith & Partners \$539.36

Public Works Department

Indian Ridge Road Improvements

Funding Source: STP Funds

- iv. Volkert \$1,165.05
 Public Works Department
 Browns Mill Road with Mountainview Road Project
 Funding Source: STP Funding

- v. Wiedeman & Singleton \$34,777.00
 Water & Sewer Services ~ Task Order #8
 Watauga Plant Hypochlorite Disinfection Conversion
 Funding Source: Bond Funded

C. BIDS:

- i. ITB #5847
 Stansell Electric \$1,631,229.70
 Public Works Department ~ Traffic Division
 Signalization of 10 Intersections
 Funding Source: Federal Funds

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 NOVEMBER 25, 2014
 ITB #5847 -PW/TRAFFIC
TRAFFIC SIGNAL INSTALLATION AND UPGRADE PROJECT

	<u>Total</u>
Davis H. Elliot Company	\$ 1,651,402.75
Stansell Electric	\$ 1,631,229.70
Decline:	
No Response: TraStar Inc.	

RECOMMEND ACCEPTANCE OF THE LOW BID, CIRCLED ABOVE.

ii. ITB #5896

Consolidated Pipe \$208,086.00

Water & Sewer Services ~ Fire Hydrant Contract

Funding Source: Budgeted Expense

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 FEBRUARY 17, 2015
 BID # 5896 - WATER/SEWER
 FIRE HYDRANT CONTRACT

Complete	QTY	Southern Pipe Unit Cost	Waller A. Wood Unit Cost	C.I. Thornburg Unit Cost	CMC Supply Unit Cost	Ferguson Unit Cost	G&C Supply Unit Cost	Consolidated Pipe Unit Cost	HD Supply Unit Cost
Fire Hydrants:									
2 1/2 ft	12	1,194.37	1,180.00	1,675.00	1,316.40	1,492.89	1,184.00	1,146.00	1,231.82
3 ft	12	1,217.70	1,203.00	1,710.00	1,351.29	1,492.89	1,208.00	1,169.00	1,256.17
3 1/2 ft	18	1,240.74	1,227.00	1,745.00	1,386.00	1,521.75	1,232.00	1,192.00	1,280.60
4 ft	18	1,264.06	1,250.00	1,775.00	1,419.00	1,551.27	1,255.00	1,215.00	1,305.06
4 1/2 ft	18	1,287.40	1,272.00	1,810.00	1,452.00	1,580.30	1,278.00	1,237.00	1,329.45
5 ft	6	1,310.73	1,297.00	1,845.00	1,485.00	1,608.84	1,302.00	1,260.00	1,353.85
5 1/2 ft	6	1,334.05	1,320.00	1,875.00	1,515.81	1,638.36	1,325.00	1,283.00	1,378.35
6 ft	6	1,357.09	1,344.00	1,910.00	1,551.00	1,667.38	1,349.00	1,306.00	1,402.73
Replacement									
Fire Hydrants:									
2 1/2 ft	6	1,384.77	1,379.00	x	x	x	1,385.00	1,345.00	x
3 ft	12	1,361.05	1,346.00	x	x	x	1,351.00	1,312.00	1,812.28
3 1/2 ft	12	1,385.66	1,380.00	x	x	x	1,386.00	1,345.00	1,858.48
4 ft	12	1,415.50	1,410.00	x	x	x	1,416.00	1,374.00	1,898.65
4 1/2 ft	6	1,453.09	1,448.00	x	x	x	1,453.00	1,411.00	1,949.08
5 ft	6	1,490.68	1,485.00	x	x	x	1,491.00	1,447.00	1,999.47
5 1/2 ft	6	1,528.27	1,522.00	x	x	x	1,529.00	1,484.00	2,049.90
6 ft	6	1,565.87	1,560.00	x	x	x	1,566.00	1,521.00	2,100.30
x= no bid									
Decline From: Kennedy Valve									
No Response From: Mueller Company, Fisher Safety, Hydraflo, Hayes Pipe Supply, Accurate Safety Distributors, Premier Fire, The Remi Group, Southeastern Apparatus, Hagelmayr, North America, Heritage Fire Equipment, New England Fire & Safety									
RECOMMEND ACCEPTANCE OF LOW BIDS, CIRCLED ABOVE. ESTIMATED ANNUAL COST: \$208,086. THREE YEAR CONTRACT, RENEWABLE ANNUALLY, BASED ON ABOVE UNIT PRICES.									

iii. ITB #5897

H D Supply Waterworks \$745,855.00

Water & Sewer Services ~ Ductile Iron Pipe Contract

Funding Source: Budgeted Expense

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 FEBRUARY 17, 2015
 BID # 5897 - WATER/SEWER
 DUCTILE IRON PIPE CONTRACT

			Ferguson Enterprises	Southern Pipe	Walter A. Wood	CMC Supply	Consolidated Pipe	HD Supply Waterworks
Item #	WATER PIPE	QTY	Unit Cost	Unit Cost	Unit Cost	Unit Cost	Unit Cost	Unit Cost
1	6" slip joint	6,500	11.09	9.82	9.85	11.05	10.84	9.77
2	8" slip joint	20,000	14.79	12.78	12.80	13.908	13.64	12.72
3	10" slip joint	1,000	19.02	17.14	17.20	18.235	17.88	17.05
4	12" slip joint	8,000	24.41	21.48	21.55	23.092	22.64	21.38
5	16" slip joint	5,000	39.33	34.55	34.70	37.082	36.35	34.38
6	4" slip joint	1,000	14.07	12.79	12.85	14.918	14.63	12.73
	SEWER PIPE							
7	6" slip joint	500	25.39	18.22	18.30	20.49	20.09	18.14
8	8" slip joint	2,000	32.51	23.20	23.30	26.02	25.51	23.08
	Total		870,620.00	749,460.00	751,725.00	815,569.00	799,705.00	745,855.00
Decline From: H2/Oca								
No Response From: G&C Supply Co, Noland Co, Empire Pipe and Supply, Hayes Pipe, U.S. Pipe & Foundry, Public Drainage Supply, Holbrook Plastic, John Deere Landscapes, C.I. Thorburg, Modern Supply Co, Duncan Mechanical, Process Supply, CMC Supply, American Mechanical, Empire Pipe & Supply Co, Fortline Waterworks								
RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. ESTIMATED ANNUAL COST: \$745,855. THREE YEAR CONTRACT, RENEWABLE ANNUALLY, BASED ON ABOVE UNIT PRICES.								

iv. ITB #5898

Southern Pipe & Consolidated Pipe \$185,060.85

Water & Sewer Services ~ Water Distribution Valves Contract

Funding Source: Budgeted Expense

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
FEBRUARY 17, 2015
BID # 5898 - WATER/SEWER
Water Distribution Valves

	QTY	HD Supply Unit Cost	Consolidated Pipe Unit Cost	Walter A. Wood* Unit Cost	CMC Supply Inc.* Unit Cost	Southern Pipe Unit Cost	Ferguson Enterprises Unit Cost	C.I. Thornburg Unit Cost
MJ Resilient Seated Gate Valves								
3"	10	337.02	302.00	273.84	282.20	284.08	355.00	407.00
4"	20	380.21	338.00	306.00	315.00	324.92	401.54	465.00
6"	60	486.03	431.00	390.48	402.16	420.67	515.00	603.00
8"	20	761.03	687.00	621.94	639.96	654.38	802.96	938.00
10"	10	1,182.13	1,072.00	969.78	988.00	1,017.15	1,246.85	1,457.00
12"	10	1,484.31	1,356.00	1,227.14	1,263.00	1,285.65	1,564.41	1,842.00
Resilient Seated Tapping Valves								
4"	10	461.66	426.00	386.03	397.30	405.87	486.03	582.00
6"	30	650.73	602.00	548.12	560.88	562.45	665.59	807.00
8"	20	961.05	894.00	809.74	833.10	834.07	1,005.72	1,197.00
10"	5	1,448.04	1,349.00	1,220.61	1,256.00	1,249.03	1,412.64	1,791.00
12"	5	2,175.08	2,038.00	1,843.85	1,897.00	1,909.12	2,288.96	2,737.00
2" Screw Type Resilient Seated Gate Valve	150	217.66	184.00	193.25	192.35	182.07	228.89	267.00
Flanged End Resilient Seated Gate Valves:								
3"	10	324.13	272.00	259.90	279.50	277.30	342.56	387.00
4"	10	385.14	304.00	292.10	312.30	314.00	388.49	432.00
6"	10	488.93	407.00	390.40	417.22	419.05	522.54	578.00
8"	10	756.34	650.00	610.15	653.00	651.19	804.23	903.00
10"	6	1,211.63	1,012.00	969.75	1,036.00	1,042.74	1,291.69	1,433.00
				*N/A	*N/A			plus fit
Bidder From: Kennedy Valve, Hajoce Corporation, Cox Mechanical								
No Response From: G&C Supply, Johnson Sales, Masler Company, PlumbMaster, A.Y. McDonald, Hayes Pipe Supply, U.S. Pipe & Foundry, Holbrook Plastic PPE Supply, Industrial Plastic Works, Modern Supply Co, American Mechanical Contractor								
RECOMMEND ACCEPTANCE OF LOWEST ACCEPTABLE BIDS, CIRCLED ABOVE. ESTIMATED ANNUAL COST: \$185,060.85. THREE YEAR CONTRACT, RENEWABLE ANNUALLY, BASED ON ABOVE UNIT PRICES.								

v. ITB #5899

JCI Jones \$51,350.00

Water & Sewer Services ~ Hypochlorite

Funding Source: Budgeted Expense

**TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
February 17, 2015
BID #5899 – WASTEWATER
SODIUM HYPOCHLORITE**

	<u>65,000 gals</u> (/gal)
Brenntag Mid-South	\$ 0.850
JCI Jones	\$ 0.790
Allied Universal	\$ 0.890
Univar USA	\$ 0.985

No Bid From: GEO Specialty Chemicals, Sterling Water Technologies, American Development Corp

No Response: Kemiron Companies, DPC Enterprises, Jefferson Sales, General Chemical Performance Products, Gulbrandsen Technologies, ATCO International, Hill Manufacturing, Pool & Electrical Products, The Dumont Company, PICA USA, Mornar, Scientific Sales, S4 Water Sales & Services, Industrial Chemicals, HD Supply Facilities Maintenance (USA Bluebook), USALCO, BAR Environmental, Chemtrade Chemicals

**RECOMMEND ACCEPTANCE OF LOW BID, AS CIRCLED ABOVE. ESTIMATED ANNUAL COST
\$ 51,350. THREE YEAR CONTRACT, RENEWABLE ANNUALLY.**

vi. ITB #5904

Various Vendors \$61,530.55

Water & Sewer Services ~ Water Distribution Items

Funding Source: Budgeted Expense

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
FEBRUARY 20, 2015
BID # 5904 - WATER/SEWER
WATER DISTRIBUTION ITEMS

		Southern Pipe	Water A. Wood	C.I. Thornburn	Ferguson Enterprise	CMC Supply	Empire Pipe	G&C Supply	Consolidated Pipe	MO Waterworks
	QTY	Unit Cost	Unit Cost	Unit Cost	Unit Cost	Unit Cost	Unit Cost	Unit Cost	Unit Cost	Unit Cost
Gripper Gaskets										
1. 8" Gripper Gaskets for McWaune Pipe	50	50.90*	70.00	x	71.22	95.24	x	67.96	72.00	71.90
Meter Boxes										
2. 12" Deep Square	600	14.85	17.00	x	15.25	32.69	x	30.50	14.00	31.47
3. 6" Riser for 12" Deep Square	100	7.35	10.10	x	7.81	10.05	x	25.25	9.00	10.70
4. Jumbo Meter Box	40	93.67	120.45	295.00	119.00	x	x	107.00	94.00	125.75
Threaded Brass Fittings										
5. 1" Comp Stop w/ Compression Outlet	150	35.29	37.60	36.70	35.40	49.93	x	34.47	36.50	37.99
6. 2" Brass 45 Bend	75	16.55	16.43	21.00	15.77	21.99	x	17.66	19.00	15.97
7. 2" Brass Threaded Coupling	250	14.62	12.67	15.00	12.35	17.09	x	13.84	14.75	12.41
8. 2" X 4" Brass Nipple	100	10.40	9.52	12.50	9.98	11.92	x	11.35	11.25	9.56
9. 2" X 6" Brass Nipple	100	15.50	14.06	17.50	14.73	17.60	x	16.77	16.00	14.12
10. 2" X 8" Brass Nipple	100	20.85	18.73	23.50	19.65	25.01	x	22.36	21.10	18.83
11. 2" X 12" Brass Nipple	250	29.85	27.70	33.00	29.03	34.67	x	33.04	31.15	27.80
Fabricated tapping sleeves for D.I. Pipe										
12. 6" x 6"	15	244.05	220.00	475.00	241.57	383.74	x	311.00	432.18	264.19
Tapping Bits										
13. 3/4" Reed Drill Tap	10	x	119.50	155.00	140.81	118.05	x	126.00	132.99	x
14. 1" Reed Drill Tap	10	x	158.63	205.00	186.95	180.35	x	167.00	176.57	x
Repair Clamps										
15. 2" X 7.5" Full Circle Range 2.35"-2.63"	100	32.87	31.00	39.00	32.87	x	x	31.17	36.27	28.18
16. 8" X 12" Full Circle Range 8.59"-9.39"	40	85.58	90.70	110.00	85.58	x	x	91.25	98.15	86.50
17. 3/4" Copper Water Tubing	3600	3.10	2.45	3.64	2.81	3.50	2.49	2.45*	2.55	2.71
18. 6" ASTM PVC Sewer Pipe	2100	1.66	1.85	3.27	1.79	1.97	x	1.66*	1.67	1.66
x-no bid		withdrawn			#6-#11 all or none			*price not firm		
DECLINED: Johnson Supply, Mueller, Hajoos Corp, Procoso Supply										
NO RESPONSE: Noland Co, Summers Hardware & Supply, Exterior Materials, Jefferson Sales, Graybar Electric, Hayes Pipe Supply, U.S. Pipe & Foundry, Holbrook Plastic, FPE Supply, Industrial Plastic Works, McLuski Rechen, Southern Fluidpower, John Deere Landscapes, Greenstream, Modern Supply, WESCO Distributors, Equipment Sales & Service, P-M Tube & Specialties, Applied Industrial Technologies										
American Mechanical Contractors, General Utility Pipe & Supply										
RECOMMEND ACCEPTANCE OF LOWEST ACCEPTABLE BIDS, CIRCLED ABOVE. TOTAL COST: \$61,530.55.										

D. PROPOSALS:

i. RFQ #5886

Mattern & Craig \$146,510.44

Public Works Department ~ Traffic Division

Construction Engineering Services

Funding Source: Federal Funds

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner David Tomita, **Ordinance No. 4575-15**, "AN ORDINANCE TO ALLOW POSSESSION AND CONSUMPTION OF BEER AND FOOD TRUCK SALES ON THE CLOSED PORTION OF McCLURE STREET FROM 5 P.M. UNTIL 10 P.M. DURING THE FIRST ANNUAL FOOD TRUCK BEER DINNER EVENT TO BE HELD ON WEDNESDAY, APRIL 8, 2015," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, **Ordinance No. 4574-15**, "AN ORDINANCE TO ABANDON A PORTION OF WILSON AVENUE RIGHT-OF-WAY BETWEEN BUFFALO STREET AND COMMERCE STREET," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

ORDINANCE NO. 4574-15

AN ORDINANCE TO ABANDON A PORTION OF WILSON AVENUE UPON THE TERMS AND CONDITIONS CONTAINED HEREIN 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 a portion of Wilson Avenue as shown on "Exhibit A" be and the same is hereby abandoned as a public thoroughfare subject to the execution of an INDENTURE FOR A PUBLIC WALKWAY AND FOR THE PRESERVATION OF UTILITY EASEMENTS AND REPAIR AND REPLACEMENT OF A PUBLIC WALKWAY AND UTILITIES IN CONTEMPLATION OF JOHNSON CITY'S ABANDONMENT OF RIGHT-OF-WAY IN WHICH UTILITIES ARE LOCATED which is attached hereto and made a part of hereof as if set forth verbatim as "Exhibit I."

SECTION II. BE IT FURTHER ORDAINED that all easements shall be conveyed as set forth in "Exhibit I" and the Mayor is authorized to execute a quitclaim deed to the adjoining property owner(s) of the abandoned area shown on "Exhibit A" which shall be in form and content acceptable to the City Manager and Staff Attorney.

SECTION III. BE IT FURTHER ORDAINED that all laws and ordinances in conflict herewith be and the same are hereby repealed.

SECTION IV. BE IT FURTHER ORDAINED that this ordinance shall take effect from and after its passage on third and final reading as required by law, the public welfare requiring it.

PASSED IN OPEN, PUBLIC MEETING
ON THE FIRST READING 2/05/2015
PASSED IN OPEN, PUBLIC MEETING
ON THE SECOND READING 2/19/2015
PASSED IN OPEN, PUBLIC MEETING
ON THE THIRD READING 3/05/2015
APPROVED AND SIGNED IN OPEN
MEETING ON THE 5th DAY OF
March, 2015
FOLLOWING PASSAGE ON THIRD
READING

/s/ Ralph Van Brocklin
MAYOR

ATTEST:

/s/ Janet Jennings
CITY RECORDER

APPROVED AS TO FORM:

/s/ James H. Epps, IV
CITY ATTORNEY

At this time, Phil Pindzola, Public Works Director, and Anthony Todd, Traffic Engineer, presented an ITS update.

At this time, Steve Nielson, Development Coordinator, presented the Downtown Parking Study. The City Commission stated that they would like to see a comprehensive plan in the next six (6) weeks from the JCDA (Johnson City Development Authority) and the Planning Department, including the following information:

- Concrete report on signage
- Proposal for parking enforcement
- True needs for parking
- Concrete plans for the future to effectively provide additional parking downtown, including the estimated costs

Upon motion by Mayor Ralph Van Brocklin, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Jeff Banyas 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 TACIR Annexation Report, be and the same is hereby approved.

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

There being no further business or discussion, Mayor Ralph Van Brocklin adjourned the meeting at 8:26 p.m.

RALPH VAN BROCKLIN
MAYOR

JANET JENNINGS
CITY RECORDER

ITEMS DEFERRED:

1. None.

ACTION ITEMS:

1. The City Commission stated that they would like to see a comprehensive plan addressing downtown parking issues in the next six (6) weeks from the JCDA and the Planning Department.