

COMMISSION MEETING MINUTES

JULY 5, 2018

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, July 5, 2018.

PRESENT: Mayor David Tomita, Vice-Mayor Jenny Brock, Commissioner Todd Fowler, Pete Peterson, City Manager, and Janet Jennings, City Recorder.

ABSENT: Commissioners Joe Wise and Ralph Van Brocklin.

Mayor David Tomita called the meeting to order at 6:03 p.m.

At this time, Pastor Jason Royston, Boones Creek Baptist Church, led the invocation, which was followed by the pledge of allegiance.

Upon motion by Vice-Mayor Jenny Brock, seconded by Mayor David Tomita, the following resolution was offered for adoption. The motion **carried** by two ayes. Vice Mayor Jenny Brock passed on the vote. There were no nay votes.

Addition to Agenda

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the addition to the agenda of the discussion of the Wilson Property, be and the same is hereby approved.

Upon motion by Commissioner Todd Fowler, seconded by Mayor David Tomita, the following resolution was offered for adoption. The motion **carried** by three ayes. There were no nay votes.

Minutes

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, June 21, 2018, be and the same are hereby approved.

Upon motion by Vice-Mayor Jenny Brock, seconded by Commissioner Todd Fowler, the following resolution was offered for adoption. The motion **carried** by three ayes. There were no nay votes.

Special Called Minutes

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the minutes of the Special Called City Commission Meeting held on Thursday, June 28, 2018, be and the same are hereby approved.

At this time, Mayor David Tomita presented a proclamation recognizing Parks and Recreation Month. Jonathon Kinnick, Chairman of the Parks and Recreation Advisory Board, and Jim Hughes, Assistant Director of the Parks and Recreation Department, were present to accept.

Proclamation

Whereas recreation programs and activities provide opportunities for all people to live, grow, learn and develop into contributing members of our community; and

Whereas recreation and parks create quality of life and social experiences for all members of our community; and

Whereas recreation and park facilities provide a variety of opportunities for physical activities, socialization, group and individual experiences such as arts, nature experiences, music and drama, swimming, athletic and other forms of recreation programs; and

Whereas recreation opportunities, programs and facilities can be found in Johnson City which make our community an attractive and desirable place to live, play and visit; contributing to a healthy social and positive economic environment; and

Whereas the month of July is designated by the National Recreation and Parks Association, as Parks & Recreation Month.

Now, Therefore, I, David Tomita, Mayor of the City of Johnson City, Tennessee, do hereby proclaim July 2018 as

Parks and Recreation Month

In Johnson City, Tennessee, and encourage all citizens to celebrate the benefits of these services by participating in their choice of recreation activities.

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 5th day of July 2018.

/s/ David Tomita

David Tomita, Mayor

Certificate of Compliance

Upon motion by Vice-Mayor Jenny Brock, seconded by Commissioner Todd Fowler, the following resolution was offered for adoption. The motion **carried** by three ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Certificate of Compliance - Retail Food Store Wine for Ingles Markets, Inc., d/b/a Ingles Markets #372, 4470 North Roan Street, Johnson City, Tennessee, be and the same is hereby approved.

Temporary Occasion License

Upon motion by Commissioner Todd Fowler, seconded by Vice-Mayor Jenny Brock, the following resolution was offered for adoption. The motion **carried** by three ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Temporary Occasion license for Family Promise of Greater JC to serve beer at the Founders After 5 event on July 13, 2018, be and the same is hereby approved. Alison Smith was present.

Upon motion by Commissioner Todd Fowler, seconded by Vice-Mayor Jenny Brock, the following resolution was offered for adoption. The motion **carried** by three 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 Addy Adi Buddha, Inc., d/b/a Wonderland, 121 Spring Street, Suite #100, Johnson City, Tennessee, be and the same is hereby approved. Meenu Singh was present.

Upon motion by Vice-Mayor Jenny Brock, seconded by Commissioner Todd Fowler, the following resolution was offered for adoption. The motion **carried** by three ayes. There were no nay votes.

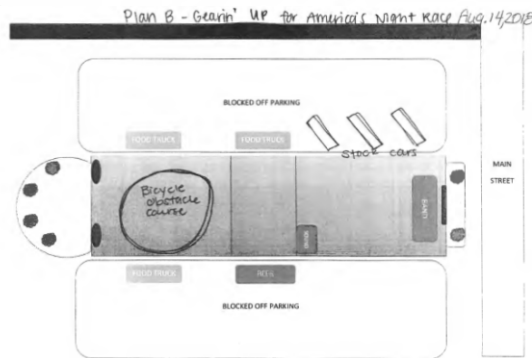
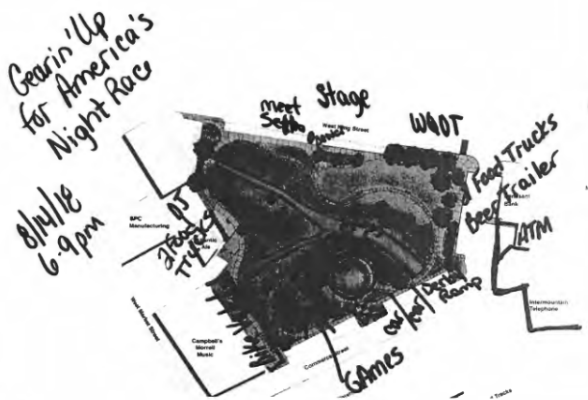
Appointment

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the appointment of Nathan Brand to the Johnson City Historic Commission, be and the same is hereby approved.

Upon motion by Commissioner Todd Fowler, seconded by Vice-Mayor Jenny Brock, the following resolution was offered for adoption. The motion **carried** by three ayes. There were no nay votes.

Street Closing

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 Tuesday, August 14, 2018, to accommodate the Gearin' Up for America's Night Race Block Party event for the Johnson City Chamber of Commerce, be and the same is hereby approved.



Consent
Agenda

Upon motion by Commissioner Todd Fowler, seconded by Vice-Mayor Jenny Brock, the following resolution was offered for adoption. The motion **carried** by three 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 July 5, 2018, be and the same is hereby approved.

A. **GENERAL:**

Grant

- i. Consider approval of FTDD Area Agency on Aging and Disability Grant Contract for the City of Johnson City Senior Services
(Parks & Recreation ~ Senior Services)

Surplus

- ii. Consider donating and declaring certain equipment as surplus **(Purchasing Department for Parks & Recreation)**

Surplus

- iii. Consider declaring certain equipment as surplus
(Purchasing Department for Water & Sewer Services)

Release of
Deed

- iv. Consider approval for the release of a Deed of Trust and Restrictive Covenants due to expiration of the time period for a CDBG Home Loan
(Development Services Department)

Agreement

- v. Consider approval of the Verizon Right of Entry Agreement for West Hills
(Water & Sewer Services)

Contract

- vi. Consider approval of a Design Contract with Tom Weems, Architect for the Police Training Building **(Administration)**

Invoices

B. **INVOICES:**

- i. Mike Smith Pump Service \$49,916.64
Water & Sewer Services
FINAL PAY REQUEST~RETAINAGE RELEASE~CHANGE ORDER
Galvanized Waterline Replacement Project
Funding Source: Budgeted Expense

- ii. S&ME \$25,412.50
 Water & Sewer Services ~ Task Order #6
 Wastewater Collection System for Basins K2D & B2E
 Funding Source: Budgeted Expense
- iii. S&ME \$1,101.55
 Water & Sewer Services ~ Task Order #4
 Division, Upper King Creek & North SOF/I-26 Rehab Projects
 Funding Source: Bond Funded & Budgeted Expense
- iv. CDM Smith \$74,328.49
 Water & Sewer Services
 Knob Creek & Brush Creek WWTP Improvements
 Funding Source: Bond Funded
- v. CDM Smith \$3,460.50
 Water & Sewer Services ~ Task Order #17
 Regional WWTP Blower Procurement & Installation
 Funding Source: Budgeted Expense
- vi. Tank Industry Consultants \$2,225.00
 Water & Sewer Services ~ Work Order #35
 Unicoi Tank Backwash Anniversary Observation
 Funding Source: Budgeted Expense
- vii. Raftelis \$6,750.00
 Water & Sewer Services
 Johnson City Water & Wastewater Model Update
 Funding Source: Budgeted Expense
- viii. East TN Turf & Landscape \$45,736.80
 Water & Sewer Services ~ Pay Request #3
 Ford Creek Waterline Extension
 Funding Source: Budgeted Expense

ix. Beeson, Lusk & Street \$56,482.70
 Administration ~ Invoice #J4489-01
 Roof Replacements @ Indian Trail, Lake Ridge & SHHS
 Funding Source: PEP Bond Proceeds

Bids

C. BIDS

i. ITB #6221
 Goins, Rash & Cain Construction, Inc. \$2,362,500.00
 Facilities Management for Parks & Recreation
 Langston High School Additions & Alterations
 Funding Source: Capital Project Fund

BID ANALYSIS

<u>Bid Combination</u>	<u>Amount</u>	<u>Contractor (low bidder)</u>
Base Bid	\$ 2,095,000	Preston Construction Company
Base Bid + Alternate No. 1	\$ 2,326,000	Goins Rash Cain Construction
Base Bid + Alternate No. 2	\$ 2,127,000	Preston Construction Company
Base Bid + Alternate No. 1 + Alternate No. 2	\$ 2,362,500	Goins Rash Cain Construction

ii. ITB #6234
 Southern Ionics, Inc. \$140,400.00
 Purchasing Department for Water & Sewer Services
 Liquid Sodium Bisulfite Contract
 Funding Source: Budgeted Expense

Vendor	(90,000 gals/yr) Unit Price
Southern Ionics Inc.	\$ 1.56
Allied Universal*	\$ 1.57
JCI Jones	\$ 1.65
PVS Chemical Solutions	\$ 1.88

* = 4,000 Gal Minimum
 Decline: Sterling Water Technologies, Univar, Chemtrade Chemicals, Sandler Chemical
 No Response: Panchem, Hawkins Inc, Chankit, Chemite, Kenara, Gulbrandtjen
 Aulick Chemical, USALCO, Carus Corporation, CedarChem, PollardWater, Shannon Chemical
 The Ford System, Thomas Scientific, TMBWater
 Late Bid: DPC Enterprises

RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE. ESTIMATED ANNUAL COST \$ 140,400. THREE YEAR CONTRACT, RENEWABLE ANNUALLY.

[Signature]
 Jeff Corder, Water & Sewer Services

APPROVED BY:

[Signature]
 Director of Purchasing

City Commission 07/05/2018

iii. ITB #6235

HPI International \$75,420.00

Purchasing Department for Johnson City Schools

Chromebook Cases

Funding Source: General Purpose School Technology Funds

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
JUNE 6, 2018 - 1:30 PM
ITB #6235 CHROMEBOOK CASES
SCHOOLS

Vendor	(3600/EA)	Proposed
Everyday PC	\$ 11.49	Mammoth Rugged-One Case*
Ibenzer	15.50	Bumpsect Stay-In*
Volume Cases	17.95	Bubble II w/Handle & Shoulder strap*
Troxell alternate 3	18.61	Kensington K62843US *
Volume Cases	18.95	Zip case w/Pouch & Shoulder strap*
CDW Government	18.95	MC-EB3-GEN-11 BLK/MAX Explorer Bag 3.0 *
Troxell alternate 1	20.06	MaxCases MCFB2GEN11BI *
Troxell alternate 2	20.59	Kensington K64417WW *
HPI International	20.95	Targus TKCO07P
Howard Technology	21.50	Max Explorer Bag 3.0 *
Connection	22.60**	Targus TKCO07P
SDF Professional Computers	24.00	?
Ready Data Inc	25.29	Targus TKCO07P
InCare Technologies	25.41	Targus TKCO07P
Eastern Data	25.58	Targus TKCO07P
Troxell	25.79	Targus TKCO07P
Vizcom ICT LLC	25.98	Targus TKCO07P
CDI Computer Dealers	28.25	Higher Ground STL3.0-135S
Holtzberg Communications	28.89	Targus TKCO07P

*\$5.00 shipping fee added to orders of 4 or less

No Response: Alpha Technology, AudioBook Promotions, B&H Foto, Business Systems and Consultants, Central Service Association
Camp Road Technology ONE Computer Systems, Dikoa, INC, Encore Technology Group, Firefly, GMA Technologies, Graphic
Creative, Knight Technology Supplier, Microsoft, Mid Atlantic Media, MIVATION, CM Supply, PCMS

RECOMMEND ACCEPTANCE OF LOWEST, ACCEPTABLE, BID CIRCLED ABOVE. ESTIMATED ANNUAL COST \$ 75,420. TO BE ORDERED AS NEEDED.

Melony Suggitt
Melony Suggitt, J C Schools Technology

APPROVED BY:

Director of Purchasing _____ City Commission 07/05/2018

iv. ITB #6236

Consolidated Pipe & Supply \$132,230.00

Purchasing Department for Water & Sewer Services

Ductile Iron Pipe & Gaskets

Funding Source: Budgeted Expense

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
JUNE 13, 2018 - 1:00 PM
ITB #6236 DUCTILE IRON PIPE GASKETS
WATERSEWER SERVICES

#	QTY	Description	Consolidated		Heaven Pipe Supply		Cox & Man		General Utility		Tennessee Enterprises	
			Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	2400	20" Ductile Iron Pipe Class 350	\$ 48.70	\$ 116,880.00	\$ 55.40	\$ 132,960.00	\$ 51.47	\$ 123,528.00	\$ 52.05	\$ 124,920.00	\$ 52.90	\$ 126,960.00
2	50	20" Restoring Gaskets	\$ 307.00	\$ 15,350.00	\$ 820.00	\$ 41,000.00	\$ 323.50	\$ 16,175.00	\$ 354.82	\$ 17,741.00	\$ 339.40	\$ 16,970.00
		Total		\$ 132,230.00		\$ 173,960.00		\$ 140,187.50		\$ 142,661.00		\$ 143,930.00

Proposed Pipe Manufacturer: Milwaukee Ductile U.S. Pipe U.S. Pipe U.S. Pipe & Foundry American Cast Iron Pipe
Delivery: 2-3 Weeks 10-14 Days ARO 30 Days ARO depending on availability Shipments available much to 16 weeks (31 days for entire order after release

No Response: United Pipe, AudioBook, B & F Supply Company, Audio Book Promotions, Audio Book Promotions, B&H Foto, Business Systems and Consultants, Central Service Association

RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE.

Michael Marshall
Michael Marshall, Water & Sewer Services

APPROVED BY:

Director of Purchasing _____ City Commission 07/05/2018

Proposals

D. PROPOSALS

i. RFP #5721

Central States Bus Sales \$550,794.00
Purchasing Department for Transit
78-Passenger Buses
Funding Source: Capital Equipment Fund

ii. RFP #5915

Central States Bus Sales \$235,364.00
Purchasing Department for Transit
30-Passenger Buses
Funding Source: Capital Equipment Fund

Ord. 4664-18
First Reading

Upon motion by Vice-Mayor Jenny Brock, seconded by Commissioner Todd Fowler, **Ordinance No. 4664-18**, "AN ORDINANCE TO REZONE PROPERTY ALONG MOCKINGBIRD LANE AND NORTH LANE FROM B-4 TO R-5," was **passed on first reading**. The motion **carried** by three ayes. There were no nay votes.

Public Hearing

At this time a public hearing was held regarding Ordinance No. 4665-18. No one spoke for or against this item.

Ord. 4665-18
First Reading

Upon motion by Commissioner Todd Fowler, seconded by Vice-Mayor Jenny Brock, **Ordinance No. 4665-18**, "AN ORDINANCE APPROVING THE SUPPLEMENTAL BUDGET ORDINANCE FOR FY 2017-18," was **passed on first reading**. The motion **carried** by three ayes. There were no nay votes.

Public Hearing

At this time a public hearing was held regarding Ordinance No. 4662-18. No one spoke for or against this item.

Ord. 4662-18
Second Reading

Upon motion by Vice-Mayor Jenny Brock, seconded by Commissioner Todd Fowler, **Ordinance No. 4662-18**, "AN ORDINANCE TO AMEND ORDINANCE 4452-12, '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 FOR PERMIT, TAPPING FEES, AND FAIR USER CHARGE SYSTEM OF BILLING FOR THE USE OF THE JOHNSON CITY, TENNESSEE WATER SYSTEM," was **passed on second reading**. The motion **carried** by three ayes. There were no nay votes.

Public Hearing

At this time a public hearing was held regarding Ordinance No. 4663-18. No one spoke for or against this item.

Upon motion by Commissioner Todd Fowler, seconded by Vice-Mayor Jenny Brock, **Ordinance No. 4663-18**, "AN ORDINANCE TO AMEND ORDINANCE 4453-12, 'AN ORDINANCE PROVIDING FOR PERMITS, TAPPING FEES AND A FAIR USER CHARGE SYSTEM OF BILLING FOR USE OF THE JOHNSON CITY, TENNESSEE, BRUSH CREEK, KNOB CREEK, AND REGIONAL WASTEWATER SYSTEMS: AND ALL ORDINANCES SUPPLEMENTARY THERETO AND AMENDATORY THEREOF', BY REPEALING ORDINANCE 4453-12 AND ENACTING THE FOLLOWING PROVISIONS IN LIEU AND INSTEAD THEREOF," was **passed on second reading**. The motion **carried** by three ayes. There were no nay votes.

Ord. 4663-18
Second Reading

Upon motion by Vice-Mayor Jenny Brock, seconded by Commissioner Todd Fowler, **Ordinance No. 4661-18**, "AN ORDINANCE FOR THE DE-ANNEXATION OF LOT 3 OF THE ELMER & ROSE HARRISON HEIRS PROPERTY REPLAT," was **passed on third reading**. The motion **carried** by three ayes. There were no nay votes.

Ord. 4661-18
Third Reading

ORDINANCE NO. 4661-18

AN ORDINANCE CONTRACTING THE CORPORATE LIMITS OF JOHNSON CITY, TENNESSEE

WHEREAS, Tennessee Code Annotated 6-51-201 (b) (1) provides that any incorporated city or town may after notice and public hearing, contract its limits within any given territory upon its own initiative by ordinance when it appears in the best interest of the affected territory;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JOHNSON CITY AS FOLLOWS:

SECTION 1. The territory, currently a part of the City of Johnson City shown on the attached map and further described below is hereby deleted from the City of Johnson City.

See description marked "Exhibit 'A'" hereto.

See plat of the above-described property marked "Exhibit 'B'" hereto.

See map of the above-described property marked "Exhibit 'C'" hereto

SECTION 2. This ordinance shall become effective upon passage, the public welfare requiring it.

PASSED ON FIRST READING 7, June 2018
PASSED ON SECOND READING 21, June 2018
PASSED ON THIRD READING 5, July 2018
APPROVED AND SIGNED IN OPEN MEETING
ON THE 5th OF July, 2018

/s/ David Tomita
MAYOR

ATTEST:

/s/ Janet Jennings

City Recorder

APPROVED AS TO FORM:

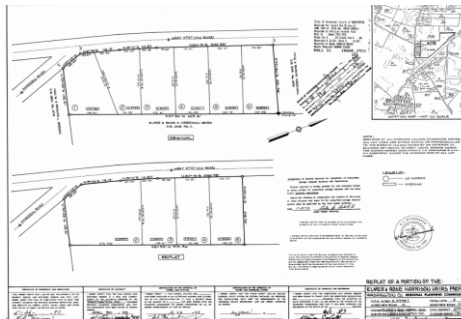
/s/ James H. Epps, IV

City Attorney

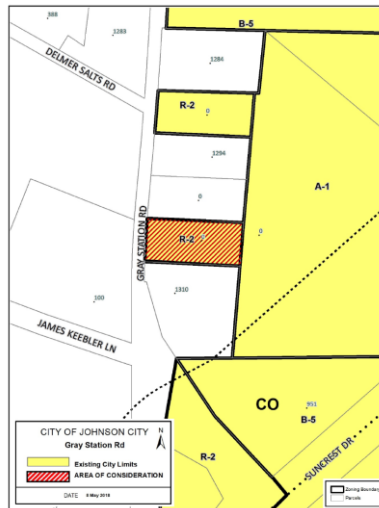
"EXHIBIT 'A'"

Being Lot 3 of the "REPLAT OF A PORTION OF THE: ELMER & ROSE HARRISON HEIRS PROP.," as found at Plat Book 11, Page 216 in the Register's Office for Washington County, Tennessee, a copy of which is attached hereto and incorporated into this ordinance as if set forth verbatim.

"EXHIBIT 'B'"



“EXHIBIT ‘C’”



Resolution

Upon motion by Vice-Mayor Jenny Brock, seconded by Commissioner Todd Fowler, the following resolution was offered for adoption. The motion **carried** by three eyes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Bond Reimbursement Resolution for Fiscal Year 2019 Water and Sewer Debt Issue, be and the same is hereby approved.

Resolution

Upon motion by Vice-Mayor Jenny Brock, seconded by Commissioner Todd Fowler, the following resolution was offered for adoption. The motion **carried** by three eyes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Bond Reimbursement Resolution for Fiscal Year 2019 General Obligation Debt Issue, be and the same is hereby approved.

Resolution

Upon motion by Commissioner Todd Fowler, seconded by Vice-Mayor Jenny Brock, the following resolution was offered for adoption. The motion **carried** by three eyes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Bond Reimbursement Resolution for Fiscal Year 2019 Solid Waste Debt Issue, be and the same is hereby approved.

Purchase of Wilson Property

Upon motion by Mayor David Tomita, seconded by Vice-Mayor Jenny Brock, the following resolution was offered for adoption. The motion **carried** by three eyes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the City Manager be instructed to engage in negotiations with Mr. Wilson regarding the purchase of the Wilson Property in an amount not to exceed \$1.4 million, be and the same is hereby approved.

There being no further business or discussion, Mayor David Tomita adjourned the meeting at 6:57 p.m.

/s/ David Tomita

DAVID TOMITA

MAYOR

/s/ Janet Jennings

JANET JENNINGS

CITY RECORDER