



**BOARD OF MAYOR AND ALDERMEN
AGENDA for May 6, 2024**

1. Call to Order

2. Prayer and Pledge

3. Roll Call

4. Approval of Agenda

5. Presentation of Recognitions

- A.** Provider Appreciation Day -
Sharon Slagle of Portland Learning Center &
Teresa Cole of TLC Childcare

- B.** Nathan Shadowens, City Historian

6. Public Comment Period

In accordance with Tennessee Public Chapter No. 300, public comments are allowed when those comments are germane to actionable agenda items, except where otherwise prohibited; and the number of individuals speaking may be limited to ensure opposing viewpoints are fairly represented.

7. Public Hearing

- A.** Ordinance No. 24-12 – Second Reading - An Ordinance to amend the City of Portland, Tennessee zoning map by rezoning 523 West Market Street, from RS-20 (Single Family Residential) to R-15 (Low Density Residential).
- B.** Ordinance No. 24-25 – Second Reading – An Ordinance to amend the City of Portland, Tennessee Zoning Map by rezoning 134 North Russell Street from R-10 (Single Family Residential) to RMU (Residential Mixed Use)

8. Communications from Council Members

9. Mayor's Report

10. Consent Calendar

- A.** Approval of Minutes from April 15, 2024.
- B.** Ordinance No. 24-27 –Second Reading - An Ordinance to establish fees for Fire Extinguisher Training provided by Fire Department personnel.
- C.** Resolution No. 24-39 - A Resolution to appoint a Coordinator within the City of Portland to oversee the Title II Compliance Program. – Planning Department
- D.** Resolution No. 24- 40 – A Resolution to appoint a Coordinator within the City of Portland to oversee the Title VI Compliance Program. - Human Resources Department
- E.** Resolution No. 24-41 - A Resolution to name the City Council as the Title VI Advisory Committee for the City of Portland.

11. Community Development – Alderwoman Megann Thompson

12. Finance – Alderwoman Penny Barnes

- A.** Resolution No. 24-35 A Resolution establishing guidelines for Financial Aid to any Nonprofit Charitable Organization or any Nonprofit Civic Organization.
- B.** Resolution No. 24-36 - A Resolution to assign certain fund balance amounts for future expenditures.
- C.** Discussion - Budget

13. Fire Department – Vice Mayor Jody McDowell

- A.** Resolution No. 24-37 – A Resolution to accept the best bid to lease land adjoining the North Fire Station (Station 1) for agricultural purposes.

14. Human Resources – Alderwoman Penny Barnes

15. Legislative – Mayor Mike Callis

- A.** Resolution No. 24-21 - A Resolution to adopt Guidelines for Public Comments during City Council Meetings.

16. Municipal Airport – Alderman Mike Hall

17. Parks & Recreation – Alderman Brian Woodall

18. Planning & Codes – Alderwoman Megann Thompson

- A.** Ordinance No. 24-12 – Second Reading - An Ordinance to amend the City of Portland, Tennessee zoning map by rezoning 523 West Market Street, from RS-20 (Single Family Residential) to R-15 (Low Density Residential).
- B.** Ordinance No. 24-25 – Second Reading – An Ordinance to amend the City of Portland, Tennessee Zoning Map by rezoning 134 North Russell Street from R-10 (Single Family Residential) to RMU (Residential Mixed Use)
- C.** Ordinance No. 24-28 – First Reading – An Ordinance to amend the City of Portland, Tennessee zoning map by rezoning unaddressed Westland Street, from R-15 (Residential) to R-10 PUD (Residential) Coventry Preliminary Master Development Plan (PUD).
- D.** Resolution No. 24-38- A Resolution allowing the City of Portland to accept the value for a temporary construction easement from existing State Route-Highway 52 West, Map 34, Parcel 29.01 of Portland to the Tennessee Department of Transportation for a construction entrance.
- E.** Ordinance No. 24-31 – First Reading – A Resolution allowing the City of Portland to sell real property located at State Route Highway 109 North, Portland, Tennessee, right of way, map 16, parcels 46.02,46.03, to the Tennessee Department of Transportation for a construction entrance.

19. Police Department – Alderman Drew Jennings

20. Public Works – Alderwoman LaToya Holcomb

- A.** Discussion - EV Charging Station

21. Utility Infrastructure – Alderman Brian Woodall

- A.** Ordinance No. 24-26 – Second Reading – An Ordinance to rescind in its entirety Ordinance 24-20 and replace with this Ordinance for water, sewer, natural gas, and capacity letter maintenance fees.
- B.** Ordinance No. 24-29 - First Reading - Developer's Agreement with Luther Bratton on Bracken Estates, located at North Harris Road in Portland, Tennessee, which will include the installation of an eight (8) inch water main and an eight (8) inch sewer main along North Harris Lane.
- C.** Ordinance No. 24-30 – First Reading - An Ordinance to rescind and replace in its entirety Ordinance 23-45, the Developer's Agreement with Daniel Williams for the Water System Improvements for the Bakers Acres Development, located at 355 Briley Lane, in Portland, Tennessee.
- D.** Resolution No. 24-30 – A Resolution to rescind and replace Resolution 23-45 to establish guidelines for Capacity Letters for the Department of Utilities.
- E.** Discussion - PDU Budget
- F.** Discussion - Service Line Repair Bid
- G.** Discussion - Utility Policy

Adjournment

ORDINANCE

City of Portland, Tennessee

No. 24 – 12

Second Reading

AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING 523 WEST MARKET STREET, (TAX MAP 034E, GROUP C, PARCEL 005.00) FROM RS-20 (SINGLE FAMILY RESIDENTIAL) TO R-15 (LOW DENSITY RESIDENTIAL)

WHEREAS, the City of Portland desires to amend the official zoning atlas of the City; and

WHEREAS, the City of Portland believes that such amendment will promote, protect, and facilitate the public health, safety, and welfare of the community through coordinated and practical land use and land development for the betterment of Portland's population; and

WHEREAS, the Portland Municipal Planning Commission recommended approval of rezoning 523 West Market Street from RS-20 (Single Family Residential) to R-15 (Low Density Residential), by a vote of 8-1 at their February 13, 2024, meeting.

NOW, THEREFORE, BE IT ORDAINED by the City of Portland, Tennessee, as follows:

Section 1. That the property described herein be, and the same is hereby, rezoned from RS-20 (Single Family Residential) to R-15 (Low Density Residential).

Approximately 0.83 +/- acres, located at 523 West Market Street as shown on the attached map. *See exhibited A*

For reference, see in the Registers of Deeds Office of Sumner County, Tennessee, and being shown as: Record Book 1755, Page 114 in the Register's Office of Sumner County, Tennessee, and being shown as Map 034E, Group C, Parcel 005.00, for Sumner County, Tennessee.

Section 2. That all Ordinances in conflict herewith are repealed to the extent of said conflict, and that this Ordinance shall become effect upon the annexation of the property and after its passage on final reading, the public welfare requiring it.

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

Passed First Reading: April 1, 2024

Notice Published: Portland Sun-4/16/24; Portland Leader-4/24/24.

Public Hearing: May 6, 2024

Passed Second Reading:

EXHIBIT A:



ORDINANCE

City of Portland, Tennessee

No. 24 – 25

Second Reading

AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING 134 NORTH RUSSELL STREET, (TAX MAP 033A, GROUP D, PARCEL 006.00) FROM R-10 (SINGLE FAMILY RESIDENTIAL) TO RMU (RESIDENTIAL MIXED USE)

WHEREAS, the City of Portland desires to amend the official zoning atlas of the City; and

WHEREAS, the City of Portland believes that such amendment will promote, protect, and facilitate the public health, safety, and welfare of the community through coordinated and practical land use and land development for the betterment of Portland's population; and

WHEREAS, the Portland Municipal Planning Commission recommended approval of rezoning 134 North Street from R-10 (Single Family Residential) to RMU (Residential Mixed Use), by a vote of 7-0 at their March 12, 2024, meeting.

NOW, THEREFORE, BE IT ORDAINED by the City of Portland, Tennessee, as follows:

Section 1. That the property described herein be, and the same is hereby, rezoned from R-10 (Single Family Residential) to RMU (Residential Mixed Use).

Approximately 0.5 +/- acres, located at 134 North Russell Street as shown on the attached map. *See exhibited A*

For reference, see in the Registers of Deeds Office of Sumner County, Tennessee, and being shown as: Record Book 6231, Pages 818-820 in the Register's Office of Sumner County, Tennessee, and being shown as Map 033A, Group D, Parcel 006.00, for Sumner County, Tennessee.

Section 2. That all Ordinances in conflict herewith are repealed to the extent of said conflict, and that this Ordinance shall become effect upon the annexation of the property and after its passage on final reading, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Passed First Reading: April 1, 2024

Notice Published: Portland Sun-4/23/24; Portland Leader-4/24/24.

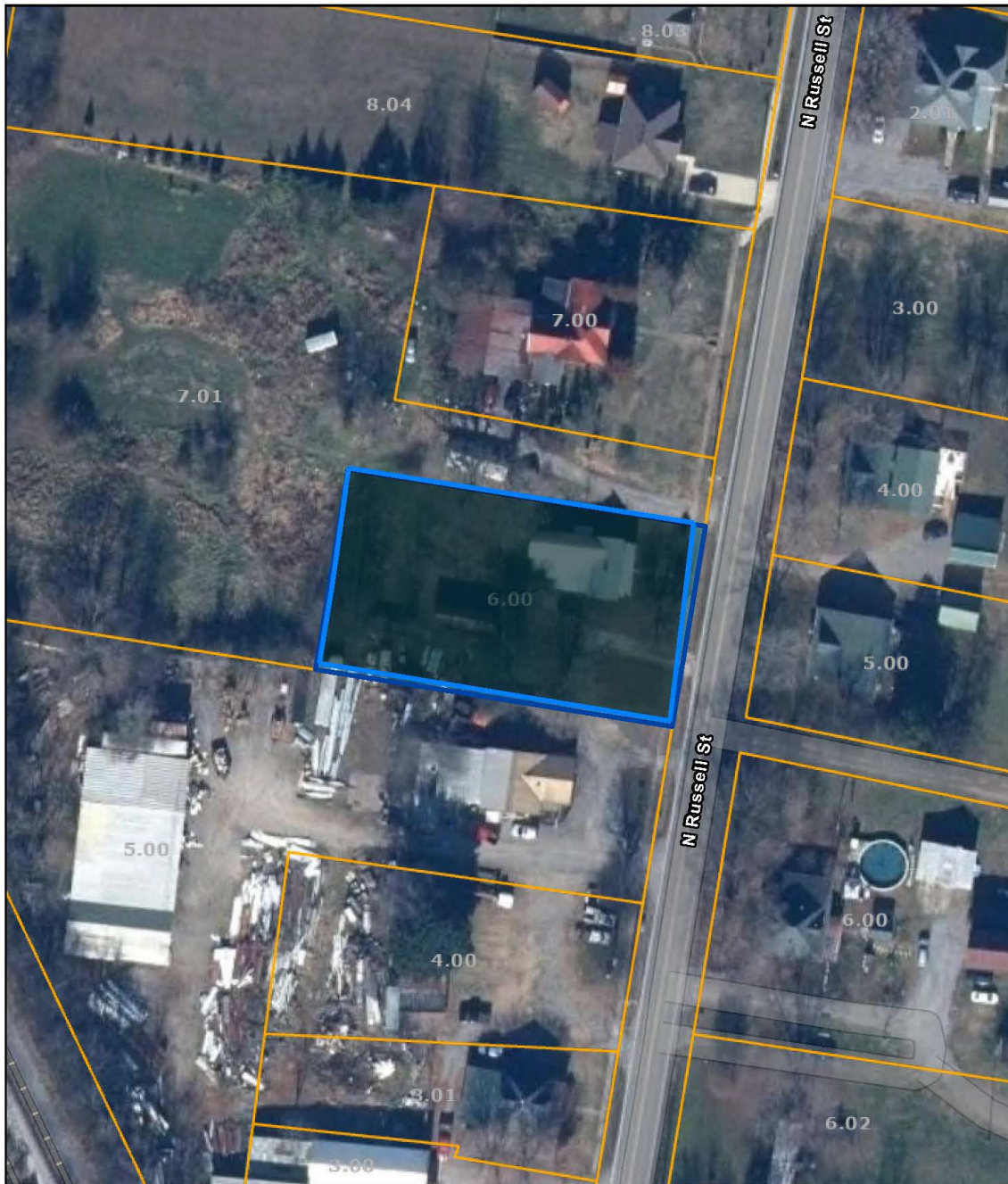
Public Hearing: May 6, 2024

Passed Second Reading:

EXHIBIT A:

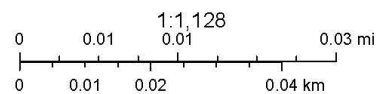


Sumner County - Parcel: 033A D 006.00



Date: February 2, 2024

County: Sumner
Owner: EVERETTE DANNY
Address: NORTH RUSSELL STREET 134
Parcel Number: 033A D 006.00
Deeded Acreage: 0
Calculated Acreage: 0
Date of TDOT Imagery: 2021
Date of Vexcel Imagery: 2023



Esri Community Maps Contributors, Tennessee STS GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METV, NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, State of Tennessee, Comptroller of the Treasury, TDOT Aerial Surveys

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.



**BOARD OF MAYOR AND ALDERMEN
MINUTES**

April 15, 2024 at 5:00 PM

1. Call to Order

Mayor Mike Callis called the meeting to order at 05:06 PM.

2. Prayer and Pledge

Police Chief Jason Williams led the prayer and pledge.

3. Roll Call

Present: Alderwoman Holcomb, Alderman Jennings, Vice-Mayor McDowell, Alderman Woodall

Also Present: Mayor Callis, City Attorney John Bradley, City Recorder/Finance Director Rachel Slusser, Asst. City Recorder Tracy Kizer

Absent: Alderwoman Penny Barnes, Alderman Mike Hall, Alderwoman Megan Thompson

4. Approval of Agenda

Motion to: Approve

By: Vice-Mayor McDowell

Second: Alderwoman Holcomb

Yes: Alderwoman Holcomb, Alderman Jennings, Vice-Mayor McDowell, Alderman Woodall

Absent: Alderwoman Barnes, Alderman Hall, Alderwoman Thompson

Motion Passed(voice vote)

5. Public Comment Period

James Chaney spoke against Resolution- 24-111 and Ordinance 24-26.

6. Communications from Council Members

Alderwoman Holcomb spoke about the updates to the City Convenience Center and the Salt Shed building.

7. Mayor's Report - Mayor Callis reviewed the following:

- City Offices will be closing at noon on May 10th, due to street closings for the Festival concert and fireworks.
- City Hall has received calls from citizens concerned about the border crisis & illegal aliens being sent to Tennessee. Mayor Callis advised the City of Portland has not been contacted.
- The departments have been discussing the difficulty with recruitment and retention and possible solutions.
- We had a kick-off meeting with Pay Point for the approved wage study. Employee meetings have been scheduled and September 1st was the agreed completion date.
- The TDOT safety grant work continues. Sidewalks are being completed and new rail-road crossing lights and arms will be installed. The purpose is to be able to walk from Mini-Park at Hwy 109 all the way to the Library.
- Sumner County Resources Authority caught fire this weekend and will be closed for an unspecified amount of time. The city will send trash to Robertson Co.
- The City had four participants in the Leadership Portland's 6th class. They were Brandon McGuire in Finance, Steven Graves in Sanitation, Alderwoman Latoya Holcomb and Alderman Brian Woodall.

8. Alcohol Beverage Board

9. Consent Calendar

Motion to: Approve

By: Alderman Jennings

Second: Alderman Woodall

Yes: Alderwoman Holcomb, Alderman Jennings, Vice-Mayor McDowell, Alderman Woodall

Absent: Alderwoman Barnes, Alderman Hall, Alderwoman Thompson

Motion Passed(voice vote)

- A.** Approval of Minutes from April 1, 2024, City Council Meeting
- B.** Department Reports
- C.** Resolution No. 24-108* - A Resolution to re-appoint the City Attorney, John Bradley serving a four-year term.
**Numbered in error - Corrected Resolution Number is 24-31.*
- D.** Ordinance No. 24-21 – Second Reading – An Ordinance approving a property purchase by The Portland Airport Authority from Portland Industrial Enterprises for the purchase of property located Sumner County tax map 020, Parcel 055.00 containing 9.56 Acres.
- E.** Ordinance No. 24-22 – Second Reading – An Ordinance approving a property purchase by The Portland Airport Authority from William Payne for the purchase of property located Sumner County Tax Map 021 Parcel 002.02 containing 11.74 acres.
- F.** Ordinance No. 24-23 –Second Reading – An Ordinance approving a property purchase by The Portland Airport Authority from Portland Airport Industrial Park, Inc. for the purchase of property located Sumner County Tax Map 020, Parcel 052.00 containing 27.80 acres.
- G.** Ordinance No. 24-24 – Second Reading – An Ordinance to enter into an agreement with Alvin Krantz Painting, Inc. for the interior painting of Richland Gym project at Richland Park.

10. Community Development

- No Items

11. Finance

- A.** Ordinance No. 24-26 – First Reading – An Ordinance of the City of Portland, Tennessee adopting the annual budget and tax rate for the fiscal year beginning July 1, 2024 and ending June 30, 2025.

Motion to: Approve

By: Alderman Jennings

Second: Alderman Woodall

Discussion:

- The Water and Sewer budgets are now balanced.
- Bryan Price, Utilities Director, reviewed the vehicle purchases and needs vehicles; 2 for Water Distribution; 1 for Sewer.
- Projects in Water and Sewer currently underway that will continue into the next fiscal year, will be paid with Cash, Bonds, ARPA money & Developer Deposits.
- Natural Gas budget is balanced.
- Developer Deposits when received go in a liability account. When actual work is completed, it becomes revenue. Not all deposits have been received and as they come in, budget amendments will be made.
- The Airport will need \$81,300 transferred from the General Fund to balance.
- Stormwater Operating Budget balances.
- Sanitation Operating Budget balances. Any extra will be saved for future truck purchases.
- No Capital purchases requested.
- Mr. Price reviewed the Water and Sewer projects currently under construction.
- Mayor questioned when the 109 developments will be reimbursed. Mr. Price explained that no contracts have been signed at this time. The City will pay for the project and once contracts are signed; then reimbursements will start coming through.

Discussion of Positions requested.

- Rachel Slusser, Finance Director, advised that the amounts shown include salary, benefits, taxes, and retirement cost.

- Kristi Gibbs, Business Office Director, reviewed the need for a Billing Coordinator.
- Mr. Price explained the Grade III Operator for Water Treatment Plant and the Water Crew Worker I.
- Mr. Price listed highest need to least needed:
 1. Water Distribution Crew Worker I
 2. Billing Coordinator
 3. Grade III Operator for Water Plant
- Mr. Price and Ms. Slusser will meet to see if the top two positions could be added without a rate increase.

Ms. Slusser reviewed the General Fund Operating Budget.

- The Budget does not include any cost-of-living increases and benefits increases that the City would be responsible for.
- Discussion of if any increases and/or when they would go into effect.
- During discussion, Mayor Callis withdrew the request for Civil Engineer, Permit Tech and Human Resources part-time position.
- Discussion of tax rates and cost of increases. Ms. Slusser reiterated that General Fund funds come from tax payments, while Water, Sewer, Gas, Sanitation, Streets are different funding.

The following motions for equipment were made for the Fiscal Year 2024-2025 Budget:

Motion	Amount	First	Second	Yes	Pass Fail
Natural Gas Equipment – 2 trucks – Cash purchase	\$1,130,000	Alderman Jennings	Vice-Mayor McDowell	All	Pass
Water & Sewer Equipment – 3 trucks & 1 ton truck – Cash purchase	\$190,000	Alderman Woodall	Alderman Jennings	All	Pass
Stormwater Equipment- Truck & Repair projects – Cash Purchase	\$113,000	Alderman Jennings	Alderman Woodall	All	Pass
Parks – Dog Park Sidewalks – Impact Fees	\$8,500	Vice-Mayor McDowell	Alderman Jennings	All	Pass
General Fund Capital Outlay - 4 Police Cars, Truck, 2 Gas Mowers, Mini Excavator, Truck, Collar Mower, Sign, Heating unit at Richland, Camera System, Table & Chairs	\$448,800	Alderman Woodall	Vice-Mayor McDowell	All	Pass
Sidewalks – Cash & Subdivision Rues & Regs	\$100,000 \$25,000	Alderman Woodall	Alderman Jennings	All	Pass
Paving – Cash Purchase		No motion			Failed

The following motions for Personnel and related cost made to be included in Fiscal Year 2024-2025.

General Government - Grant Account	\$73,456	Alderman Woodall	Vice-Mayor McDowell	Motions	withdrawn
General Government - Grant Account and Public Works Assistant Director	\$73,456 \$92,044	Alderman Jennings	Alderman Woodall	All	Pass
2% COLA for employees		Alderman Jennings	Vice-Mayor McDowell	All	Pass
12 Cent Tax Increase		Alderman Jennings	Vice-Mayor McDowell	All	Pass

General Fund Projects that are proposed in Budget Ordinance:

Splash Pad	\$2,473,600	Half Loan/Half Grant Processes
Police Building	\$990,000	Assign Fund Balance
Gym	\$650,000	Assign Fund Balance
Parks Maintenance Building	\$165,000	ARPA
Parks Maintenance Building	\$85,000	Cash (Insurance received from old Barn)
Golf Course Irrigation	\$350,000	Half Loan/Half Grant Processes

Vote: Approve Amended Budget

Yes: Alderwoman Holcomb, Alderman Jennings, Vice-Mayor McDowell, Alderman Woodall

Absent: Alderwoman Barnes, Alderman Hall, Alderwoman Thompson

Motion Passed(voice vote)

12. Fire Department – Vice Mayor Jody McDowell

- A.** Ordinance No. 24-27 – First Reading - An Ordinance to establish fees for Fire Extinguisher Training provided by Fire Department personnel.

Motion to: Approve

By: Vice-Mayor McDowell

Second: Alderman Woodall

Discussion: Chief Thornton explained the fees will help to replace the equipment as needed.

Yes: Alderwoman Holcomb, Alderman Jennings, Vice-Mayor McDowell, Alderman Woodall

Absent: Alderwoman Barnes, Alderman Hall, Alderwoman Thompson

Motion Passed(voice vote)

Chief Thornton requested to speak about the property behind the North Fire Hall. He was approached by a farmer questioning leasing the property to row crop. After discussion, it was agreed to bid the lease and bring a resolution to the next meeting.

13. Human Resources

- No Items

14. Legislative – Mayor Mike Callis

- No Items

15. Municipal Airport

- No Items

16. Parks & Recreation – Alderman Brian Woodall

- A.** Resolution No. 24-109* – A resolution to authorize the demolition of the Robert Coleman Community Center at Richland Park.

**Numbered in error - Corrected Resolution Number is 24-32.*

Motion to: Approve

By: Alderman Woodall

Second: Alderman Jennings

Yes: Alderwoman Holcomb, Alderman Jennings, Vice-Mayor McDowell, Alderman Woodall

Absent: Alderwoman Barnes, Alderman Hall, Alderwoman Thompson

Motion Passed (voice vote)

- B.** Resolution No. 24-110* – A Resolution to authorize the demolition of the Swimming Pool at Richland Park.
**Numbered in error - Corrected Resolution Number is 24-33.*

Motion to: Approve

By: Alderman Woodall

Second: Alderman Jennings

Discussion: Jamie White and Carlton Cobb discussed the plan for both demolitions is to rent equipment needed for approximately \$6000/month. The RCCC Building remains will fill-in the pool. The RCC Building area will become parking and the pool area will be converted to pickleball courts. Demolition would not begin until after the Strawberry Festival.

Yes: Alderwoman Holcomb, Alderman Jennings, Vice-Mayor McDowell, Alderman Woodall

Absent: Alderwoman Barnes, Alderman Hall, Alderwoman Thompson

Motion Passed(voice vote)

The Council wanted to insure that the plans for the splash pad include a location for the pool and facilities such as restrooms are built to handle both or easily modified when the pool is built. Jamie explained revisions for the splash pad have been made, but the engineering for the pool cannot be done on this grant. It was also noted that the splash pad will reuse water, it will have a self contained reuse filtration system. Completion should be in 2025.

Jamie also explained the funds that would have been used to update the RCC building have been used to remodel the gym, by adding AC/heat, windows, meeting space, and painting.

17. Planning & Codes

- No Items

18. Police Department – Alderman Drew Jennings

- No Items

19. Public Works – Alderwoman LaToya Holcomb

- A.** Resolution No. 24-111* – A Resolution to enter into an engineering agreement with Civil and Environmental Consultants, Inc. for the design of a Regional Detention Basin on Airport Road.

**Numbered in error - Corrected Resolution Number is 24-34.*

Motion to: Approve

By: Alderwoman Holcomb

Second: Alderman Jennings

Discussion: Carlton Cobb advised the design will incorporate additional inlets from Highway 52E in front of CARES, through the water shed, and may work with the development near Deasy Lane.

Yes: Alderwoman Holcomb, Alderman Jennings, Vice-Mayor McDowell, Alderman Woodall

Absent: Alderwoman Barnes, Alderman Hall, Alderwoman Thompson

Motion Passed(voice vote)

- B.** Discussion - Traffic Calming on Portland Blvd and Wheeler St.
- After discussion of the placement of stop signs, on Portland Blvd it was determined Carlton will bring suggestions to the Council.

20. Utility Infrastructure – Alderman Brian Woodall

- A.** Ordinance No. 24-19 –Second Reading - An Ordinance to enter into an agreement with Gresham Smith to provide engineering services for the City of Portland 2024 TGT Road Gas Line Improvements Project.

Motion to: Approve

By: Alderman Woodall

Second: Alderman Jennings

Yes: Alderwoman Holcomb, Alderman Jennings, Vice-Mayor McDowell, Alderman Woodall

Absent: Alderwoman Barnes, Alderman Hall, Alderwoman Thompson

Motion Passed(voice vote)

- B.** Ordinance No. 24-26 – First Reading – An Ordinance to rescind in its entirety Ordinance 24-20 and replace with this Ordinance for water, sewer, natural gas, and capacity letter maintenance fees.

Motion to: Approve

By: Alderman Woodall

Second: Alderwoman Holcomb

Discussion: It was noted the increased fee amounts came from the Ad Hoc meeting.

Yes: Alderwoman Holcomb, Alderman Jennings, Vice-Mayor McDowell, Alderman Woodall

Absent: Alderwoman Barnes, Alderman Hall, Alderwoman Thompson

Motion Passed(voice vote)

C. Discussion - Brycer Backflow Management Warren Garrett, Assistant Utility Director, distributed information about the Backflow Management Program.

- Mr. Garrett presented improvements the Utilities Department has made in the annual inspection process, including invoicing and TDEC requirements.
- Mr. Garrett explained that the inspection is either a pass or fail and, if failed, compliance cannot exceed 30 days as per our Municipal Code.
- TDEC requires 100% compliance.
- The Utility Department has determined to use a third party to oversee the annual inspection process.
- Any cost will be billed to the owner of the backflow.
- The Utility Department wanted to make the Council aware of the change in the inspection process and that any backflow found in non-compliance would have thirty days to become compliant.
- The backflow will be tested again and, if not corrected, the facility will have its water cut off.
- The Council does not have to take action on this, because there will be no cost to the City.
- The Council supported the Utility Department to move forward on the solution.

D. Discussion - Consent Order Mr. Price discussed Stevinson Ham and the current process.

- Discussion was held about the compliance schedule. Mr. Price and Stevenson Ham management has been in discussion about meeting the deadlines in the schedule.
- Mr. Price advised the private fire line for water will have to be cut off because of the backflow issue, but the facility will still have water coming into the facility.
- The Fire Department has been notified about the cut-off.
- Mr. Price wanted to make sure the Council was aware of the issues and the developer's agreement would be amended.

No action was taken by the Council.

Adjournment

Motion to Adjourn by Vice-Mayor McDowell; Second by Alderman Jennings;

Motion passed by voice vote to **adjourn at 8:05.**

ORDINANCE

City of Portland, Tennessee

No. 24 - 27

Second Reading

AN ORDINANCE TO ESTABLISH FEES FOR FIRE EXTINGUISHER TRAINING PROVIDED BY FIRE DEPARTMENT PERSONNEL.

WHEREAS, the City of Portland Fire Department purchased an augmented reality (AR) fire extinguishing training system to facilitate fire extinguisher training with increased safety measures, and;

WHEREAS, the fire department has provided fire extinguisher training in the past, when requested, to industries and businesses with previous systems that became dated and have been replaced by the AR system, and;

WHEREAS, the fire department has developed a basic class and an advance class, and;

WHEREAS, the fire department would like to establish the following fees:

Basic Class: \$10/person with a minimum class fee of \$100, limited to 20 students per class

Advanced Class: \$20/person with a minimum class fee of \$100 limited to 10 students per class, and;

WHEREAS, the fire department may waive the class fee for civic and religious organizations.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Portland

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Passed First Reading: April 15, 2024

Passed Second Reading:

RESOLUTION

City of Portland, Tennessee

No. 24 – 39

**A RESOLUTION TO APPOINT A COORDINATOR WITHIN THE CITY OF
PORTLAND TO OVERSEE THE TITLE II COMPLIANCE PROGRAM**

WHEREAS, The City of Portland's Title II Program's primary goal is ensure compliance with the Americans with Disabilities Act (ADA), in order to help protect individuals with disabilities from discrimination when they use or participate in state and local government services, programs, and activities as it applies to the public; and

WHEREAS, it has been determined that the Planning Department will assume the duties of the Title II Program and a member of that staff will serve as Coordinator; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Portland approves and authorizes the Planning Department to assume the duties of the Title II Compliance Program; and

BE IT FURTHER RESOLVED that the Resolution shall become effective upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this

RESOLUTION

City of Portland, Tennessee

No. 24 – 40

A RESOLUTION TO APPOINT A COORDINATOR WITHIN THE CITY OF PORTLAND TO OVERSEE THE TITLE VI COMPLIANCE PROGRAM

WHEREAS, The City of Portland's Title VI Program's primary goal is to ensure all management staff, contractual parties, and service beneficiaries are aware of the provisions of Title VI and the responsibilities associated with Title VI of the Civil Rights Act of 1964; and

WHEREAS, it has been determined that the Human Resource Department will assume the duties of the Title VI Compliance Program and a member of that staff will serve as Coordinator; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Portland approves and authorizes the Human Resource Department to assume the duties of the Title VI Compliance Program; and

BE IT FURTHER RESOLVED that the Resolution shall become effective upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this

RESOLUTION

City of Portland, Tennessee

No. 24 – 41

A RESOLUTION TO NAME THE CITY COUNCIL AS THE TITLE VI ADVISORY COMMITTEE FOR THE CITY OF PORTLAND

WHEREAS, The City of Portland's Title VI Program's primary goal is to ensure all management staff, contractual parties, and service beneficiaries are aware of the provisions of Title VI and the responsibilities associated with Title VI of the Civil Rights Act of 1964; and

WHEREAS, the City Council sets the legislative and funding agenda for the City of Portland and is elected at-large from the public; and

WHEREAS, in an effort to provide equal opportunity for all groups to be represented on an advisory committee from the community, the City Council has been determined to be the best conduit for a Title VI Advisory Committee in the event an advisory committee needs to be convened; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Portland approves and authorizes the naming of the City Council as the Title VI Advisory Committee; and

BE IT FURTHER RESOLVED that the Resolution shall become effective upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this

RESOLUTION

City of Portland, Tennessee

No. 24 – 35

A RESOLUTION ESTABLISHING GUIDELINES FOR THE FINANCIAL AID TO ANY NONPROFIT CHARITABLE ORGANIZATION OR ANY NONPROFIT CIVIC ORGANIZATION

WHEREAS, the Tennessee Code Annotated § 6-54-111 authorizes municipalities to appropriate funds for the financial aid of nonprofit charitable organizations and nonprofit civic organizations; and

WHEREAS, the Comptroller of the Treasury has devised standard procedures to assist a municipality in the disposition of funds that are appropriated under the provisions of T.C.A. §6-54-111; and

WHEREAS, each legislative body of a municipality shall devise guidelines directing for what purpose the appropriated money may be spent; and

WHEREAS, these guidelines shall provide generally that any funds appropriated shall be used to promote the general welfare of the residents of the municipality; and

WHEREAS, any funds appropriated under the provisions of T.C.A. § 6-54-111 shall be used and expended under the direction and control of the legislative body of a municipality in conjunction with the guidelines and procedures of the Comptroller of the Treasury; and

WHEREAS, City of Portland's *Charitable Donation Policy Guidelines* shall be attached to this Resolution.

NOW, THEREFORE BE IT RESOLVED the Mayor and Board of Aldermen of the City of Portland desire to establish guidelines set forth by the Tennessee Comptroller and T.C.A. § 6-54-111 for appropriating funds to nonprofit charitable organization or nonprofit civic organization.

BE IT FURTHER RESOLVED this resolution shall take effect upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this day of

City of Portland Tennessee

Charitable Donation Policy Guidelines

The total amount of disbursements per year are determined by the Board of Mayor and Aldermen with the passage of the budget. Amounts are based on available funding.

Guidelines

1. Authority: TCA § 6-54-111
2. Qualifying agencies:
 - a. Nonprofit charitable organization
 - i. No part of net earnings is to the benefit of any individual.
 - ii. Must provide year-round services.
 - b. Nonprofit civic organization (26 U.S.C.A. § 501(c)(4) or (c)(6))
 - i. Operates primarily for civic betterments and social improvements through efforts to maintain and increase employment opportunities by promoting industry, trade, commerce, tourism, and recreation.
3. Further Qualifications for Funding Consideration:
 - a. Must be based in, or its activities closely affiliated and aligned with, Portland.
4. Submittal requirements:
 - a. A copy of the most recent annual audit
 - i. Must be within 2 years of the agency's current fiscal year.
 - b. A description of the program that serves the residents of the municipality.
 - c. The proposed use of municipal assistance.
 - d. Proof of nonprofit registration.
 - e. City application form.
5. Submittal period: July 1 – September 1
6. Processing of Requests:
 - a. Requests for funding shall be submitted to the finance director.
 - b. The finance director shall review for completeness.
 - c. Eligible funding requests shall be distributed to the Board of Mayor and Aldermen in a packet for review and/or may be referred to an ad-hoc or committee for scoring.
7. Review:

Board of Mayor and Aldermen, the total amount of donations may not go over passed budgeted amount without a budget amendment prior to disbursement(s).

8. Formal Approval:

A resolution shall be passed before the charity receives the donation. The resolution shall state the name of the organization and requested amount.

9. Publication of Intent to Fund:

A list of organizations and their requested amount shall be published on the City of Portland's official website.

10. Disbursements:

Approved donations will be dispersed before June 30 each year after the submission date (July 1 – September 1).

- For example: If an application is submitted on July 1, 2024, then payment, if approved, will be made before June 30, 2025.

Passed: _____



City of Portland Tennessee
Charitable Donation Application Form

Name of Organization: _____

Mailing address: _____

Contract person: _____

Phone: _____ Email: _____

Submittal Date: _____ (July 1 – September 1 only)

If NOT between July 1 – September 1: STOP. The application period is not open.

Type of Agency (please mark one):

☐

Nonprofit charitable organization

- i. No part of net earnings is to the benefit of any individual.
- ii. Must provide year-round services.

☐

Nonprofit civic organization (26 U.S.C.A. § 501(c)(4) or (c)(6))

- iii. Operates primarily for civic betterments and social improvements through efforts to maintain and increase employment opportunities by promoting industry, trade, commerce, tourism, and recreation.

Do you have proof of nonprofit registration? Yes ☐ No ☐

If NO – STOP. You are not eligible for funding.

Are you a recipient of any other financial or other type of assistance from the City of Portland? Yes ☐ No ☐

If YES – Please explain other financial or other type of assistance.

Are you based in, or are your activities closely aligned with, Portland? Explain.

IF NOT – STOP. You are not eligible for funding.

Submittal Requirements:

Eligible agencies must attach the following materials to this application:

- ☐ Proof of nonprofit registration
- ☐ A copy of the most recent annual audit (must be within 2 years of current)
- ☐ A description of the program that serves the residents of Portland and the proposed use of municipal assistance.
- ☐ The amount requested.

If ALL of the items required are not submitted – STOP. You are not eligible for funding.

Signature of person applying: _____

Title: _____

Applications with attachments should be sent to the following address:

City of Portland Tennessee
Finance Director
100 S. Russell Street
Portland, Tennessee 37148

RESOLUTION

City of Portland, Tennessee

No. 24 - 36

A RESOLUTION TO ASSIGN CERTAIN FUND BALANCE AMOUNTS FOR FUTURE EXPENDITURES

WHEREAS, The City Council deems it necessary to assign certain fund balance amounts for future expected spending; and

WHEREAS, The Tennessee State Comptroller requires the use of Generally Accepted Accounting Principles (GAAP) for budgeting, accounting, and financial reporting; and

WHEREAS, The Governmental Accounting Standards Board (GASB) released Statement No. 54 on fund balance reporting and governmental fund types. *Fund balance* is the remaining difference once liabilities are subtracted from assets in governmental funds. It is divided into five classifications:

- ***Nonspendable***. This classification of fund balance includes amounts that due to their nature, cannot be spent, i.e., inventory. Amounts which legally or contractually cannot be spent are also required to be classified as nonspendable.
- ***Restricted***. Amounts are classified as restricted when creditors, grantors, contributors, or laws and regulations of other governments impose external, enforceable, legal restrictions. They are also restricted when required by law through constitutional provisions or enabling legislation such as: unspent grant funds, debt covenants, and state street aid.
- ***Committed***. Amounts defined as committed arise from self-imposed constraints put on the use of the funds by the local government's highest level of authority – the full governing body. The commitment must be made by the highest level of formal action (ordinance).
- ***Assigned***. Amounts defined as assigned arise from the intentions of the local government to use the funds for a specific purpose. Assignment of fund balance is a less formal action than required for committed funds and is usually done by resolution.
- ***Unassigned***. The unassigned amounts represent those funds which are left for spending after funds earmarked for specified purposes have been otherwise classified and is often referred to as available cash.

***Note:** The term “*unrestricted fund balance*” refers collectively to the three categories of committed, assigned and unassigned, since the Council has the authority to restrict and/or remove restrictions within those funds.

WHEREAS, The June 30, 2023, Annual Financial Report stated that the General Fund had a total fund balance of \$10,346,159 with \$6,534,606 of that being accounted for within the unassigned fund balance; and

WHEREAS the items and amounts to be assigned totaling \$3,009,040.00 are as follows:

Item	Usage	Amount
General Obligation Bond Issues		
GO Bond Issue 2016	Gateview Drive Extension	66,755
GO Bond Issue 2020	Gateview Drive Extension	360,000
GO Bond Issue 2020	Police Station Remodel	981,000
GO Bond Issue 2020	Richland Park Upgrades – Gym, RCCC, Pool	592,000
GO Bond Issue 2020	Airport Projects/Grant Match	25,000
GO Bond Issue 2020	Golf Course	25,000
	<i>Total Bond Issue Commitments</i>	<i>\$2,049,775.00</i>
Sale of Land		
Four Building Lots	Downtown Parking (old furniture building)	345,600
Industrial Parcel	Park Improvements (originally for the RCCC)	57,594
	<i>Total Land Sale Commitments</i>	<i>\$ 403,194.00</i>
Miscellaneous		
Downtown Project Fund	Parking Lot Improvements (Parking Lot B)	56,071
Sumner County	Reappraisal Cost	100,000
Library	Building Maintenance	50,000
Moye Green	Building Maintenance	10,000
	<i>Total Miscellaneous Commitments</i>	<i>\$ 216,071.00</i>
TDOT Local Programs Grants		
STBG – Kirby Rd	Resurfacing Project 20% Match Portion	55,000
STBG – South Russell	Resurfacing Project 20% Match Portion	55,000
STBG - College	Sidewalk Project 20% Match Portion	230,000
	<i>Total</i>	<i>\$ 340,000.00</i>
<i>Total Assigned Fund Balance</i>		<i>\$3,009,040.00</i>

NOW THEREFORE BE IT RESOLVED that the Mayor and Alderman of the City of Portland hereby approve the assignment of \$3,009,040.00 within the fund balance; and

BE IT FURTHER RESOLVED that this resolution shall become effective July 1, 2024, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this
Page 2 of 2

Resolution No. 24-36

RESOLUTION

City of Portland, Tennessee

No. 24 – 37

A RESOLUTION TO ACCEPT THE BEST BID TO LEASE LAND ADJOINING THE NORTH FIRE STATION (STATION 1) FOR AGRICULTURAL PURPOSES.

WHEREAS, the City of Portland has land that has approximately 4 acres of land joining the North Fire Station (Station 1) site that is available for agricultural use, and;

WHEREAS, multiple individuals/entities may be interested in the agricultural use of this land, and;

WHEREAS, the City of Portland set forth stipulations within the bid document including but limited to:

- 1) Agricultural use of this land shall be limited to row crops and/or hay.
- 2) No livestock, fencing (temporary or permanent), and/or structures shall be placed upon the land.
- 3) Renewal can be granted after satisfactory use of the land during the lease period and upon written intended use of the land for the next 12 months that meets the above requirements.
- 4) Upon the end and/or termination of the lease along with no renewal the individual or entity whose lease is ending shall stabilize any soil with fescue.

WHEREAS, the City of Portland accepts sealed bids in accordance with city policy.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Portland accepts the best bid submitted by _____ ; and

BE IT FURTHER RESOLVED that the Resolution shall become effective upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this day of

RESOLUTION

City of Portland, Tennessee

No. 24 – 21

A RESOLUTION TO ADOPT GUIDELINES FOR PUBLIC COMMENTS DURING CITY COUNCIL MEETINGS.

WHEREAS, the City of Portland, Tennessee, is committed to transparent government and welcomes input by all its citizens;

WHEREAS, the City desires to conduct its business in an orderly manner and to show respect for different points of view; and

WHEREAS, the City deems it appropriate to adopt guidelines to govern public comments:

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Portland that the following guidelines will govern public comments at City Council meetings;

1. Speakers must identify themselves by name and address;
2. Public comments shall be limited to items on the agenda and shall be limited to five minutes per individual, which time is not transferable to other speakers;
3. Comments must address issues, not individuals or personalities; personal attacks shall not be tolerated;
4. Comments may support or oppose particular issues or measures, but the motives of those with differing views shall not be questioned or attacked;
5. Malicious comments will not be allowed; and
6. Speeches for or against particular candidates running for public office shall not be allowed.

BE IT FURTHER RESOLVED that the Resolution shall become effective upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this day of

ORDINANCE

City of Portland, Tennessee

No. 24 – 12

Second Reading

AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING 523 WEST MARKET STREET, (TAX MAP 034E, GROUP C, PARCEL 005.00) FROM RS-20 (SINGLE FAMILY RESIDENTIAL) TO R-15 (LOW DENSITY RESIDENTIAL)

WHEREAS, the City of Portland desires to amend the official zoning atlas of the City; and

WHEREAS, the City of Portland believes that such amendment will promote, protect, and facilitate the public health, safety, and welfare of the community through coordinated and practical land use and land development for the betterment of Portland's population; and

WHEREAS, the Portland Municipal Planning Commission recommended approval of rezoning 523 West Market Street from RS-20 (Single Family Residential) to R-15 (Low Density Residential), by a vote of 8-1 at their February 13, 2024, meeting.

NOW, THEREFORE, BE IT ORDAINED by the City of Portland, Tennessee, as follows:

Section 1. That the property described herein be, and the same is hereby, rezoned from RS-20 (Single Family Residential) to R-15 (Low Density Residential).

Approximately 0.83 +/- acres, located at 523 West Market Street as shown on the attached map. *See exhibited A*

For reference, see in the Registers of Deeds Office of Sumner County, Tennessee, and being shown as: Record Book 1755, Page 114 in the Register's Office of Sumner County, Tennessee, and being shown as Map 034E, Group C, Parcel 005.00, for Sumner County, Tennessee.

Section 2. That all Ordinances in conflict herewith are repealed to the extent of said conflict, and that this Ordinance shall become effect upon the annexation of the property and after its passage on final reading, the public welfare requiring it.

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

Passed First Reading: April 1, 2024

Notice Published: Portland Sun-4/16/24; Portland Leader-4/24/24.

Public Hearing: May 6, 2024

Passed Second Reading:

EXHIBIT A:





CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown hereon as evidenced in Book 151, Page 34, R.O.S.C., and that I (we) hereby adopt this plan with my (our) free consent, establish the minimum building restriction line, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

DATE: 11-29-97 J.R. Jernigan
OWNER

CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Portland Planning Commission and that the monuments shown have been or will be placed to the specifications of the city or county engineer or his authorized representative, and that this is a Category "1" Land Survey as defined in Title 62, Chapter 18, Tennessee Code Annotated.

DATE: 11-29-97 Jan J. Willis
REGISTERED LAND SURVEYOR

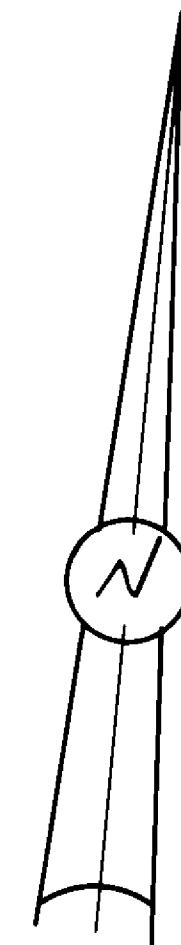


TOTAL AREA = 2.62 ACRES

INDEXED

FILED FOR RECORD
3:30 PM

Dec 31 1997
Registered in Plat
Book 17 Page 15
GIVEN BY Brown Ray



CERTIFICATE OF APPROVAL OF UTILITY SYSTEMS

I hereby certify (1) that the following utility systems outlined or indicated on the final subdivision plat entitled R. JERNIGAN & J.H. HARRIS have been installed in accordance with current local and/or state government requirements, or (2) a surety bond has been posted with the Planning Commission to assure completion of the following improvements in case of default.

WATER SYSTEM: Brian J. Jernigan
SUPERINTENDENT OF PUBLIC WORKS

DATE: 12-29-97

SEWER SYSTEM: Brian J. Jernigan
SUPERINTENDENT OF PUBLIC WORKS

DATE: 12-29-97

CERTIFICATE OF APPROVAL OF STREETS

I hereby certify (1) that all streets designated on the final subdivision plat entitled R. JERNIGAN & J.H. HARRIS have been constructed in accordance with local and/or state government requirements, or (2) a surety bond has been posted with the Planning Commission to assure completion of street improvements in case of default.

DATE: 12-29-97 Brian J. Jernigan
COUNTY ROAD OR PUBLIC WORKS
SUPERINTENDENT

CERTIFICATE OF GENERAL APPROVAL
FOR INSTALLATION OF SUBSURFACE SEWAGE
DISPOSAL SYSTEMS

General approval is hereby granted for the lots proposed hereon as being suitable for subsurface sewage disposal, with such restrictions, if any, as noted. Before the initiation of construction, the location of the house or other structures and plans for the subsurface sewage disposal system shall be approved by the local health authority.

DATE: _____
ENVIRONMENTALIST

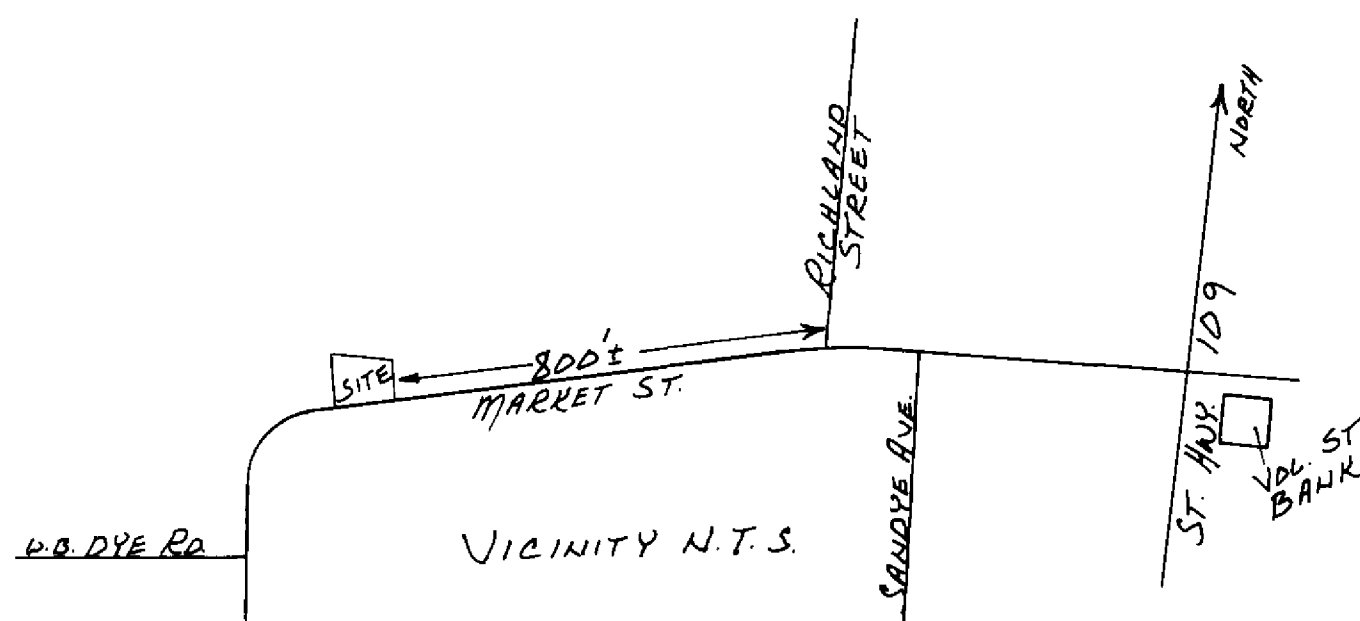
CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision standards for Portland, Tennessee, with the exception of such variances, if any, as noted in the minutes of the Planning Commission and that it has been approved for recording in the Office of the County Register.

DATE: 29 DEC 97 Brian J. Jernigan
SECRETARY PLANNING COMMISSION



LOT SETBACK REQUIREMENTS:	
FRONT -	40' MINIMUM
REAR -	30' MINIMUM
SIDE -	15' MINIMUM



PREPARED BY:
WILLIS LAND SURVEYING
345 N. CENTER POINT RD.
PORTLAND TN. 325-2690

FINAL PLAT
THE RUTH JERNIGAN & J.H. HARRIS SUBD.

16TH CIVIL DIST. SUMNER CO. TN. CITY OF PORTLAND

DATE: JULY 12, 1997

SCALE: 1"=50'

OWNER: RUTH JERNIGAN & H. HARRIS 523 W. MARKET ST.

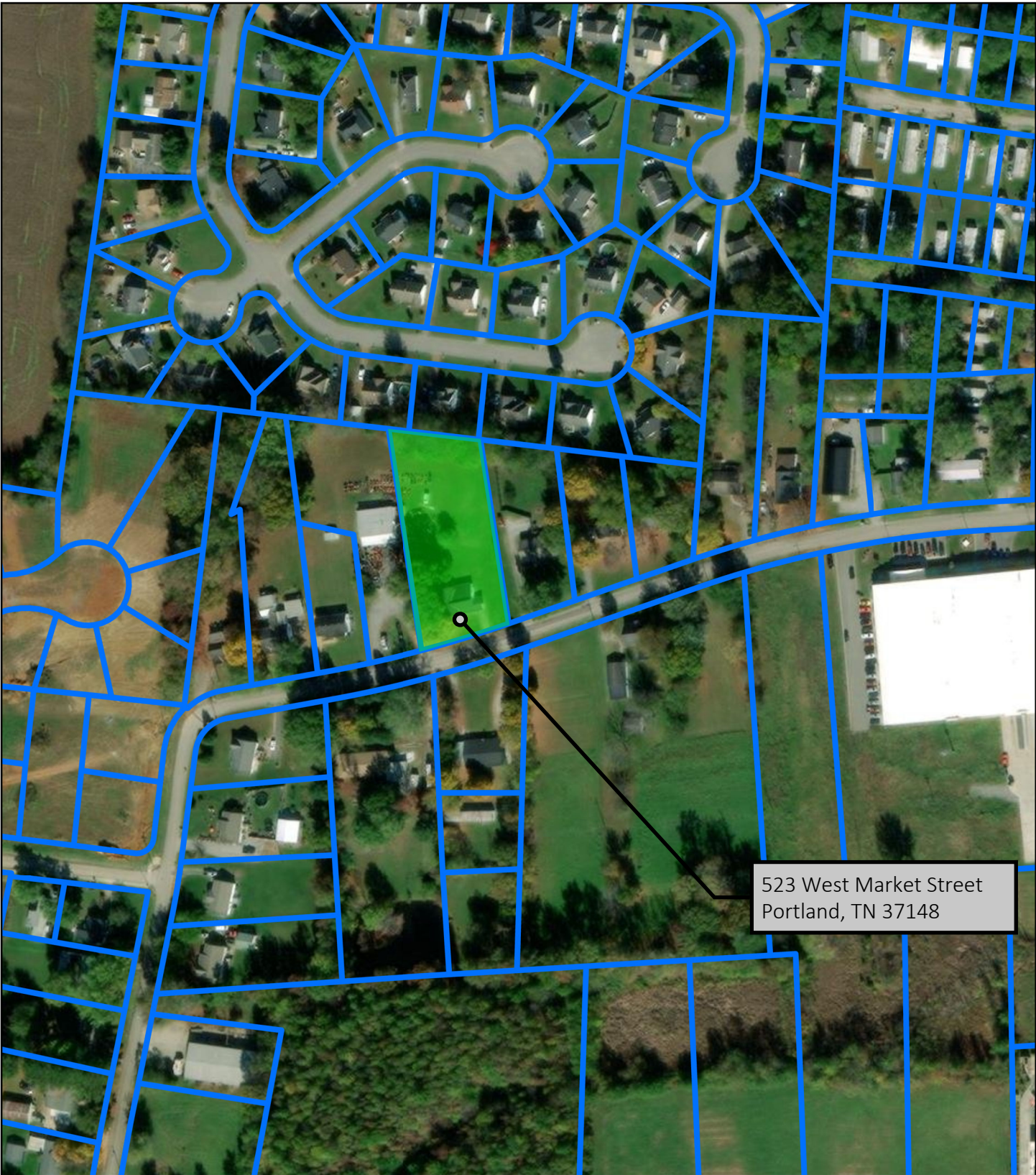
RECORD: DB 151 PG. 34 & DB 131 PG 30

TAX MAP# 34E (34D"B") PAR. 12 & 12.01

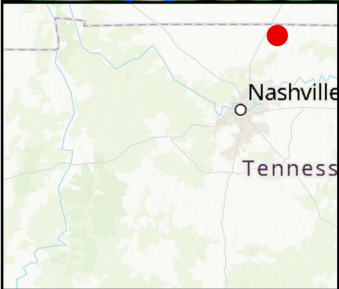
CURRENT ZONING: R-520

FOR: J.R. JERNIGAN

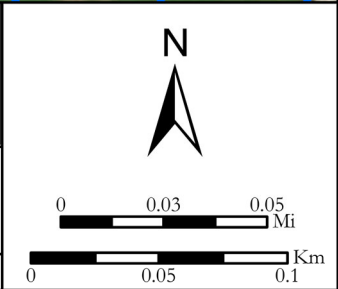
ENTERED
PLANNING COMMISSION
12/31/97



523 West Market Street
Portland, TN 37148



523 West Market Street Rezoning Application	
Maxar, Microsoft, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, Esri, USGS	2023
Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere	



CITY OF PORTLAND, TENNESSEE

Planning Commission Application Rezoning Information and Checklist



Title of Project: 523 WEST MARKET ST. REZONING

Street Location: 523 WEST MARKET ST.

County: Sumner County or Robertson County (Circle One)

Tax Map: 034E Group: C Parcel: 005.00

Total Acreage: 0.83

Rezoning: From RS-20 to R-15

Applicant:

Name: STEVE LAUGHTER

Company or Partnership: _____

Address: 105 LIBERTY COVE

City: HENDERSONVILLE State: TN Zip: 37075

Telephone: (615) 480-8269 Fax: () Mobile: ()

Email: STEVE.LAUGHTER1@ICLOUD.COM

Owner (If Applicant is not owner):

Name: _____

Company or Partnership: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: () Fax: () Mobile: ()

Email: _____

Surveyor/Engineer:

Name: MARSHALL BOYD

Company or Partnership: EVENTIDE CONSULTING LLC

Address: 110 EVENTIDE DR

City: HENDERSONVILLE State: TN Zip: 37075

Telephone: (615) 788-1010 Fax: () Mobile: ()

Email: MARSHALLBOYD21@GMAIL.COM

CITY OF PORTLAND, TENNESSEE

Planning Commission Application Rezoning Information and Checklist



Title of Project: 523 WEST MARKET ST. REZONING

Provided with Submittal		For Office Use
✓	Non-refundable Application Fee (See current fee schedule)	
✓	Completed Rezoning Application	
✓	Completed Agent Authorization Form	
✓ (PLAT)	Legal Description of Property being Rezoned	
✓	Copy of recorded deed.	
✓	8 1/2" by 11" map with the subject property highlighted	
N/A	If applicant is not the property owner one of the following items is required: letter of consent that has been notarized, a copy of the purchase contract with a zoning contingency, or the agent authorization form.	
✓	Tax Map and Parcel Number Information for Subject Parcel(s)	
✓	Total Acreage of Parcel(s)	
✓	Current and Requested Zoning of Subject Parcel(s)	
	Other information as may be Requested by the Planning Commission or Staff	

This application shall be accompanied by maps, drawings, or other supportive information necessary to explain the request. It is recommended that the applicant or a representative be present at the Planning Commission subsequent Portland City Council meetings. The Planning Commission reviews the request and makes a recommendation to the City Council. Rezoning is done by ordinance, approved by the City Council. Approving an ordinance is a two reading process with a public hearing held at the second reading.

As the applicant or the applicant's agent, I understand that it is my sole responsibility to notify my client of the time, date, and location of the Planning Commission and subsequent Portland City Council meetings at which this application will be heard and to ensure that someone representing this item is in attendance at each of these meetings.

I hereby attest that I have provided a complete application and included all of the necessary attachments as required. I understand that if information is incomplete and/or otherwise not provided, this application may be deferred until such time as the necessary information is provided.

Signature of Person Completing & Submitting this Application

CITY OF PORTLAND, TENNESSEE
Planning Commission Application
Rezoning Information and Checklist



Title of Project: 523 WEST MARKET ST. REZONING

Agent Acting on the Property Owners Behalf

The Agent Authorization Form shall be required for all applications. This form will allow your surveyor or engineer to act on behalf of the property owner and/or applicant. The applicant may also provide a purchase contract giving them the right to request the approval sought with this application. The purchase contract must be provided to the Planning Department along with this application.

Applications for Sketch, Preliminary, and Final Plats must include a Licensed Surveyor authorized to practice in the State of Tennessee. Applications for Site Plans must include the stamp of a Licensed Surveyor, Licensed Engineer, Licensed Architect, or Licensed Landscaped Architect according to the particular type of development. The a Licensed Surveyor, Licensed Engineer, Licensed Architect, or Licensed Landscaped Architect shall be authorized to represent the owner applicant in the matter before Planning Commission.

Agent Authorization Form

In connection with the above listed project, I hereby appoint the person indicated as the applicant and/or surveyor/engineer to act as my agent for the purpose of filing the attached application with the City of Portland Planning Commission.

STEVE LAUGHTER

Printed Name of Owner:

Steve Laughter

Signature of Owner:

STATE OF TENNESSEE COUNTY OF SUMNER

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, TISHA WILLIAMS, known to me to be the person who signed the foregoing instrument, and who acknowledged that he/she executed the within instrument for the purposes therein contained.

Witness my hand, at office this the 5 day of JANUARY, 2024.

Tisha Williams
Notary Public

My Commission Expires: 07/21/2026



My Commission Expires July 21, 2026

Pamela L. Whitaker, Register
Sumner County Tennessee
Rec #: 544194 Instrument 655882
Rec'd: 10.00 NBK: 95 Pg 444
State: 259.00 Recorded
Clerk: 1.00 6/11/2003 at 8:00 am
EDP: 2.00 in Record Book
Total: 272.00
1755 Pg 114

Ret
This instrument prepared by:
DAVID M. AMONETTE
Attorney at Law
554 West Main Street
Gallatin, TN 37066

ADDRESS NEW OWNER:
Stephen F. Laughter and wife,
Angelica D. Laughter

105 Liberty Cove
Hendersonville, TN 37075

SEND TAX BILLS:
Same **ENTERED**
Phillip G. Simpson
PROPERTY ASSESSOR

Map 34E, Group B, CTL Map 34D, Parcel 12.00

16th JUN 11 2003
34E-B-34D-

WARRANTY DEED	MAP GP CTL PAR
----------------------	----------------

12.00

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00), cash in hand paid by the hereinafter named Grantees and other good and valuable considerations, the receipt of which is hereby acknowledged, **SHERMAN D. WILLIAMS, unmarried person**, hereinafter called the Grantor, has bargained and sold the following described property, and by these presents does transfer and convey the following described property unto **STEPHEN F. LAUGHTER and wife, ANGELIC D. LAUGHTER, as Tenants by the Entireties**, the following described property to wit:

Situated in the 16th civil District of Sumner County, Tennessee, and described as follows:

Being Lot #2 on the final plat of the Ruth Jernigan & J.H. Harris Subdivision to the City of Portland, a plat of which is of record in Plat Book 17, Page 15, Register's Office of Sumner County, Tennessee, to which reference is made for a more complete description.

Being the same property conveyed to **Sherman D. Williams, unmarried person** by Deed from **Bobby Lassiter** of record in Book 1482, Page 14, Register's Office for Sumner County, Tennessee.

THIS CONVEYANCE is made subject to plan of record in Plat Book 17, Page 15, Register's Office for Sumner County, Tennessee and any visible and unrecorded easements, building regulations and zoning regulations.

Taxes for 2003 are to be paid by the Grantees named herein.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantees, their heirs and assigns forever; and the Grantor does covenant with the said Grantees that he is lawfully seized and possessed of said land in fee simple, that he has a good right to convey it, and the same is unencumbered, except for the matters as herein set forth, and the Grantor does further

covenant and bind himself, his heirs and/or assigns, to warrant and forever defend the title to the said land to the said Grantees, their heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the party hereto has duly executed the foregoing on this the 16 day of May, 2003.

Sherman D. Williams
SHERMAN D. WILLIAMS

**STATE OF TENNESSEE
COUNTY OF SUMNER**

Personally appeared before me, the undersigned, a Notary Public for said County and State, **SHERMAN D. WILLIAMS** with whom I am personally acquainted and who, upon oath, acknowledged that he executed the foregoing instrument for the purposes therein contained.

Witness my hand and seal at office on this the 16 day of May, 2003.

[Signature]
NOTARY PUBLIC

My Commission Expires: 2/19/2007

**STATE OF TENNESSEE
COUNTY OF SUMNER**

The actual consideration or value, whichever is greater, for this transfer is \$ 70,000⁰⁰.

Stephen L. Laughter
AFFIANT

Subscribed and sworn to before me this the 16 day of May, 2003.

[Signature]
NOTARY PUBLIC

My Commission Expires: 2/19/2007
d:/laughter.wd

T.T.'s
LAWN MOWER REPAIR
615-584-6412
BUY-SELL-TRADE
9:00-5:00 MON-FRI.
SAT. 9-12
CLOSED SUNDAY

City of Portland
Rezoning
Planning Commission
This property is subject of an annexation request.
For more details call 615-325-6776



ORDINANCE

City of Portland, Tennessee

No. 24 – 25

Second Reading

AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING 134 NORTH RUSSELL STREET, (TAX MAP 033A, GROUP D, PARCEL 006.00) FROM R-10 (SINGLE FAMILY RESIDENTIAL) TO RMU (RESIDENTIAL MIXED USE)

WHEREAS, the City of Portland desires to amend the official zoning atlas of the City; and

WHEREAS, the City of Portland believes that such amendment will promote, protect, and facilitate the public health, safety, and welfare of the community through coordinated and practical land use and land development for the betterment of Portland's population; and

WHEREAS, the Portland Municipal Planning Commission recommended approval of rezoning 134 North Street from R-10 (Single Family Residential) to RMU (Residential Mixed Use), by a vote of 7-0 at their March 12, 2024, meeting.

NOW, THEREFORE, BE IT ORDAINED by the City of Portland, Tennessee, as follows:

Section 1. That the property described herein be, and the same is hereby, rezoned from R-10 (Single Family Residential) to RMU (Residential Mixed Use).

Approximately 0.5 +/- acres, located at 134 North Russell Street as shown on the attached map. *See exhibited A*

For reference, see in the Registers of Deeds Office of Sumner County, Tennessee, and being shown as: Record Book 6231, Pages 818-820 in the Register's Office of Sumner County, Tennessee, and being shown as Map 033A, Group D, Parcel 006.00, for Sumner County, Tennessee.

Section 2. That all Ordinances in conflict herewith are repealed to the extent of said conflict, and that this Ordinance shall become effect upon the annexation of the property and after its passage on final reading, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Passed First Reading: April 1, 2024

Notice Published: Portland Sun-4/23/24; Portland Leader-4/24/24.

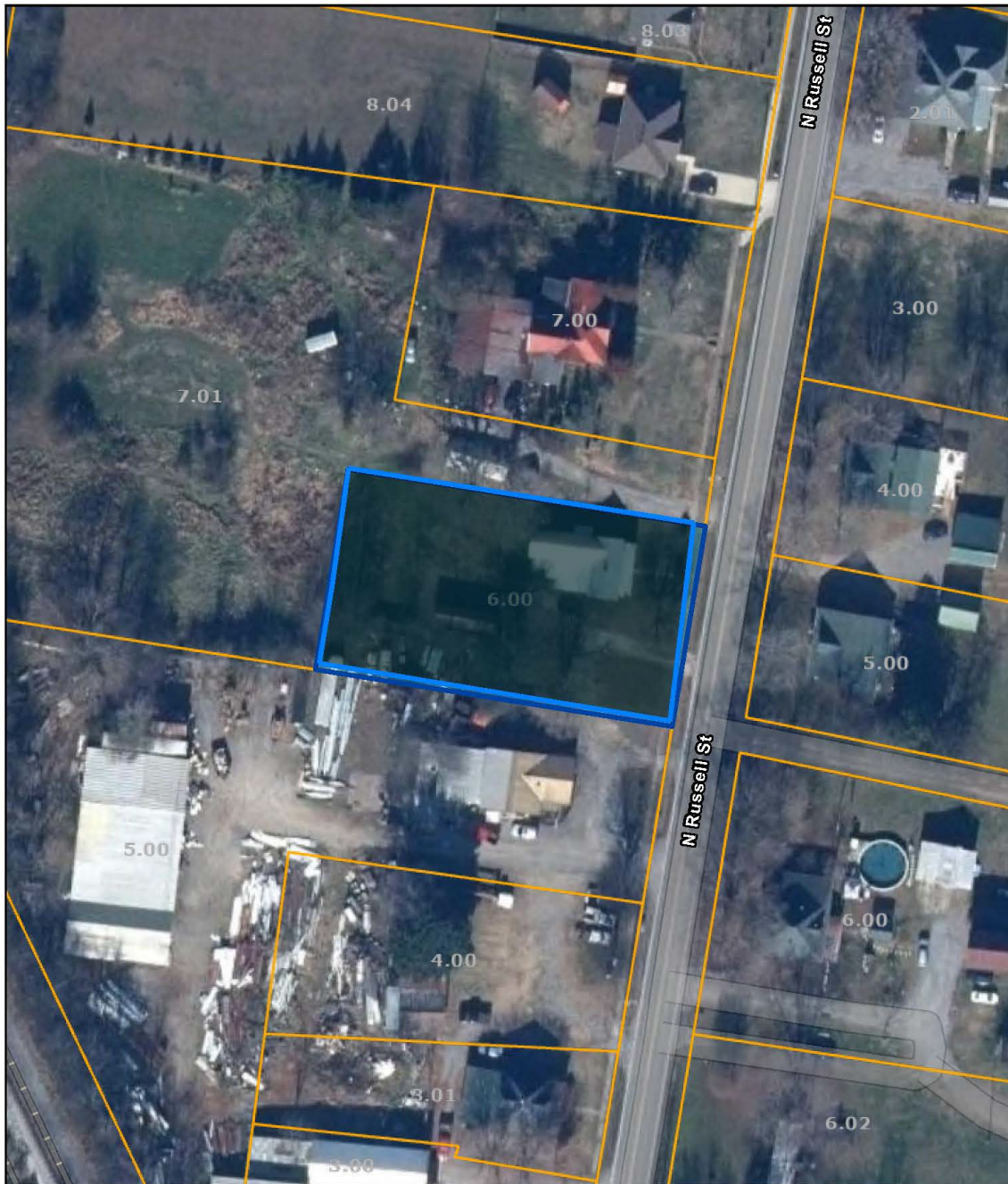
Public Hearing: May 6, 2024

Passed Second Reading:

EXHIBIT A:

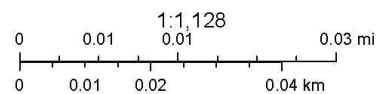


Sumner County - Parcel: 033A D 006.00



Date: February 2, 2024

County: Sumner
Owner: EVERETTE DANNY
Address: NORTH RUSSELL STREET 134
Parcel Number: 033A D 006.00
Deeded Acreage: 0
Calculated Acreage: 0
Date of TDOT Imagery: 2021
Date of Vexcel Imagery: 2023



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The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.

ORDINANCE

City of Portland, Tennessee

No. 24 - 28

First Reading

AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING UNADDRESSED WESTLAND STREET, (TAX MAP 20P, GROUP B, PARCEL 001.00) FROM R-15 (RESIDENTIAL) TO R-10 PUD (RESIDENTIAL) COVENTRY PRELIMINARY MASTER DEVELOPMENT PLAN(PUD)

WHEREAS, the City of Portland desires to amend the official zoning atlas of the City; and

WHEREAS, the City of Portland believes that such amendment will promote, protect, and facilitate the public health, safety, and welfare of the community through coordinated and practical land use and land development for the betterment of Portland's population; and

WHEREAS, the Portland Municipal Planning Commission recommended approval of rezoning R-15 (Residential) to R-10 Residential (Plan Unit Development) (PUD), by a vote of 8-0 at their April 9th, 2024, meeting.

NOW, THEREFORE, BE IT ORDAINED by the City of Portland, Tennessee, as follows:

Section 1. That the property described herein be, and the same is hereby, rezoned from R-15 (Residential) to R-10 (Plan Unit Development) (PUD).

Approximately 26.1 +/- acres, located at unaddressed Westland Street as shown on the attached map. *See exhibited A*

For reference, see in the Registers of Deeds Office of Sumner County, Tennessee, and being shown as: Record Book 5481, Page 32 in the Register's Office of Sumner County, Tennessee, and being shown as Map 020P, Group B, Parcel 1.00, for Sumner County, Tennessee.

Section 2. That all Ordinances in conflict herewith are repealed to the extent of said conflict, and that this Ordinance shall become effect upon the annexation of the property and after its passage on final reading, the public welfare requiring it.

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

EXHIBIT A:



RESOLUTION

City of Portland, Tennessee

No. 24 - 38

A RESOLUTION ALLOWING THE CITY OF PORTLAND TO ACCEPT THE VALUE FOR A TEMPORARY CONSTRUCTION EASEMENT FROM EXISTING STATE ROUTE-HIGHWAY 52 WEST, MAP 34, PARCEL 29.01 OF PORTLAND TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR A CONSTRUCTION ENTRANCE

WHEREAS, the City of Portland accepts the amount of \$888.00 dollars from the Tennessee Department of Transportation for a temporary construction entrance for the new 109 Bypass project (from SR 52 West of Portland to existing SR-109 North).

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Portland approves the acceptance of the Right of Way easement, property located at Map 34, Parcel 29.01 (SR-HWY 52 West).

BE IT FURTHER RESOLVED, that this resolution shall become effective upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this day of

ORDINANCE

City of Portland, Tennessee

No. 24 – 31

First Second Reading

A RESOLUTION ALLOWING THE CITY OF PORTLAND TO SELL REAL PROPERTY LOCATED AT STATE ROUTE HIGHWAY 109 NORTH, PORTLAND TENNESSEE RIGHT OF WAY, MAP 16, PARCELS 46.02,46.03, TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR A CONSTRUCTION ENTRANCE

WHEREAS, the City of Portland would recommend selling 2.035 acres of real property to the Tennessee Department of Transportation for a construction entrance; and

WHEREAS, the City of Portland would like to sell 2.035 acres of real property in the amount of \$321,334.00 dollars to the Tennessee Department of Transportation for a construction entrance for the new 109 North Bypass (for project SR 52 West of Portland to existing SR-109 North).

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Portland approves the sale of 2.035 acres of real property; location Map 16, Parcels 46.02,46.03 SR 109 North, in the amount of \$321,334.00 dollars.

BE IT FURTHER ORDAINED, that this resolution shall become effective upon its passage, the public welfare requiring it.

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

Passed First Reading:

Passed Second Reading:

ORDINANCE

City of Portland, Tennessee

No. 24 - 26

Second Reading

AN ORDINANCE TO RESCIND IN ITS ENTIRETY ORDINANCE 24-20 AND REPLACE WITH THIS ORDINANCE FOR WATER, SEWER, NATURAL GAS, AND CAPACITY LETTER MAINTENANCE FEES

WHEREAS, the City of Portland deems it necessary to establish a new fee structure for water, sewer and gas; and

WATER & SEWER PLAN REVIEW FEES

Plan Review Fee (Due when plans are submitted for review)

- \$1,200 for water plans (per phase)
- \$1,200 for sewer plans (per phase)

WATER METER BASE FEES

Rate Class	Monthly Meter Base Fee for Fiscal Years (FY)		
	FY 2024	FY 2025	FY 2026*
Residential	\$4	\$5	\$6
Commercial/Industrial	\$17	\$18	\$19
Fire Meters	\$76	\$77	\$78

*After Fiscal Year 2026, Meter Base Fees shall remain at the fee detailed under FY 2026

Water Meter Base Fees shall be used to test, calibrate, maintain, install, and replace all meters within the distribution system. Fees shall be calculated as shown above.

Residential Fee – Shall apply to all residential meters

Commercial/Industrial Fee – Shall apply to all commercial & industrial domestic and irrigation meters.

Fire Meters – Shall apply to all fire meters

WATER FEE STRUCTURE

WATER CONNECTION FEES

Residential**	\$120
Commercial	\$180

Industrial	\$600
------------	-------

Water Connection Fees apply to all new account setup.

** In cases of natural disaster, including but not limited to tornado, lightning, flood, fire, sink hole, ice storms, and, other serious acts of nature, residential water connection fees may be waived by the Business Office Manager, at the sole discretion of the Business Office Manager.

WATER TAP FEES

TAP SIZE	INSIDE CITY LIMITS	OUTSIDE CITY LIMITS
¾"	\$1,500	\$2,400
1"	\$2,100	\$3,120
2"	\$4,500	\$6,000
*3"	\$5,200	\$6,840
*4"	\$6,200	\$8,040
*6"	\$9,200	\$11,640
*8"	\$11,200	\$14,040
*10"	\$15,000	\$19,200
*12"	\$18,000	\$24,000

*Contractor must provide all labor, materials, and meter per PDU specs

The Tap Fees only apply to services. The Tap Fee listed above does not apply to main line extensions or replacements for subdivisions. The developer shall be responsible for the cost of all taps for main line extensions and replacements.

WATER IMPROVEMENT FEE

\$1,800 per equivalent residential unit (ERU) on all new development.

Commercial and Industrial Improvement fees shall be calculated based upon their estimated domestic flow divided by the ERU. One ERU = 350 gallons per day per 24-hour day. For each unit of domestic flow or part thereof, shall be multiplied by the Water Improvement Fee.

*Example: Estimated Flow 1,000 gpd/350 gpd = 2.85 units = 3 units * \$1,500 = \$4,500*

Improvement fees are for the city to make capital improvements to the water system to maintain Level of Service for all rate payers. The City will hold these funds for future projects to improve deficiencies within the water system. The Improvement Fee shall be paid by the developer prior to the signing of the Final Plat. If development requires off-site improvements to the water system, the Water Improvement Fee may be waived for work-in-kind.

Multi-Family Unit Development shall follow the Water Improvement Fee schedule below:

Multi-Family Unit Water Improvement Fees

Number of Units	Fee per unit
1-50	\$1,800
51-100	\$1,550
101-150	\$1,300
Greater than 150	\$1,000

PAYING-IN-LIEU OF UPSIZING

When creating or altering a subdivision, Portland Department of Utilities may require the developer to pay-in-lieu of upsizing the water main for the length of water main adjacent to the property if the existing pipe diameter size does not meet the minimum requirements stated below.

Minimum Water Main Pipe Diameter

Within City Limits: 8" – (Unless documented in the City's Capital Improvement Plan to be larger)

Outside of City Limits: 6" – (Unless documented in the City's Capital Improvement Plan to be larger)

The City may also require payment if the utility has been designed and/or constructed that the new Development will be utilizing.

ROAD BORE FEE

The horizontal directional drilling fee shall be a pass-through fee from the contractor and the petitioner shall be financially responsible for payment of said fee.

The road bore fee shall be required for any road bore installed by method of horizontal directional drilling (HDD) performed by the city's sub-contractor. This fee shall be paid when the tap and connection fees are paid. This fee will only be charged when the city cannot install the service by our own method of pneumatic mole piercing.

SEWER FEE STRUCTURE

SEWER TAP FEES AND CAPACITY FEES

<u>Tap Diameter</u>	<u>Inside Tap Fee</u>	<u>Outside (if applicable)</u>
4-6" minimum	\$750.00	\$1,400
Anything over 6"	\$5,000 plus all installation costs	
SR 109 Interchange Sewer	\$10,000*	

- The above fees are privilege fees only.
- The specified fee does not include plumber's installation or materials cost.
- If a sewer customer is paying a monthly sewer bill at the time the City begins to collect capacity fees. The customer will not have to pay the capacity fee charge but will have to pay the tap fee if not already paid.
- A change of Use will require a review of capacity fees. Based on the intended use, new capacity fees shall be required.
- Multiple Sewer Capacity Units shall be used to calculate the Capacity Fee if multiple Uses are contained within one structure, i.e. A Convenience Store with gas pumps, restaurant, and a car wash.
- *Any future or current use or expansion of the SR 109 Interchange Sewer System Improvements completed in 2019 shall incur tap fees of \$10,000

SEWER CAPACITY UNITS

For each unit of sewage flow or part thereof (one unit =250 gallons per 24-hour day) there is a capacity fee:

<u>Inside City Limits Capacity Fee</u>	<u>Outside City Limits Capacity Fee</u>
\$1,750	\$2,600

Single Family Residence – One (1) Unit
Mobile Home Park – One (1) Unit per dwelling
Hotel/Motel – 130 gpd (gallons per day) per room
General Commercial Services – 130 gpd (gallons per day) per 1,000 S.F. of Floor space
Theaters – 5 gals. Per seat
General Office space – 25 gals. Per person
Restaurant – 40 gals. Per seat
Schools – 16 gals. Per person (Employees and Students)
Retirement Community (per bed) – 250 gpd (gallons per day)
Hospitals (per bed) – 250 gpd (gallons per day)
Assisted Care/Nursing Homes – One Half (½) unit per bed
Church (small) – 3 gals. Per seat (no kitchen)
Church (large) – 5 gals. Per seat (Kitchen)
Industrial (Sanitary Waste Only) * – 25 gals. Per person per day (This will be evaluated after one Year.) *The original fee will be based on the number of employees supplied to the City. Any other classification will be calculated at 250 gpd (gallons per day).
Industrial Processed Water - \$750.00 per 1000 gallons per day
Car wash/truck wash – 2 units per bay
Self-service Laundries – 1 unit per washer
Service stations – 1 unit per pump
Bowling Alley – 1 unit/alley

Multi-Family Unit Development shall follow the Capacity Fee schedule below:

Multi-Family Unit Sewer Capacity Fees (Fee per Unit)

Number of Units	Inside City Limits	Outside City Limits
1-50	\$1,750	\$2,600
51-100	\$1,485	\$2,400
101-150	\$1,315	\$2,200
Greater than 150	\$1,135	\$2,000

SEWER IMPROVEMENT FEE

\$1,200 per unit on all new development

Improvement fees are for the city to make capital improvements to the sewer system to maintain Level of Service for all rate payers. The City will hold these funds for future projects to improve deficiencies within the sewer system. The Improvement fee shall be paid by the developer prior to the signing of the Final Plat. If development requires off-site improvements to the sewer system, the Sewer Improvement Fee may be waived for work-in-kind.

Multi-Family Unit Development shall follow the Sewer Improvement Fee schedule below:

Multi-Family Unit Sewer Improvement Fees

Number of Units	Fee per unit
1-50	\$1,200
51-100	\$1,020
101-150	\$900
Greater than 150	\$750

PAYING-IN-LIEU OF UPSIZING

When creating or altering a subdivision, Portland Department of Utilities may require the developer to pay-in-lieu of upsizing the sewer main for the length of sewer main adjacent to the property if the existing pipe diameter size does not meet the minimum requirements stated below.

Minimum Gravity Sewer Main Pipe Diameter: 8”

The City may also require payment if the utility has been designed and/or constructed that the new Development will be utilizing.

ROAD BORE FEE

The horizontal directional drilling fee shall be a pass-through fee from the contractor and the petitioner shall be financially responsible for payment of said fee.

The road bore fee shall be required for any road bore installed by method of horizontal directional drilling (HDD) performed by the city’s sub-contractor. This fee shall be paid when the tap and connection fees are paid. This fee will only be charged when the city cannot install the service by our own method of pneumatic mole piercing.

NATURAL GAS FEE STRUCTURE

GAS CONNECTION FEES

Residential**	\$100
Commercial	\$150
Industrial	\$500

Gas Connection Fees apply to all new account setup.

** In cases of natural disaster, including but not limited to tornado, lightning, flood, fire, sink hole, ice storms, and, other serious acts of nature, residential gas connection fees may be waived by the Business Office Manager, at the sole discretion of the Business Office Manager.

GAS TAP FEES

TAP SIZE	TAP FEES
3/4"	\$400
1"	\$475
2"	\$550

INDUSTRIAL AND COMMERCIAL GAS METER UPSIZE FEE --- Customer shall pay all cost associated with upsizing of new meter to meet BTU demand load.

PAYING-IN-LIEU OF UPSIZING

When creating or altering a subdivision, Portland Department of Utilities may require the developer to pay-in-lieu of upsizing if the utility has been designed and/or constructed that the new Development will be utilizing.

ROAD BORE FEE

The horizontal directional drilling fee shall be a pass-through fee from the contractor and the petitioner shall be financially responsible for payment of said fee.

The road bore fee shall be required for any road bore installed by method of horizontal directional drilling (HDD) performed by the city's sub-contractor. This fee shall be paid when the tap and connection fees are paid. This fee will only be charged when the city cannot install the service by our own method of pneumatic mole piercing.

CAPACITY LETTER MAINTENANCE FEES

Each capacity letter (water, sewer, and gas) will have an administrative fee and a per unit fee that will be required to be paid by the petitioner annually for renewal of Capacity/Availability Letters.

INITIAL CAPACITY LETTER FEES

Initial Capacity Fees shall be collected with the initial approval of a Capacity Letter:

RESIDENTIAL FEE STRUCTURE

- Individual Residential Service Availability Application Administrative Fee: \$100
- Residential Subdivision Availability of Service Request Form
Administrative Fee: \$500

COMMERCIAL FEE STRUCTURE

- Commercial Availability of Service Request Form
Administrative Fee: \$1,000

INDUSTRIAL FEE STRUCTURE

- Industrial Availability of Service Request Form
Administrative Fee: \$2,000

CAPACITY LETTER RENEWAL FEES (ANNUALLY)

Capacity Renewal Fees will apply to all Capacity Letter Renewals:

RESIDENTIAL SEE STRUCTURE

- Individual Residential Service Availability Application Administrative Fee: \$100
- Residential Subdivision Availability of Service Request Form
Administrative Fee: \$500 + option A, B, or C
 - A. Up to 100 units: \$50 per unit
 - B. 101 to 300 units: \$40 per unit
 - C. 301 or more units: \$30 per unit

COMMERCIAL FEE STRUCTURE

- Commercial Availability of Service Request Form
Administrative Fee: \$1,000 + \$500 per unit

INDUSTRIAL FEE STRUCTURE

- Industrial Availability of Service Request Form
Administrative Fee: \$2,000 + \$1,000 per unit

WHEREAS, after careful consideration the City Council recommends the new fee structure for water, sewer, natural gas fees, and Capacity Letter Maintenance Fees as listed above; and

NOW, THEREFORE BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Portland to approve this ordinance for Water, Sewer, and Natural Gas Fee Structure; and

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Passed First Reading: April 15, 2024

Passed Second Reading:

ORDINANCE

City of Portland, Tennessee

No. 24 - 29

First Reading

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A DEVELOPER'S AGREEMENT WITH LUTHER BRATTON ON BRACKEN ESTATES, LOCATED AT NORTH HARRIS ROAD IN PORTLAND, TENNESSEE, WHICH WILL INCLUDE THE INSTALLATION OF AN EIGHT (8) INCH WATER MAIN AND AN EIGHT (8) INCH SEWER MAIN ALONG NORTH HARRIS LANE.

WHEREAS, the City of Portland, Tennessee has determined that improvements need to be made to City infrastructure, including the water and sewer system, as outlined in the attached agreement; and

WHEREAS, the Portland Department of Utilities (PDU) has approved the Water and Sewer Capacity Letter (see Exhibit A), stating the Water and Sewer Systems have capacity for the proposed 11-unit development, Bracken Estates, once improvements are made; and

WHEREAS, the Developer has agreed to be fully responsible for the cost of the improvements to City infrastructure, including the water system, as outlined in the attached agreement; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Portland authorize the Mayor to enter into the attached Developer's Agreement with Luther Bratton for Bracken Estates, located at North Harris Ln, Tax Map 019, Parcel 092.00 and 092.01, and

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Passed First Reading:
Passed Second Reading:

DEVELOPMENT AGREEMENT FOR BRACKEN ESTATES

CITY OF PORTLAND, TENNESSEE

This Development Agreement (“AGREEMENT”) is made and entered into on this ____ day of _____, 2024 by and between Luther Bratton (“DEVELOPER”) and the City of Portland, Tennessee, a municipality organized and existing under the laws of the State of Tennessee (“CITY”).

WHEREAS, the DEVELOPER owns and desires to develop an 11-unit development, located at North Harris Lane, Tax Map 019, Parcel 092.00 and 092.01, in Portland, Tennessee (hereinafter called the "PROJECT"); and

WHEREAS, DEVELOPER has received a letter stating the existing Water and Sewer System does not have capacity for the development and will require fees to be paid for upgrading our System, along with improvements installed by the Developer, from PDU on the **1st** day of **May, 2023** (the “LETTER”). A copy of the Letter is attached to this Agreement as Exhibit A; and

WHEREAS, in order to provide the same level of service throughout the Water and Sewer System for the PROJECT and the general public, it will be necessary for certain improvements to be constructed to serve the PROJECT. Said improvements include the IMPROVEMENTS (as defined below); and

WHEREAS, in order for said IMPROVEMENTS to be fully integrated with the public infrastructure of the CITY and to function in a satisfactory manner, the DEVELOPER has agreed to be responsible for design, permitting, construction, and inspection associated with the IMPROVEMENTS as set forth in this AGREEMENT.

WHEREAS, the DEVELOPER shall be responsible for all design, permitting, construction, and inspection of the IMPROVEMENTS. The IMPROVEMENTS shall be constructed by the DEVELOPER in accordance with PDU Standard Specifications and with the approval of the Construction Plans, and other rules, regulations, and ordinances of the CITY in said project and the terms of this Agreement, and

NOW, THEREFORE, in consideration of the premises and mutual covenants of the parties herein contained, it is agreed and understood as follows:

I. GENERAL CONDITIONS

A. Construction Costs

The DEVELOPER shall be responsible for all design, permitting, construction, and inspections necessary to install and complete approximately 125 linear feet (LF) of six (6) inch water main, 850 LF of eight (8) inch water main, and 1,100 LF of eight (8) inch sewer main and all required appurtenances, the IMPROVEMENTS in accordance with this agreement.

B. City Ordinances, Rules and Regulations

All currently existing CITY ordinances, and rules & regulations adopted by the Board of Mayor and Aldermen are made a part of this agreement. In the event of a conflict between the terms of this agreement and a CITY ordinance, the ordinance shall prevail. All work done under this agreement is to be performed in accordance with plans, and specifications approved by the CITY and made a part, hereof.

C. Agreement Not Assignable

No third party shall obtain any benefits or rights under this agreement, nor shall the rights or duties be assigned by either party.

D. Revocation and Interpretation

This agreement shall bind the DEVELOPER when executed by the DEVELOPER and may not be revoked by the DEVELOPER without permission of the CITY, even if the agreement has not been executed by the CITY, or does not bind the CITY, for other reasons. This agreement shall be interpreted in accordance with Tennessee law and may only be enforced in the Chancery Court or Circuit Court or Court of competent jurisdiction of Sumner County, Tennessee, and Tennessee Appellate Courts.

E. No Oral Agreement

This agreement may not be orally amended and supersedes all prior negotiations, commitments, or understandings. The Developer and Portland Board of Mayor and Aldermen must approve any written modification to this agreement.

F. Separability

If any portion of this agreement is held to be unenforceable, the court of competent jurisdiction shall have the right to determine whether the remainder of the agreement shall remain in effect or whether the agreement shall be void and all rights of the DEVELOPER and CITY pursuant to this agreement terminated.

G. Transferability

The DEVELOPER and/or Owner agrees that he/she will not transfer the property on which the PROJECT is to be located without first providing the CITY with notice of when the transfer is to occur and who the proposed transferee is, along with address and telephone numbers (except that no notice, consent or other requirement shall apply to the transfer or creation of any security or other interest pursuant to a deed of trust or other Owner financing). If it is the transferee's intention to develop this property in accordance with the agreement, the DEVELOPER agrees to provide the CITY an Assumption Agreement whereby the transferee agrees to perform the improvements required under this agreement and to provide the security needed to assure such performance. Said agreement will be subject to the approval of the CITY Attorney. The DEVELOPER and/or Owner understand that if he/she transfers said property without providing the notice of transfer and Assumption Agreement as required herein, he will be in breach of this agreement and that any surety held by the CITY to secure the agreement may be called. The DEVELOPER further agrees that

he shall remain liable under the terms of this agreement though a subsequent sale of all or part of said property occurs, unless an Assumption Agreement is entered into between the new owners and the CITY, and a new agreement is issued naming the new owners as Developer.

II. UTILITIES

A. Water Distribution System

a. Installations:

The DEVELOPER will be required to install approximately 125 LF of six (6) inch water main and 850 LF of eight (8) inch water main, with all associated appurtenances.

b. Surety Amount:

The DEVELOPER shall provide a Letter of Credit or cash escrow to the CITY in the amount of **\$182,500** for the Water Distribution System surety for the PROJECT, prior to PDU signing the Final Plat. Any surety for utilities will be kept and renewed each year until the City has inspected and approved the utility. For each year of renewal, there shall be an additional 10% increase added to the surety amount. Once the utility is accepted by the City, a 12-month maintenance surety in the amount of **\$27,375** will be held. In the case that the utilities are installed prior to the City signing the Final Plat, the utilities must be tested, approved, and accepted by PDU, which the City of Portland will still require a maintenance surety to be held in the amount stated above for 12 months after PDU's acceptance date or the taps will not be issued.

B. Sewer Collections System

a. Installations:

The DEVELOPER will be required to install approximately 1,100 LF of eight (8) inch sewer main with all associated appurtenances.

b. Surety Amount:

The DEVELOPER shall provide a Letter of Credit or cash escrow to the CITY in the amount of **\$330,000** for the Sewer Collection System surety for the PROJECT, prior to PDU signing the Final Plat. Any surety for utilities will be kept and renewed each year until the City has inspected and approved the utility. For each year of renewal, there shall be an additional 10% increase added to the surety amount. Once the utility is accepted by the City, a 12-month maintenance surety in the amount of **\$49,500** will be held. In the case that the utilities are installed prior to the City signing the Final Plat, the utilities must be tested, approved, and accepted by PDU, which the City of Portland will still require a maintenance surety to be held in the amount stated above for 12 months after PDU's acceptance date or the taps will not be issued.

Developer's payment to the CITY for (i) a total SURETY amount of **\$512,500** for the PROJECT's utilities, and (ii) all applicable standard fees, and shall satisfy all Developer and Owner obligations with respect to all improvements, including without limitation the WATER AND SEWER IMPROVEMENTS. The WATER AND SEWER IMPROVEMENTS are referred to herein as the "IMPROVEMENTS".

IV. VIOLATIONS AND REMEDIES

In the event of a default in the performance by either party of its obligation hereunder, the other party, in addition to any and all remedies set forth herein, shall be entitled to all remedies provided by law or in equity, including the remedy of specific performance or injunction..

V. BINDING EFFECT

The covenants and agreements herein contained shall bind and endure to the benefit of the parties hereto, their respective heirs, personal representatives, successors, and assigns, as appropriate.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in multiple originals by persons properly authorized so to do on or as of the day and year first given.

OWNER

DEVELOPER

TITLE

TITLE

ATTEST:

ATTEST:

TITLE

TITLE

CITY OF PORTLAND (COUNTY OF
SUMNER), TENNESSEE

BY:

MAYOR
APPROVED AS TO FORM:

DATE

BY: _____
CITY ATTORNEY

DATE

EXHIBIT A



CITY OF PORTLAND
MEGAN HEISLER, P.E. – UTILITIES ENGINEER
100 SOUTH RUSSELL STREET
PORTLAND, TENNESSEE 37148
Telephone 615-323-1437
Email Address: mheisler@cityofportlandtn.gov

Luther Bratton
P.O. Box 276
Portland, Tennessee 37148

Date: 5/1/2023

Re: BRACKEN ESTATES UTILITY SERVICES RENEWAL NO. 1
N HARRIS LN, PORTLAND, TN 37148
SUMNER COUNTY - TAX MAP 019, PARCELS 092.00 & 092.01

Portland Department of Utilities (PDU) has completed its review of your application for Utility Services (Water & Sewer) for the proposed eleven (11) lots. Please see below for availability of services:

WATER:

The system does have the capacity for eleven (11) water taps once improvements are made. Once improvements are completed, anticipated operating pressures for the development will be 46.5 psi. Currently, there is no waterline along this North Harris Lane development. The City's minimum requirement within City Limits is eight (8) inch diameter water mains. To service the proposed development, PDU will require a waterline extension from the existing six (6) inch water main at the intersection of North Harris Rd and North Harris Lane, including boring under North Harris Road, to the existing six (6) inch water main to the north, along North Harris Lane (the approximate route shown in cyan below). This will entail approximately 900 feet of eight (8) inch C900 PVC or Ductile Iron and all associated appurtenances.



1 | Page

SEWER:

The system does have the capacity for eleven (11) taps once improvements are made. Currently, there is no sewer main along the property line of the Bracken Estates development. PDU will require an eight (8) inch sewer main from the northern-most property line of Bracken Estates, extending south along the entire road frontage of North Harris Lane to the intersection of North Harris Road. It will then follow along North Harris Road to the east until it crosses North Harris Road at 207 Evergreen Street, connecting to the gravity system (the approximate route shown in yellow below). This will entail approximately 1,100 feet of SDR 26 PVC Pipe or Protecto 401 Line Ductile Iron Pipe and all associated appurtenances.



Please note that all future parcels must have the utility main along the parcels road frontage to be approved for service and all services must be located on the property being serviced. The City does not allow utility services within a private easement. All of this was approved by Resolutions 19-27 (Water) and 20-103 (Sewer).

This letter states PDU's ability to service the parcels in question. No approval of any services or main line extension is indicated. Construction Plans will be required to be submitted to and approved by PDU. An individual Residential Service Availability Request Form must be completed for each lot within this subdivision once the water and sewer main installations are complete and accepted for this development. The fees associated with each lot (i.e. tap, connection, capacity fees, etc.) will be determined once that Residential Service form is filled out and submitted to PDU.

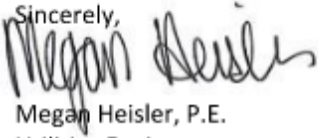
Also, all future parcels must have the utility main along the parcels' road frontage to be approved for service. All services must be located on the property being serviced and not more than twenty (20) feet from the Public right-of-way. The City does not allow utility services within a private easement. All of this was approved by Resolution 19-27 (Water) and 20-103 (Sewer).

This letter shall expire 12 months from the date on which it was written. All fees, rates, and conditions noted in this letter are current as of the date of this letter and are subject to change. PDU will hold the fees at the

amount stated above for a 12-month period after the date of this letter. After the 12-month period expires, the most current fee schedule will be applied to this development.

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Megan Heisler". The signature is written in a cursive, flowing style.

Megan Heisler, P.E.

Utilities Engineer

MNHAV000694EXT1 (Bracken Estates)

cc.

PDU Office

ORDINANCE

City of Portland, Tennessee

No. 24 - 30

First Reading

AN ORDINANCE TO RESCIND AND REPLACE IN ITS ENTIRETY ORDINANCE 23-45, THE DEVELOPER'S AGREEMENT WITH DANIEL WILLIAMS FOR THE WATER SYSTEM IMPROVEMENTS FOR THE BAKERS ACRES DEVELOPMENT, LOCATED AT 355 BRILEY LANE, TAX MAP 015, PARCEL 030.00 IN PORTLAND, TENNESSEE.

WHEREAS, the City of Portland, Tennessee, has passed Ordinance 23-45 on water system improvements that was determined needed for this development; and

WHEREAS, the Developer has requested gas throughout the entire development; and

WHEREAS, the City of Portland, Tennessee has determined that improvements need to be made to the Water System, as outlined in the attached agreement; and

WHEREAS, the Portland Department of Utilities has approved the Water Capacity Letter (see Exhibit A), stating the Water System has capacity for the Bakers Acres once improvements are made; and

WHEREAS, the Developer has agreed to be fully responsible for the cost of the improvements to the City's Water System, as outlined in the attached agreement; and

WHEREAS, the Developer has agreed to be fully responsible for the cost of the extension of the City's Gas System, as outlined in the attached agreement;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Portland authorize the Mayor to enter into the attached Developer's Agreement for Bakers Acres Development, located at 355 Briley Lane, Tax Map 015, Parcel 030.00; and

BE IT FURTHER ORDAINED, that the Ordinance shall become effective upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Passed First Reading:
Passed Second Reading:

DEVELOPMENT AGREEMENT FOR BAKERS ACRES

CITY OF PORTLAND, TENNESSEE

This Development Agreement (“AGREEMENT”) is made and entered into on this ____ day of _____, 2023 by and between Daniel Williams (Hereinafter called the “DEVELOPER”) and the City of Portland, Tennessee, a municipality organized and existing under the laws of the State of Tennessee (“CITY”).

WHEREAS, the DEVELOPER owns and desires to develop a 44-lot development, located at 355 Briley Ln, Tax Map 015, Parcel 030.00 in Portland, Tennessee (hereinafter called the "PROJECT"); and

WHEREAS, DEVELOPER has received a letter stating the existing Water System does not have the capacity for the development and will require improvements to the water system specifically for the PROJECT from the Portland Department of Utilities on the **3rd** day of **December, 2021** (hereinafter called the “LETTER”). A copy of the original capacity letter is attached to this Agreement as Exhibit A. A copy of the revised capacity letter is attached to this Agreement as Exhibit B.; and

WHEREAS, in order to provide the same level of service throughout the Water System for the PROJECT and the general public, it will be necessary for certain improvements to be constructed to serve the PROJECT. Said improvements include the IMPROVEMENTS (as defined below); and

WHEREAS, in order for said IMPROVEMENTS to be fully integrated with the public infrastructure of the CITY and to function in a satisfactory manner, the DEVELOPER has agreed to be responsible for design, permitting, construction, and inspection associated with the IMPROVEMENTS as set forth in this AGREEMENT.

WHEREAS, the DEVELOPER shall be responsible for all design, permitting, construction, and inspection of the IMPROVEMENTS. The IMPROVEMENTS shall be constructed by the DEVELOPER in accordance with the Portland Department of Utilities Standard Specifications and with the approval of the Construction Plans, and other rules, regulations, and ordinances of the CITY in said project and the terms of this Agreement, and

NOW, THEREFORE, in consideration of the premises and mutual covenants of the parties herein contained, it is agreed and understood as follows:

I. GENERAL CONDITIONS

A. Construction Costs

The DEVELOPER shall be responsible for all design, permitting, construction, and inspections necessary to install and complete approximately 670 linear feet (LF) of 6-inch water main, 4,700 LF of 8-inch water main, and all required appurtenances, the IMPROVEMENTS, in accordance with this agreement.

B. City Ordinances, Rules and Regulations

All currently existing CITY ordinances, and rules & regulations adopted by the Board of Mayor and Aldermen are made a part of this agreement. In the event of a conflict between the terms of this agreement and a CITY ordinance, the ordinance shall prevail. All work done under this agreement is to be performed in accordance with plans, and specifications approved by the CITY and made a part, hereof.

C. Agreement Not Assignable

No third party shall obtain any benefits or rights under this agreement, nor shall the rights or duties be assigned by either party.

D. Revocation and Interpretation

This agreement shall bind the DEVELOPER when executed by the DEVELOPER and may not be revoked by the DEVELOPER without permission of the CITY, even if the agreement has not been executed by the CITY, or does not bind the CITY, for other reasons. This agreement shall be interpreted in accordance with Tennessee law and may only be enforced in the Chancery Court or Circuit Court or Court of competent jurisdiction of Sumner County, Tennessee, and Tennessee Appellate Courts.

E. No Oral Agreement

This agreement may not be orally amended and supersedes all prior negotiations, commitments, or understandings. The Developer and Portland Board of Mayor and Aldermen must approve any written modification to this agreement.

F. Separability

If any portion of this agreement is held to be unenforceable, the court of competent jurisdiction shall have the right to determine whether the remainder of the agreement shall remain in effect or whether the agreement shall be void and all rights of the DEVELOPER and CITY pursuant to this agreement terminated.

G. Transferability

The DEVELOPER and/or Owner agrees that he/she will not transfer the property on which the PROJECT is to be located without first providing the CITY with notice of when the transfer is to occur and who the proposed transferee is, along with address and telephone numbers (except that no notice, consent or other requirement shall apply to the transfer or creation of any security or other interest pursuant to a deed of trust or other Owner financing). If it is the transferee's intention to develop this property in accordance with the agreement, the DEVELOPER agrees to provide the CITY an Assumption Agreement whereby the transferee agrees to perform the improvements required under this agreement and to provide the security needed to assure such performance. Said agreement will be subject to the approval of the CITY Attorney. The DEVELOPER and/or Owner understand that if he/she transfers said property without providing the notice of transfer and Assumption Agreement as required herein, he will be in breach of this agreement and that any surety held by the CITY to secure the agreement may be called. The DEVELOPER further agrees that

he shall remain liable under the terms of this agreement though a subsequent sale of all or part of said property occurs, unless an Assumption Agreement is entered into between the new owners and the CITY, and a new agreement is issued naming the new owners as Developer.

II. UTILITIES

A. Water Distribution System

a. Surety Amount:

The DEVELOPER shall provide a Letter of Credit or cash escrow (hereinafter called "SURETY") for each phase of this development and the offsite work to be done. The SURETY amounts listed below will need to be provided to the CITY for the Water Distribution System for this PROJECT, prior to PDU signing the Final Plat:

- i. Bakers Acres Phase 1 = \$208,125.00
- ii. Bakers Acres Phase 2 = \$126,250.00
- iii. Bakers Acres Phase 3 = \$72,375.00
- iv. Offsite = \$539,000.00

Any surety for utilities will be kept and renewed each year until the City has inspected and approved the utility. For each year of renewal, there shall be an additional 10% increase added to each of the surety amounts. Once the utility is accepted by the City, a 12-month maintenance surety that is 15% of the most-current SURETY amount will be held. In the case that the utilities are installed prior to the City signing the Final Plat, the utilities must be tested, approved, and accepted by PDU, which the City of Portland will still require a maintenance surety to be held of the amount above 12 months after PDU's acceptance date or the taps will not be issued.

If Phase 1 is installed and has passed inspection and testing by the Department of Utilities, and is ready to be accepted as the CITY's, the maintenance surety will need to be provided for that phase, along with each subsequent phase and offsite's full SURETY amounts, prior to Portland Department of Utilities signing off on the Final Plat.

Prior to Phase 2 beginning, the offsite water system improvements must be completed. If the offsite improvements are not completed within two (2) years of the acceptance of Phase 1, the City shall pull the SURETY for the offsite and complete the off-site water system improvements.

B. Gas Distribution System

a. Surety Amount:

The DEVELOPER shall provide a Letter of Credit or cash escrow (hereinafter called "SURETY") for the gas installation in the amount of \$11,720 for this development, prior to PDU constructing the gas main.

As per Title 19-207 for persons desiring gas main extension must pay all the cost of making such extensions, as stated below:

- (2) Natural gas service shall be made available to all lots within new subdivisions by approval from the City of Portland. A developer's agreement shall be executed by the city and owner outlining the cost sharing options below:
- a. Developer purchases gas taps for fifty percent (50%) of the total lot count and installs a natural gas water heater and natural gas HVAC unit per tap:
 - i. City pays one hundred percent (100%) of the construction cost.
 - ii. Developer pays zero percent (0%) of the construction cost.
 - b. Developer purchases gas taps for twenty five to fifty percent (25%-50%) of the total lot count and installs a natural gas water heater and natural gas HVAC unit per tap:
 - i. City pays fifty percent (50%) of the construction cost.
 - ii. Developer pays fifty percent (50%) of the construction cost.
 - c. Developer purchases gas taps for less than twenty-five percent (25%) of the total lot count and installs a natural gas water heater and natural gas HVAC unit per tap:
 - i. City pays zero percent (0%) of the construction cost.
 - ii. Developer pays one hundred percent (100%) of the construction cost.
- (3) The developer shall provide the city, prior to the city commencing design, a letter of credit for the construction cost of the proposed improvements as estimated by the city. The surety shall be held for up to five (5) years and may be called for failure to comply with the provisions of the agreement in whole or in part according to the terms of the surety. Upon completion of the development, but no more than five (5) years, the city shall release the bond as per the percentage complete of the development as outlined above. A five percent (5%) addition to the surety shall be added each year for up to five (5) years to cover construction cost.

Developer's payment to the CITY of a total SURETY amount of **\$957,470** for the PROJECT's utilities shall satisfy all Developer and Owner obligations with respect to all improvements, including without limitation the WATER IMPROVEMENTS and GAS EXTENSION.

III. SUMNER COUNTY HIGHWAY DEPARTMENT

The DEVELOPER shall be responsible for all coordination and/or construction costs incurred with Sumner County Highway Department for damage to County roads.

IV. VIOLATIONS AND REMEDIES

In the event of a default in the performance by either party of its obligation hereunder, the other party, in addition to any and all remedies set forth herein, shall be entitled to all remedies provided by law or in equity, including the remedy of specific performance or injunction..

V. BINDING EFFECT

The covenants and agreements herein contained shall bind and endure to the benefit of the parties hereto, their respective heirs, personal representatives, successors, and assigns, as appropriate.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in multiple originals by persons properly authorized so to do on or as of the day and year first given.

OWNER

DEVELOPER

TITLE

TITLE

ATTEST:

ATTEST:

TITLE

TITLE

CITY OF PORTLAND (COUNTY OF
SUMNER), TENNESSEE

BY:

MAYOR
APPROVED AS TO FORM:

DATE

BY: _____
CITY ATTORNEY

DATE

EXHIBIT A: Original Capacity Letter



CITY OF PORTLAND
BRYAN PRICE P.E. – UTILITIES DIRECTOR
100 SOUTH RUSSELL STREET
PORTLAND, TENNESSEE 37148
Telephone 615-323-1437
Email Address: bprice@cityofportlandtn.gov

Randy Baker
137 Breanna Blvd
Portland, Tennessee 37148

Date: 12/03/2021

**Re: UTILITY SERVICE REQUEST
WATER
355 BRILEY LN, SUMNER COUNTY – MAP 15, PARCEL 30.00**

Portland Department of Utilities (PDU) has completed its review of your application for Utility Service (Water) for the above referenced location for a proposed forty-five (45) unit development. Please see below for availability of services.

WATER:

The system does have the capacity for forty-five (45) taps once improvements are made. Once Improvements are completed, operating pressures for the development will average 91-68 psi.

There is an existing bottleneck in the water distribution system that must be improved prior to approval of the subdivision. To service the proposed development, PDU will require the existing four (4) inch main to be increased to an eight (8) inch water main along Briley Ln from the intersection of Rolling Meadows Ave to Blue Door Rd (~4,600 feet). Almost all of this line is within the City Limits.

The improvements will entail eight (8) inch C900 PVC or Ductile Iron pipe and all associated appurtenances. The improvements within City Limits will require fire hydrants placed at every 1,000 feet along Briley Ln. All hydrants outside of the City Limits will be blow-off hydrants as the City does not provide fire protection outside of the City Limits as per our Plan of Services.

This letter states PDU's ability to service the parcel in question. No approval of any services or main line extension is indicated. Construction plans would be required to be submitted and approved. An individual Residential Service Availability Request Form must be completed prior to the purchase of a water tap for any lot within this subdivision once the water line installation is complete and accepted. This capacity letter shall expire within twelve (12) months of the date of the letter.

Should you have any questions, please feel free to contact me.

Sincerely,

Bryan S. Price, P.E.
Utilities Director
BSPAV000618REV1

cc.
Darlene Baker
Warren Garrett
Megan Heisler

EXHIBIT B: Revised Capacity Letter



CITY OF PORTLAND

MEGAN HEISLER, P.E. – UTILITIES ENGINEER
100 SOUTH RUSSELL STREET
PORTLAND, TENNESSEE 37148
Telephone 615-323-1437
Email Address: mheisler@cityofportlandtn.gov

Daniel Williams
345 B S Leath Rd
Portland, Tennessee 37148

Date: 7/28/2023

Re: WATER SERVICE REQUEST – RENEWAL # 1
BAKERS ACRES
355 BRILEY LN, SUMNER COUNTY – MAP 15, PARCEL 30.00

Portland Department of Utilities (PDU) has completed its review of your application for Utility Service (Water) for the above referenced location for a proposed forty-four (44) unit development. Please see below for availability of services.

WATER:

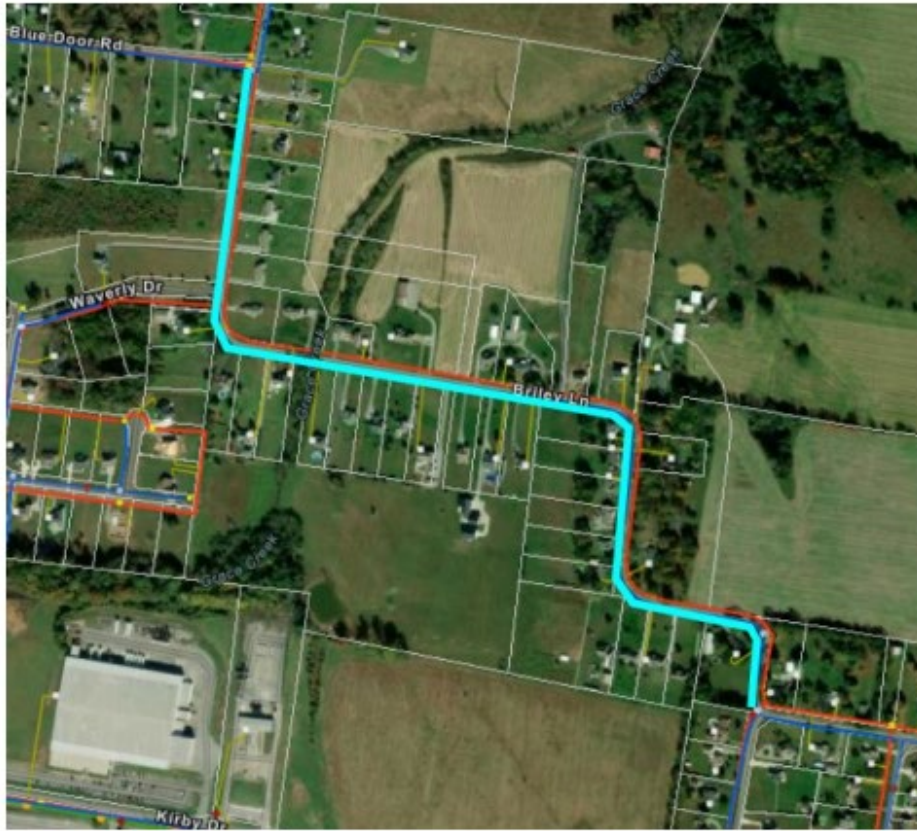
The system does have the capacity for forty-four (44) taps once improvements are made. Once Improvements are completed, operating pressures for the development will average 91-68 psi.

Bakers Acres:

The Developer will be required to install a six (6) inch water main through the development. This will entail approximately 3,900 LF of six (6) inch blue DR 14 C900 PVC or Ductile Iron Pipe and all associated appurtenances.

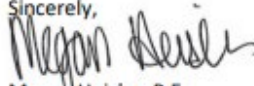
Off-site Water Improvements:

There is an existing bottleneck in the water distribution system that must be improved prior to approval of the subdivision. To service the proposed development, PDU will require the existing four (4) inch main to be increased to an eight (8) inch water main along Briley Ln from the intersection of Rolling Meadows Ave to Blue Door Rd. The route is below in light blue. This will entail approximately 4,600 LF of eight (8) inch DR 14 C900 PVC or Ductile Iron pipe and all associated appurtenances. The improvements within City Limits will require fire hydrants placed at every 1,000 feet along Briley Ln.



This letter states PDU's ability to service the parcel in question. No approval of any services or main line extension is indicated. Construction plans would be required to be submitted and approved by PDU. An individual Residential Service Availability Request Form must be completed prior to the purchase of a water tap for any lot within this subdivision once the water line installation is complete and accepted. This capacity letter shall expire within twelve (12) months of the date of the letter.

Should you have any questions, please feel free to contact me.

Sincerely,


Megan Heisler, P.E.
Utilities Engineer
MNHAV000618REN1
cc.
PDU Office

RESOLUTION

City of Portland, Tennessee

No. 24 – 30

**A RESOLUTION ~~TO RESCIND AND REPLACE RESOLUTION 23-45~~ TO ESTABLISH
GUIDELINES FOR CAPACITY LETTERS FOR THE DEPARTMENT OF UTILITIES**

WHEREAS, the City of Portland receives service requests for developments within the service area for water, sewer, and gas utilities as per the Portland Municipal Code Title 18-103 and 19-203. Once the request is processed a capacity letter is addressed to the developer; and

WHEREAS, all capacity letters shall expire after one (1) year from the date of the letter; and

~~**WHEREAS**, capacity letters shall be eligible for one (1) renewal with no changes from the original letter if requested prior to expiration; and~~

WHEREAS, any ~~subsequent~~ renewal request ~~after the first renewal shall~~ may require modeling as per Resolution 23-07. Modeling shall be required for any capacity letter that has expired ~~for more than six (6) months as per Resolution 23-07~~; and

WHEREAS, ~~upon the second~~ with any renewal request or after any letter has expired, all current fees shall apply; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Portland to approve *Guidelines for Capacity Letters*; and

BE IT FURTHER RESOLVED that the Resolution shall become effective upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this day of