

Minutes

Board of Mayor and Aldermen

City of Portland, Tennessee

August 22, 2022
(Rescheduled Date)

1. **Call to Order** - Mayor Callis called the meeting to order at 5:04 P.M.
2. **Prayer/Pledge** – Mayor Callis offered the Invocation and the Pledge of Allegiance.
3. **Roll Call** - The Portland Board of Mayor and Aldermen met on August 22, 2022, with the following members in attendance: Alderwoman Penny Barnes, Alderman Thomas Dillard, Alderman Mike Hall, Vice Mayor Drew Jennings, Alderwoman Megann Thompson, Alderman Brian Woodall and Alderman Jody McDowell. City Attorney John R. Bradley and City Recorder Patricia Keen was present.
4. **Approval of Minutes from August 1, 2022, Council Meeting**
A motion was made by Alderwoman Thompson seconded by Alderman Dillard 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 Alderman Woodall, seconded by Alderwoman Barnes to approve the agenda. A unanimous voice vote indicated approval of the agenda.
The agenda was approved.
6. **Presentation** – Proclamation was presented to the Daughters of the American Revolution, DAR for Constitution Week. Present to receive was Nancy Gilley, Chapter Regent, and Helen Marshall.
7. **Communications from Mayor/Aldermen - None**
8. **Public Recognition**

Jason Barnes, 110 Sharon Drive, spoke regarding the fireworks ordinance. He did not get answers to his questions for the last meeting. Wants to know why make ordinances you can't enforce.

Michele Harbin, 1149 Parkers Chapel Road, spoke in favor of Resolution 22-99, leasing building to the Chamber of Commerce. The Chamber does a lot for the city and would be a good place to meet and greet.

John McCloud, 195 Oak Drive, spoke against Resolution 22-100. Wanted clarified on when this moratorium would start. Had come to pay for 9 taps but was told to wait until council meeting. Why stop developers back before this resolution.

Daniel Williams, 355 Briley Lane, spoke regarding water issue and recommends the city contracting out the smaller jobs and use the money toward the upgrades.

Zach Wilkinson, 1065 Rapids Road, spoke of concerns for Resolution 22-100. Developers have a lot invested into projects. Need a solution to the water problem.

Nate Larowe, 8946 Byrum Chapel Road, spoke regarding Resolution 22-100. Applied on June 15 and no information yet. Starting a new house and need to know if need a well or not.

Mark Rice, 105 Paigewood Drive, spoke in favor of Resolution 22-99, leasing building to the Chamber of Commerce. Positive for the city.

Wayne Williams, 660 Fowler Ford Road, spoke regarding water issue. Still waiting on water approval. Wanting to sell some property and has been three months waiting for approval.

Charles Cole, 439 Fowler Ford Road, spoke regarding open records request. Referring to the resolution passed to notify employees of their file being requested, doesn't feel they should be notified before the requestor gets the information, wants the requestor to be protected as well. Claims the city is not going by the TPRA. Claims the city is not getting the information out within seven business days of request.

Jaska Russell, 105 Collins Court, spoke regarding the water issue. The water is an issue but these contractors are hard workers. They need encouragement and help from the city. Get the water fixed and it will bring in rooftops and more business and restaurants. Also, the Farmers Bank gave the old building to the city and the city should give it to the Chamber of Commerce. They work hard for Portland.

9. Public Hearing

A. Ordinance No. 22-49 - An ordinance to amend the City of Portland, Tennessee zoning map by rezoning 500A & 500B West Market Street, 107 & 111 Sandye Avenue, Tax Map 34E, Group D, Parcels 014.02, 014.03, 014.04, 014.05 from GCS (General Commercial Services) to RM-1 (High Density Residential).

No one spoke.

10. Departmental Reports - Motion was made by Alderman McDowell, seconded by Vice Mayor Jennings to approve the reports. A unanimous voice vote indicated approval of the monthly reports as presented. Reports accepted as presented.

11. Mayor's Report

Mayor Callis reported the Scattersville Road paving is out for bid and when it closes TDOT will award the bid. In doing some research regarding the sales tax referendum, the Mayor stated the numbers would be 50% for roads and 50% for Public Safety. Robertson County local sales tax is 2.75 and Portland is 2.25 now. He added Thursday night will be the High School football game with Portland being the oldest school in Sumner County and Liberty Creek being the new school. Mayor asked everyone to come and support the football team.

12. Community Development – Alderwoman Megann Thompson

Alderwoman Thompson announced she had spoken to Retail Strategies and they wish to do a video conference with the council. Thompson requested that the city council meet in a Special Call Work Study on September 12 at 4:00 for the conference with Retail Strategies.

13. Finance – Alderwoman Penny Barnes

- A. Resolution No. 22-96** - A resolution to amend Resolution No. 22-43 for the reallocation of certain ARPA Funds.

Motion was made by Alderwoman Barnes, seconded by Alderwoman Thompson to approve Resolution No. 22-96. A unanimous voice vote indicated approval.

Resolution No. 22-96 Approved

- B. Resolution No. 22-97** - A resolution to allocate funds from the American Recovery Plan Act Budget for a Water Feasibility Study.

Motion was made by Alderwoman Barnes, seconded by Alderwoman Thompson to approve Resolution No. 22-97. A unanimous voice vote indicated approval.

Resolution No. 22-97 Approved

14. Fire Department – Alderman Jody McDowell – No items

15. Human Resources – Alderwoman Penny Barnes – No items

16. Legislative – Mayor Mike Callis

- A. Ordinance No. 22-51 - Second Reading** – An ordinance to amend Ordinance No. 21-17 of the City of Portland Municipal Code Title 7, Fire Protection and Fireworks, Chapter 6, Fireworks by adding Section 3 to 7-604 on burn bans.

Motion was made by Alderwoman Thompson, seconded by Alderman Dillard to approve Ordinance No. 22-51 on second reading. A unanimous voice vote indicated approval.

Ordinance No. 22-51 Approved on Second Reading

- B. Ordinance No. 22-52 - Second Reading** – An ordinance to provide a make-up weekend for discharging fireworks due to a recent burn ban.

Motion was made by Alderwoman Thompson, seconded by Alderman Dillard to approve Ordinance No. 22-52 on second reading. Alderman Dillard questioned the concern a citizen had with the enforcement of fireworks being shot during the burn ban. Chief Williams responded that his officers did what they could do in answering so many calls. A unanimous voice vote indicated approval.

Ordinance No. 22-52 Approved on Second Reading

- C. Resolution No. 22-98** - A resolution to appoint an Ad Hoc Committee to review the current City Charter for any possible changes deemed to be necessary.

Motion was made by Alderwoman Thompson, seconded by Alderman Woodall to approve Resolution No. 22-98. Motion was made by Alderman Hall, second by Alderman McDowell to add the wording “to the City Attorney for review and then to the City Council”. A unanimous voice vote indicated approval as amended

Resolution No. 22-98 Approved as Amended

- D. Resolution No. 22-99** - A resolution to approve a long-term lease agreement for property located at 107 North Broadway.

Motion was made by Alderwoman Thompson, seconded by Alderman Dillard to approve Resolution No. 22-99. Alderman Dillard voiced his concerns regarding the building being leased at no cost and the up keep of the building. The city attorney has reviewed the lease agreement and it has been voted on by the Chamber Board. A voice vote indicated approval with Alderman Dillard voting nay.

Resolution No. 22-99 Approved

- E. Discussion** – the process of releasing public records – Alderman Thomas Dillard
Alderman Dillard asked the city attorney to speak and explain the process of public records. Attorney Bradley explained how to obtain a public record and when inspecting there are to be no pictures taken with a cell phone. Records can be inspected or copies made for fifteen cents a page. This is not in conflict with the state statue.
Motion was made by Alderman Dillard, second by Alderman Hall to allow Charles Cole to speak. Mr. Cole spoke on records to be made promptly to the requestor.
Attorney Bradley added records sometimes need to be redacted and respond within seven days.

17. Municipal Airport – Alderman Mike Hall

- A. Ordinance No. 22-62 - First Reading** – An ordinance approving a contract between the Portland Airport Authority and Aero 1200 for the monitor and measure of general aviation assets.

Motion was made by Alderman Hall, seconded by Alderwoman Thompson to approve Ordinance No. 22-62 on first reading. A unanimous voice vote indicated approval.

Ordinance No. 22-62 Approved on First Reading

- B. Ordinance No. 22-63 - First Reading** – An ordinance approving a contract between the Portland Airport Authority and the State of Tennessee Department of Transportation Aeronautics Division for maintenance costs for the Fiscal Year 7-1-2022 through 6-30-2023.

Motion was made by Alderman Hall, seconded by Alderwoman Thompson to approve Ordinance No. 22-63 on first reading. A unanimous voice vote indicated approval.

Ordinance No. 22-63 Approved on First Reading

18. Parks & Recreation – Alderman Megann Thompson – No items

19. Police Department – Vice Mayor Drew Jennings – No items

20. Planning & Codes – Alderwoman Megann Thompson

- A. Ordinance No. 22-49 - Second Reading** – An ordinance to amend the City of Portland, Tennessee zoning map by rezoning 500A & 500B West Market Street, 107 & 111 Sandye

Avenue, Tax Map 34E, Group D, Parcels 014.02,014.03, 014.04, 014.05 from GCS (General Commercial Services) to RM-1 (High Density Residential).

Motion was made by Alderwoman Thompson, seconded by Alderman McDowell to approve Ordinance No. 22-49 on second reading. A unanimous voice vote indicated approval.

Ordinance No. 22-49 Approved on Second Reading

- B. Ordinance No. 22-64 - First Reading** – An ordinance to amend the City of Portland, Tennessee zoning map by rezoning North Harris Lane, Tax Map 019, Parcels 050.04, 083.00, 084.00, 085.00, 086.00 from RR (Rural Residential) to R-10 (Low Density Residential).

Motion was made by Alderwoman Thompson, seconded by Alderman McDowell to approve Ordinance No. 22-64 on first reading. A voice vote indicated approval with Alderman Dillard and Alderman Hall voting nay.

Ordinance No. 22-64 Approved on First Reading

21. Public Works Department – Alderman Brian Woodall

- A. Ordinance No. 22-32 – Second Reading** – An ordinance to enter into an agreement with the TDOT approved contractor for the Scattersville Road/New Deal Potts Road Resurfacing Project Pin 128489.00 per STBG Grant guidelines.

Motion was made by Alderman Woodall, seconded by Alderman Hall to approve Ordinance No. 22-32 on second reading with the amendments. A unanimous voice vote indicated approval.

Ordinance No. 22-32 Approved on Second Reading as Amended

- B. Ordinance No. 22-56 - Second Reading** – An ordinance authorizing the acceptance of the best bid for the rock/gravel haul contract effective September 1, 2022 thru June 30, 2025 followed by two (2) one year renewal options.

Motion was made by Alderman Woodall, seconded by Alderwoman Thompson to approve Ordinance No. 22-56 on second reading. A unanimous voice vote indicated approval.

Ordinance No. 22-56 Approved on Second Reading

- C. Ordinance No. 22-57 - Second Reading** – An ordinance authorizing rate structures for Stormwater Land Disturbance Permits and Stormwater Engineering Plan Reviews.

Motion was made by Alderman Woodall, seconded by Alderman Dillard to approve Ordinance No. 22-57 on second reading. A voice vote indicated approval with Alderman McDowell voting nay.

Ordinance No. 22-57 Approved on Second Reading

22. Department of Utilities – Alderman Brian Woodall

- A. Ordinance No. 22-58 - Second Reading** – An ordinance for the City of Portland to enter into a contract with the Tennessee Department of Transportation (TDOT) for relocation of gas utilities within the proposed state industrial access serving Project Commodore (Dorman Products).

Motion was made by Alderman Woodall, seconded by Alderwoman Thompson to approve Ordinance No. 22-58 on second reading. A unanimous voice vote indicated approval.

Ordinance No. 22-58 Approved on Second Reading

- B. Ordinance No. 22-59 - Second Reading** – An ordinance for the City of Portland to enter into a contract with the Tennessee Department of Transportation (TDOT) for relocation of sewer utilities within the proposed state industrial access serving Project Commodore (Dorman Products).

Motion was made by Alderman Woodall, seconded by Alderman Dillard to approve Ordinance No. 22-59 on second reading. A unanimous voice vote indicated approval.

Ordinance No. 22-59 Approved on Second Reading

- C. Ordinance No. 22-60 - Second Reading** – An ordinance for the City of Portland to enter into a contract with the Tennessee Department of Transportation (TDOT) for relocation of water utilities within the proposed state industrial access serving Project Commodore (Dorman Products).

Motion was made by Alderman Woodall, seconded by Alderman Dillard to approve Ordinance No. 22-60 on second reading. A unanimous voice vote indicated approval.

Ordinance No. 22-60 Approved on Second Reading

- D. Ordinance No. 22-61 - Second Reading** – An ordinance to enter into an agreement with Hussey Gay Bell Nashville, LLC to provide engineering services for a 12-inch water line improvements on Eubanks Road.

Motion was made by Alderman Woodall, seconded by Alderman Dillard to approve Ordinance No. 22-61 on second reading. A unanimous voice vote indicated approval.

Ordinance No. 22-61 Approved on Second Reading

- E. Discussion - Water and Sewer Taps**
- Individual Availability Requests
 - Capacity Letters
 - Projected Revenue

Bryan Price, Utilities Director lead the discussion regarding the request for water taps. He explained the issue of leaks and making repairs. The Water Supervisor spoke on needing more man-power to replace lines and money needed to lie into water mains, and also why rates need to be raised. Price wanted guidance to release capacity letters on project. After a lengthy discussion, motion was made by Vice Mayor Jennings, seconded by Alderman McDowell to *Table* Resolution No. 22-100 and to release the current projects on the customer waiting list. A unanimous voice vote indicated approval.

- F. Resolution No. 22-100** - A resolution to place a temporary moratorium on the release of any new water taps or other increased water capacity request.

Motion was made by Vice Mayor Jennings, seconded by Alderman McDowell to *Table* Resolution No. 22-100 and to release the current projects on the customer waiting list. A unanimous voice vote indicated approval.

Resolution No. 22-96 Approved

- G. Discussion** – Whether or not Mitchellville should be paying inside or outside sewer rates
Mayor Callis explained why Mitchellville pays inside sewer rates even though they are outside the city limits of Portland. Portland does not maintenance their system.

Adjournment

Motion was made to adjourn the meeting at 7:52 pm.

Mike Callis, Mayor

Patricia Keen, City Recorder