

Minutes

Board of Mayor and Aldermen

City of Portland, Tennessee

April 5, 2021

1. **Call to Order** - Mayor Callis called the meeting to order at 5:10 P.M.
2. **Prayer/Pledge** – Bob Moon offered the Invocation and the Pledge of Allegiance.
3. **Roll Call** - The Portland Board of Mayor and Aldermen met in the City Hall Council Chamber on April 5, 2021 with the following members in attendance: Vice Mayor Drew Jennings, Alderwoman Penny Barnes, Alderman Thomas Dillard, Alderman Mike Hall, Alderman Jody McDowell, Alderwoman Megann Thompson and Alderman Brian Woodall. City Attorney John R. Bradley and City Recorder Patricia Keen were present.
4. **Approval of Minutes from March 15, 2021 Council Meeting**
A motion was made by Alderman McDowell, seconded by Alderwoman Thompson to approve the minutes as presented. A unanimous voice vote indicated approval.
The minutes were approved.
5. **Approval of Agenda** A motion was made by Vice Mayor Jennings, seconded by Alderman Dillard to approve the agenda. A unanimous voice vote indicated approval of the agenda.
The agenda was approved.
6. **Communications from Mayor/Aldermen**
All council members were glad to be back in person for the meeting and in the new council chambers. Mayor Callis thanked all who helped out during the storm clean up. He announced there will be a Strawberry Festival this year. Hated to canceled last years but was a wise decision and so was having a Fall Festival in 2020. Hope to have a Fall Festival this year.

7. **Public Recognition**

Rachel Harmon, 103 McDowell Street, spoke on the domesticated fowl regulations. She has a rooster and wants the band to be lifted, maybe one per house whole. They protect the flock. Wants the regulations to be re-looked at.

Tanya Dubowyk, 101 McDowell Street, spoke on the domesticated fowl regulations. She has a rooster and wants the regulations changed to one per flock.

Wes Lugten, 1285 South Russell Street, spoke on the domesticated fowl regulations. He had a few and had to get rid of them. He counts on eggs to provide for his family. Since the roosters are gone, his eggs are not as many. Mr. Lugten explained to the council the size of his structures and being heated and cooled. He has gotten a citation and will be going to court over the issue and that this has become a problem with his family. He stated there are other farm animals within the city limits and

wonders why he can't have his chickens. Mr. Lugten was upset with Animal Control coming on his property without a warrant.

Kirk Templin, 104 W. T. Hardison Avenue, spoke on the residential fencing. Mr. Templin was just wanting to educate himself regarding fencing for residential housing. He is concerned of the value of his property.

8. Public Hearing

A. Ordinance No. 21-09 - An ordinance to amend the City of Portland, TN zoning map by rezoning 102, 104 & 106 West Market Street, Map 33H, Group H, Parcel 03.00, 04.00 & 05.00 from R-7.5 (Medium Density Residential) and CBD (Central Business District) to RM-1 (High Density Residential).

No one spoke.

B. Ordinance No. 21-11 - First Reading – An ordinance to amend Title 12, Chapter 7, of the Portland Municipal Code.

No one spoke.

9. Human Resources – Penny Barnes – No items to discuss

10. Planning & Codes – Megann Thompson

A. Ordinance No. 21-09 - Second Reading – An ordinance to amend the City of Portland, TN zoning map by rezoning 102, 104 & 106 West Market Street, Map 33H, Group H, Parcel 03.00, 04.00 & 05.00 from R-7.5 (Medium Density Residential) and CBD (Central Business District) to RM-1 (High Density Residential).

Motion was made by Alderwoman Thompson, seconded by Alderman Dillard to approve Ordinance No. 21-09 on second reading. A unanimous voice vote indicated approval.

Ordinance No. 21-09 Approved on Second Reading

B. Ordinance No. 21-11 - Second Reading – An ordinance to amend Title 12, Chapter 7, of the Portland Municipal Code.

Motion was made by Alderwoman Thompson, seconded by Alderman Woodall to approve Ordinance No. 21-11 on second reading. A unanimous voice vote indicated approval.

Ordinance No. 21-11 Approved on Second Reading

C. Ordinance No. 21-13 - First Reading - An ordinance to amend the North Gateway Planning Study for about 41.64 acres at unaddressed Woods Road (Tax Map 16, Parcels 57.00 & 57.02) from Institutional to Residential.

Motion was made by Alderwoman Thompson, seconded by Alderman McDowell to approve Ordinance No. 21-13 on first reading. A voice vote indicated approval with Alderman Hall voting no.

Ordinance No. 21-13 Approved on First Reading

- D. Ordinance No. 21-14 - First Reading** – An ordinance to amend the City of Portland, TN zoning map by rezoning 109 Liberty Street, Map 033I, Group A, Parcel 022.00, from R-7.5 (Medium Density Residential) to CBD (Central Business District).

Motion was made by Alderwoman Thompson, seconded by Alderwoman Barnes to approve Ordinance No. 21-14 on first reading. A unanimous voice vote indicated approval.

Ordinance No. 21-14 Approved on First Reading

- E. Resolution No. 21-36** - A resolution to allow the City of Portland to accept maintenance responsibility for the two alleys off of William Mack Lane.

Motion was made by Alderwoman Thompson, seconded by Alderman Dillard to approve Resolution No. 21-36. A unanimous voice vote indicated approval.

Resolution No. 21-36 Approved

- F. Discussion** – Residential fencing

Kealan Millies-Lucke, City Planner reviewed with the council from Section 4-405 the regulations regarding Residential Fencing. If the department receive a complaint, and inspection is done then a letter sent to homeowner giving them 30 days to comply.

11. Parks & Recreation – Thomas Dillard

Jamie White, Parks Director gave an update of the Parks Department.

Mayor Callis introduced the 911 Memorial that will be near Richland Gym area. Hope to have the memorial completed under \$30,000 and be ready for this year's 20th anniversary.

12. Public Works & Utilities – Brian Woodall

- A. Resolution No. 21-37** - A resolution authorizing an agreement between the City of Portland, TN and Hussey Gay Bell to provide professional services for the State Industrial Access Serving Project Commodore (Dorman Products) TDOT Project No. 74945-2488-04 PIN 127691.00.

Motion was made by Alderman Woodall, seconded by Alderwoman Thompson to approve Resolution No. 21-37. A unanimous voice vote indicated approval.

Resolution No. 21-37 Approved

- B. Ordinance No. 21-15 - First Reading** – An ordinance to authorize acceptance of best bids for various chemicals for the City of Portland for the period April 2021 through April 2022.

Motion was made by Alderman Woodall, seconded by Alderman McDowell to approve Ordinance No. 21-15 on first reading and with the motion it was to be noted to delete CITCO – DelPac 2020. A unanimous voice vote indicated approval.

Ordinance No. 21-15 Approved on First Reading

- C. Discussion** – Lyon Crest Estates traffic issues

Mayor Callis lead the discussion to install rumble strips in Lyon Crest Estates at a cost of \$200-\$600 per strip. Chief Williams said it could be done in a *pilot program* for 3-6 months. Council felt that others in the neighbor don't have a problem with the traffic. There was discussion to hold a public hearing before installing the rumble strips.

D. Discussion - Sewer capacity and over flows

Bryan Price, Utility Director educated the council on the flow study that is being done. He told how many taps have been approved for different areas in town. The repairs that are being done have already helped with the over flows. Will be bringing to the council water tap fees for approval. Price did add the Orlinda area don't have any taps to be made and haven't shown any proof of repairs.

E. Discussion – Paving list

A paving list was presented and requested for input from the council. Mayor Callis stated that the Street Department needs to be doing the street repairs. Quotes was given to purchase equipment for the Street Department to make the repairs.

13. Police Department – Drew Jennings

A. Discussion - Lot restrictions for Ordinance No. 19-87 – Domesticated Fowl Regulations

Motion was made by Alderman Hall, second by Alderman Woodall to allow the audience to speak. Mr. Lugten spoke stating how he did not like Animal Control using social media to find out who has chickens. He was made aware if he has a problem with Animal Control, he needs to contact Chief Williams. Chief Williams spoke on the ordinance stating what ever is in the ordinance it is the law and will enforce how its written. Mayor Callis stated the ordinance says no roosters due to complaints. Alderman Hall said he voted no on the ordinal ordinance. He wanted to go in a different direction with this. Has the same problem with dogs, cats and other animals. It was reported, other cities have a set number with no rooster but have fees on how many you have on your property. Some aldermen agreed with that. It was decided if the council wants to change the current ordinance, to send their change request to the City Attorney Bradley and he has agreed to write an amendment to the ordinance.

14. Fire Department – Jody McDowell

A. Ordinance No. 21-16 - First Reading – An ordinance authorizing the adoption of the 2018 International Fire Codes appendices relating to inspection activities of the City of Portland and enforcement of building provisions as provided in said appendices.

Motion was made by Alderman McDowell, seconded by Alderwoman Thompson to approve Ordinance No. 21-16 on first reading. A unanimous voice vote indicated approval.

Ordinance No. 21-16 Approved on First Reading

B. Ordinance No. 21-17 - First Reading – An ordinance to amend the City of Portland Municipal Code Title 7, Fire Protection and Fireworks, Chapter 6, Fireworks.

Motion was made by Alderman McDowell, seconded by Alderwoman Thompson to approve Ordinance No. 21-17 on first reading. A unanimous voice vote indicated approval.

Ordinance No. 21-17 Approved on First Reading

- C. Resolution No. 21-38** - A resolution to use up to \$10,000 of unspent Governor's Grant money to purchase reporting, scheduling, and records management software for the Fire Department.

Motion was made by Alderman McDowell, seconded by Alderman Woodall to approve Resolution No. 21-38. A unanimous voice vote indicated approval.

Resolution No. 21-38 Approved

- D. Discussion** – Record keeping system, Brycer LLC, “The Compliance Engine”

Chief Thornton presented to the council “The Compliance Engine” by Brycer, LLC. Brycer will be the department's record keeping system for fire suppression systems inspections. With the proper and consistent recordkeeping will increase the safety to both the building occupants and firefighters. The cost of this record keeping is at no cost to the city. There will be a \$15 fee per system per building and it goes to the contractor performing the inspection. Chief Thornton asked if this is something the Fire Department could enroll in since there is not cost to the city. The mayor and council agreed to allow the chief to enter into an agreement with the company.

15. Finance – Penny Barnes – No items to discuss

16. Legislative – Mayor Mike Callis – No items to discuss

17. Airport – Mike Hall

- A. Discussion** – Airport Runway Rehabilitation Construction Phase

Doug Hunter, Airport Direct informed the council of the airport runway rehabilitation with a line-of-sight correction project, that will be funded by a 95/5 grant. It has been since 1968 that the runway has been rehabbed. The construction phase will be \$4.8 million. Hope to find out how much will be receiving from the Cares Act Grant in May 2021. It will help bring down the city's match.

Adjournment

Motion was made to adjourned the meeting at 8:20 PM.

Mike Callis, Mayor

Patricia Keen, City Recorder