

COMMISSION MEETING MINUTES

JANUARY 7, 2016

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 7, 2016.

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

ABSENT: Vice-Mayor David Tomita.

Mayor Clayton Stout called the meeting to order at 6:07 p.m.

At this time, Reverend C.H. Charlton, Pastor, Friendship Baptist Church, gave the invocation, which was followed by the pledge of allegiance.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner 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 addition to the Agenda of the consideration of a resolution requesting that the Washington County Legislative Delegation sponsor legislation to allow Home Rule Municipalities the option to operate electric and telecommunications systems under an Electric/Telecommunications Authority, be and the same is hereby approved.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner 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 Thursday, December 17, 2015, be and the same are hereby approved.

At this time, Mayor Clayton Stout presented a Retirement Resolution to Charlene Ehret, Mountain Home Veteran's Administration Medical Center Director.

Whereas Charlene Ehret, a native of Kentucky, received her undergraduate degree from the University of Memphis and her graduate degree from the University of Utah before joining the Veterans Administration in 1972; and

Whereas Ms. Ehret worked at seven different Veterans Affairs Medical Centers before being appointed Medical Center Director for the Mountain Home VA Healthcare System on July 23, 2006; and

Whereas in this role, Ms. Ehret has had the overall responsibility for efficient management and operation of the general medical and surgical hospital with 114 medical, surgical, and psychiatric beds, a 120-bed nursing home care unit, a 170-bed domiciliary, an outpatient clinic in Knoxville, six VA Outpatient Clinics and three Rural Outreach Clinics; and

Whereas Ms. Ehret is a fellow in the American College of Healthcare Executives; a mentor/preceptor in the Executive Career Field, Graduate Healthcare Administrative Training Program and Health Systems Manager Program; chairwoman of the VISN 9 Surgical Service Line; and an active member of the Johnson City Chamber of Commerce.

Now, Therefore, I, W. Clayton Stout, mayor of the City of Johnson City, Tennessee, officially congratulate Charlene Ehret on 43 years of dedicated service to the men and women who have so bravely served our country and are certainly deserving of the high level of care she has provided and overseen throughout her career.

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 7th day of January, 2016.

/s/ Clayton Stout

W. Clayton Stout, Mayor

At this time, Former Mayor Ralph Van Brocklin presented a Retirement Resolution to Debbie Dobbs, Washington County/Johnson City Animal Control Center Director.

Whereas Debbie Dobbs has served as director of the Washington County/Johnson City Animal Control Center for 22 years, tirelessly and selflessly being a caring voice for the animals who cannot speak for themselves; and

Whereas for her exceptional work, she has been recognized by the American Humane Association and the Governor of Tennessee; earned a Colonel Aide de Camp award for patriotism, valor and fidelity; and has been named the Washington County Dogwood and Cattails Humane Hero; and

Whereas Debbie taught humane education in our elementary schools and was an integral part of rewriting animal control ordinances to better serve our animals and our citizens; and

Whereas among her numerous accomplishments, Debbie is most proud of opening the doors to the community's new animal shelter, lowering the euthanasia rate, helping animals find families, and being a shoulder to cry on when the time came for a pet owner to say goodbye to their beloved companion.

Now, Therefore, I, W. Clayton Stout, mayor of the City of Johnson City, Tennessee, officially congratulate Debbie Dobbs on her retirement. Our community is a better place because of her dedication to our people and our animals.

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 7th day of January, 2015.

/s/ Clayton Stout

W. Clayton Stout, Mayor

At this time, Mayor Clayton Stout presented a Retirement Resolution to Steve Baldwin, Community Development Director. City Manager Pete Peterson presented his retirement watch.

Whereas Steve Baldwin began his career with the City of Johnson City in 1984 as a transportation planner, he was promoted five years later to special projects planner, and in 1993 was named director of Community Development; and

Whereas in that role, Steve has overseen an annual budget of approximately \$1.5 million with programs involving affordable housing, community non-profit program support services, community development for low and moderate income and special needs households; and

Whereas Steve has been actively involved in the Johnson City Partnerships Initiative, the Neighborhood Network Initiative, the Community Services Network through United Way, and legislative initiatives for the City at both the state and federal levels; and

Whereas he is a founding member of Eastern 8 Community Development Corporation, Appalachian Regional Coalition on Homelessness, and the Northeast Tennessee/Virginia HOME Consortium; and

Whereas Steve has helped coordinate the development and redevelopment of numerous affordable housing units in Johnson City, including the community's first significant project of this kind, the Mountain Home Redevelopment Project, which renovated and re-constructed 33 affordable single- and multi-family housing units for re-sale over the past three years.

Now, Therefore, Be It Resolved, by the Board of Commissioners of the City of Johnson City, Tennessee, upon his January 8, 2016 retirement, that Steve Baldwin is officially commended for his service to the City and the community.

Be It Further Resolved, that a copy of this Resolution be presented to Steve Baldwin along with well wishes in his future endeavors.

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 7th day of January, 2016.

/s/ Clayton Stout

W. Clayton Stout, Mayor

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

Upon motion by Commissioner Jeff Banyas, seconded by Mayor Clayton Stout, 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 beer license for JRH Brewing, LLC, 458 West Walnut Street, Johnson City, Tennessee, be and the same is hereby approved. John Henritze was present.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Jeff Banyas, 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 Jeff Tucker as Electrical Representative to the Board of Building Codes, be and the same is hereby approved.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Jeff Banyas, 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 pulling of the consideration of approval of the demolition of the U-Haul sign from the Consent Agenda, be and the same is hereby approved.

Upon motion by Commissioner 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.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Johnson City Development Authority (JCDA) report back to the Commission on February 4, 2016 with a recommendation on the U-Haul sign, be and the same is hereby approved.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Jeff Banyas, 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 remainder of the Consent Agenda for January 7, 2016, be and the same is hereby approved.

CONSENT AGENDA:

A. GENERAL:

i. Human Resources Department

Consider approval of the 2015 Transitional Reinsurance Fee required by the Affordable Care Act. The first installment will be paid in January 2016 in the amount of \$97,633.47 with the second installment paid in November 2016 in the amount of \$32,544.49.

ii. Police Department

Consider HIDTA (High Intensity Drug Trafficking Area) SubAward Recipient Agreement.

iii. Purchasing Department

Consider declaring one hundred seventy eight (178) Police weapons as surplus.

iv. **Public Works**

Consider a Resolution to adopt Form 1-2 for Consultant Selection Policy for Federal or State Funded Projects

v. **Public Works**

Consider approval of Demolition of U-Haul sign (No Backup Provided)

vi. **Water & Sewer Services**

Consider Materials Reimbursement for the Highlands Parc Phase V Development in the amount of \$56,476.95.

vii. **Water & Sewer Services**

Consider Engineering Services Agreement (Task Order #5) with LDA Engineering on the Tannery Knob Water Reservoir Replacement and Water Transmission Line Project.

B. INVOICES:

i. TML Pool\$72,245.53
Risk Management ~ Claim Invoices
Funding Source: Insurance Fund Liability Reserves

ii. Lamar Dunn & Associates\$25,250.00
Public Works Department
U-Haul, King Creek Basin & Kelly Foods Design
Funding Source: Stormwater Fund

iii. Baker's Construction\$55,048.24
Public Works Department ~ Pay Request #6
Boys & Girls Club Athletic Field Reconstruction
Funding Source: Economic Development Fund

iv. Gresham Smith & Partners\$5,840.03

Public Works Department
Indian Ridge Improvements
Funding Source: STP Funds

v. Stansell Electric\$332,663.81

Public Works Department ~ Pay Request #5
Signalization Project
Funding Source: Federal ~ STP

vi. Hazen & Sawyer\$37,667.25

Water & Sewer Services
Lower Brush Creek Sanitary Sewer Interceptor Replacement
Funding Source: Bond Funded

vii. Lamar Dunn & Associates\$1,525.00

Water & Sewer Services ~ Work Order #2
Emergency Generator @ State of Franklin Water Booster Station
Funding Source: Bond Funded

viii. Burleson Construction\$4,034.05

Administration
Freedom Hall Additions & Renovations
Funding Source: Bond Funded

ix. HVAC Inc.....\$383,235.13

Administration
Freedom Hall Additions & Renovations
Funding Source: Bond Funded

C. **BIDS**

i. **ITB #5978 & ITB #5979**

Frizzel Construction.....\$11,864,000.00

Water & Sewer Services

Knob Creek & Brush Creek Wastewater Treatment Plant Improvement

Funding Source: Water & Sewer Capital



KNOB CREEK WWTP IMPROVEMENT PROJECT
 ITB # 5578 NOVEMBER 18, 2015 2:00 PM EST



	ALLEN BROS. CONST.	DEWITT CONST.	FRIZZELL CONST.	GARDEN CONST.	JACOBY CONST.	LAYNE HEAFY	RED-CORNER CONST.	SMITH CONST.	WALSH CONST.
ACKS REQ. 1	00000000	00000000	00000000	00000000	00000000	00000000	00000000	00000000	00000000
ACKS REQ. 2	00000000	00000000	00000000	00000000	00000000	00000000	00000000	00000000	00000000
ACKS REQ. 3	00000000	00000000	00000000	00000000	00000000	00000000	00000000	00000000	00000000
ACKS REQ. 4	00000000	00000000	00000000	00000000	00000000	00000000	00000000	00000000	00000000

	ALLEN BROS. CONST.	DEWITT CONST.	FRIZZELL CONST.	GARDEN CONST.	JACOBY CONST.	LAYNE HEAFY	RED-CORNER CONST.	SMITH CONST.	WALSH CONST.
LABOR BIDD	\$ 4,174,000.00	\$ 4,147,000.00	\$ 4,147,000.00	\$ 4,523,000.00	\$ 4,304,000.00	\$ 1,000,000.00	\$ 8,304,100.00	\$ 1,000,000.00	\$ 1,000,000.00
ALLOWANCE	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00
GRAND TOTAL	\$ 4,274,000.00	\$ 4,247,000.00	\$ 4,247,000.00	\$ 4,623,000.00	\$ 4,404,000.00	\$ 1,100,000.00	\$ 8,404,100.00	\$ 1,100,000.00	\$ 1,100,000.00

	ALLEN BROS. CONST.	DEWITT CONST.	FRIZZELL CONST.	GARDEN CONST.	JACOBY CONST.	LAYNE HEAFY	RED-CORNER CONST.	SMITH CONST.	WALSH CONST.
VF0 Allowance ¹	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEDUCT FOR	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
AWARD OF BIRTH CONTRACTS ²	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

1. Variable Frequency Drive w/Control if Allen Bradley is not included in the Base Bid Item No. A.1. (add / deduct).
 2. Deductive Adjustment to Grand Total Base Bid Price if both Brown Creek (B/C) No. 6979 and Brown Creek (B/C) No. 8570 improvements are awarded to one Contractor as a single contract.





BRUSH CREEK WWTP IMPROVEMENT PROJECT
ITB # 5979 NOVEMBER 18, 2015 2:30 PM EST



	ARABIS & GIBSON	CLARY CORP	ENGLELL CORP.	HARVEY CORP.	JOY CORP.	LAVIS HEAVY	WTD CONSTRUCTION	SMITH CORP.	WHD CORP.
7N LICENSE #	N/A	10415807	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX
BID IS BONDED	N/A	✓	✓	✓	✓	✓	✓	✓	✓
BID BOND #	N/A								
ACK. ADD. #1	N/A	✓	✓	✓	✓	✓	✓	✓	✓
ACK. ADD. #2	N/A	✓	✓	✓	✓	✓	✓	✓	✓
ACK. ADD. #3	N/A	✓	✓	✓	✓	✓	✓	✓	✓

	ARABIS & GIBSON	CLARY CORP	ENGLELL CORP.	HARVEY CORP.	JOY CORP.	LAVIS HEAVY	WTD CONSTRUCTION	SMITH CORP.	WHD CORP.
L.W. BASE BID	No Bid	\$ 6,432,000.00	\$ 7,357,000.00	No Bid	\$ 8,207,000.00	\$ 9,304,000.00	\$ 9,837,000.00	No Bid	No Bid
ALLOWANCE	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 250,000.00
GRAND TOTAL	No Bid	\$ 6,732,000.00	\$ 7,657,000.00	No Bid	\$ 8,507,000.00	\$ 9,604,000.00	\$ 10,137,000.00	No Bid	No Bid

	ARABIS & GIBSON	CLARY CORP	ENGLELL CORP.	HARVEY CORP.	JOY CORP.	LAVIS HEAVY	WTD CONSTRUCTION	SMITH CORP.	WHD CORP.
Vertical Mounted Exhaust Alternator *	No Bid	\$14,000.00	\$100,000.00	No Bid	\$20,000.00	\$0.00	\$140,000.00	No Bid	No Bid
Subtotal Expense	No Bid	\$14,000.00	\$100,000.00	No Bid	\$20,000.00	\$0.00	\$140,000.00	No Bid	No Bid
W/D Alternator *	No Bid	\$0.00	\$0.00	No Bid	\$0.00	\$0.00	\$0.00	No Bid	No Bid
Exhaust W/D DUCT FOR AWARDS OF BOTH CONTRACTS *	No Bid	\$0.00	\$0.00	No Bid	\$0.00	\$0.00	\$0.00	No Bid	No Bid

- Vertical Mounted Exhaust Alternator (Hose Tech) is not included in the Base Bid Item No. A.L. (paid / alternate)
- Variable Frequency Exhaust Adjustment of Alternator is not included in the Base Bid Item No. A.L. (paid / alternate)
- Exhaust Adjustment to Grout Tank Base Bid Price if both Brush Creek (B/C) and Kitch Creek (K/C) (B/C, M/C) and Kitch Creek (B/C) are awarded to one contractor as a single contract.



ii. **ITB #5997**

Triad Freightliner\$175,110.00

Water & Sewer Services

Single Axle Dump Trucks

Funding Source: Rate Funded Capital

TABULATION OF BIDS
 CITY OF JOHNSON CITY, TENNESSEE
 DECEMBER 15, 2015 - 2:00 PM
 ITB #5997 SINGLE AXLE DUMP TRUCK

Vendor	Single Axle		Make/Model Chassis	Make/Model
	Dump Truck (2/EA)	Body & Hoist		
Triad Freightliner	\$ 87,555.00		2017 Freightliner M2 106 2017 International 7000 Series	Dump Body & Hoist Rogers 100 RM3NS TBE-UX BODIES/HOIST: ULTRA CLASS HYVA 6382
Goodpasture Motor Co.	\$ 88,205.00		SBA (4x2)	
Worldwide Equipment	\$ 91,392.00		Kenworth T370 (2017)	R/S Godwin
Worldwide Equipment #2	\$ 91,177.00		Kenworth T370 (2017)	Rogers Manufacturing
<small>No Bidders: Empire Ford, Mid-State Equipment, Walker Chevrolet, Magic City Ford, Volunteer Volvo & GMC, Special Fleet Service, Stringfellow, MHC Kenworth, Lee-Smith, Forestry Equipment of VA, Penske, Freightliner of Knoxville, Truck Pro, Acme Auto Leasing, Performance Peterbilt of Bristol, Alley-Cassidy Truck Center, Cherokee Truck Equipment, Tulloch Transport, Advantage Truck Center, Waste Equipment & Parts</small>				
RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. TOTAL COST \$ 175,110				

D. PURCHASES

- i..... Instructure, Inc.
.....\$43,529.00
Johnson City Schools
Canvas Software
Funding Source: General Purpose School Technology Funds

E. PROPOSALS

- i. **RFP #5993**
Butler Appraisal Group,
Dunn & Metz Appraisal Group, and
The Miller Company
Water & Sewer Services - Appraisal Services
Funding Source: Water & Sewer Capital

Upon motion by Commissioner 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.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a resolution requesting that the Washington County Legislative Delegation sponsor legislation to allow Home Rule Municipalities the option to operate electric and telecommunications systems under an Electric/Telecommunications Authority, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, 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 HERE WITH," was **passed on second reading**. The motion **carried** by four ayes. There were no nay votes.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner Ralph Van Brocklin, **Ordinance No. 4595-15**, "AN ORDINANCE TO REZONE PROPERTY LOCATED AT 71 WILSON AVENUE FROM B-3 (SUPPORTING CENTRAL BUSINESS) TO B-2 (CENTRAL BUSINESS)," was **passed on third reading**. The motion **carried** by four ayes. There were no nay votes.

ORDINANCE NO. 4595-15

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 A B-3 (SUPPORTING CENTRAL BUSINESS) DISTRICT TO A B-2 (CENTRAL BUSINESS) DISTRICT FOR CERTAIN PROPERTY LOCATED AT 71 WILSON AVENUE.

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 a B-3 (Supporting Central Business) District to a B-2 (Central Business) District.

See description marked "Exhibit 'A'" hereto.

See 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 12/03/2015
PASSED ON SECOND READING 12/17/2015
PASSED ON THIRD READING 1/07/2016
APPROVED AND SIGNED IN OPEN MEETING
ON THE 7th DAY OF January, 2016

/s/ W. Clayton Stout
MAYOR

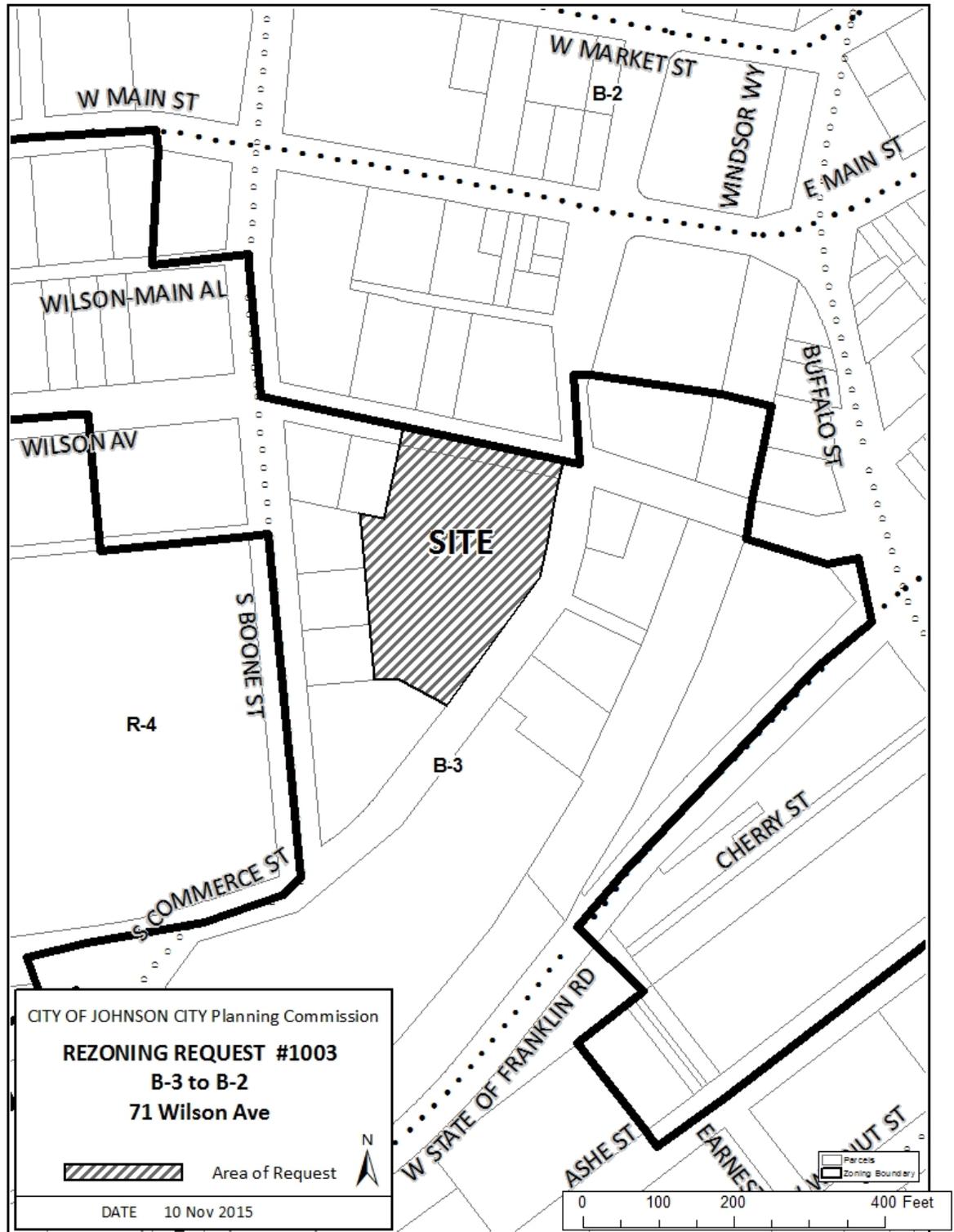
ATTEST:

/s/ Janet Jennings
City Recorder

APPROVED AS TO FORM:

/s/ James H. Epps, IV
City Attorney

"Exhibit 'B'"



Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner 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 Amendment #2 to the Landfill Gas Purchase and Sale Agreement with ESG Biofuels (JC) LLC, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Jeff Banyas voted nay.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the engagement of Retail Strategies for Professional Services to develop and execute a strategic recruitment plan including representation at National and Regional Retail Real Estate Conferences, be and the same is hereby approved. The Commission requested that they receive monthly written updates, as well as quarterly in-person updates from the consulting firm.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by three ayes. Mayor Clayton Stout voted nay.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Memorandum of Understanding with East Tennessee State University for the development of the Fine Arts Center, be and the same is hereby approved. The previous memorandum of understanding expired December 31, 2015, due to a reorganization of the Tennessee Board of Regents. This new Memorandum of Understanding provides for an expiration date of April 15, 2016.

Upon motion by Mayor Clayton Stout, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **failed** to pass as follows: Mayor Clayton Stout and Commissioner Jenny Brock voted aye. Commissioners Jeff Banyas and Ralph Van Brocklin voted nay.

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 as originally presented by staff be considered. Commissioner Van Brocklin presented an alternative version that addressed the following concerns: (1) provision for control over the expenditures, (2) equitable split of utility costs and (3) naming rights is problematic. Representatives from Boyd Sports, LLC and Johnson City Cardinals were present to address questions. Jeremy Boler, Vice-President, Boyd Sports, LLC, stated that it is an industry standard for the lessor to pay utilities and to allow naming rights.

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

There being no further business or discussion, Mayor Clayton Stout adjourned the meeting at 8:31 p.m.

CLAYTON STOUT
MAYOR

JANET JENNINGS
CITY RECORDER

ITEMS DEFERRED:

1. None.

ACTION ITEMS:

1. Johnson City Development Authority (JCDA) to report back to the Commission on February 4, 2016 with a recommendation on the U-Haul sign.
2. The Commission requested that they receive monthly written updates, as well as quarterly in-person updates, regarding the engagement of Retail Strategies for Professional Services to develop and execute a strategic recruitment plan including representation at National and Regional Retail Real Estate Conferences.