



Board of Mayor and Aldermen
City Council Meeting
Portland City Hall
100 South Russell Street
Portland, TN 37148
April 3, 2023
5:00 PM

- A. Call To Order
- B. Prayer And Pledge
- C. Roll Call
- D. Approval Of Minutes
March 20, 2023

Documents:

[MINUTES MARCH 20 2023.DOCX](#)

- E. Approval Of Agenda
- F. Communications From Council Members
- G. Public Recognition
Up to five minutes per person and comments must pertain to items that are listed on the meeting agenda.
- H. Public Hearings
 - 1. Ordinance 23-08
AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING UNADDRESSED CORNER OF WT HARDISON STREET AND GIBSON STREET, SUMNER COUNTY TAX MAP 200, GROUP D, PARCEL 008.00 FROM R-15 (LLOW DENSITY RESIDENTIAL) to R-10 (LOW DENSITY RESIDENTIAL).

Documents:

[ORD 23-08 REZONE UNADDRESSED WT HARDISON GIBSON STREET.PDF](#)

- I. Mayor's Report

J. Community Development
Alderwomen Magann Thompson

K. Finance
Alderwoman Penny Barnes

L. Fire Department
Vice Mayor Jody McDowell; Financed by: General Fund

M. Human Resources
Alderwoman Penny Barnes

N. Legislative
Mayor Mike Callis

1. Resolution No. 23-42
RESOLUTION FOR THE CITY OF PORTLAND TO ENTER INTO AN AGREEMENT WITH
MUNICIPAL TECHNICAL ADVISORY SERVICE TO CODIFY AND REVISE THE
MUNICIPAL CODE OF ORDINANCES OF THE CITY OF PORTLAND.

Documents:

[RES 23-42 MUNICIPAL CODE UPDATE.PDF](#)

O. Municipal Airport
Alderman Mike Hall; Financed by: Special Revenue Fund

P. Parks & Recreation
*Alderman Brian Woodall; Financed by: General Fund/Special Revenue Fund - Golf
Course*

1. Ordinance 23-07 - Second Reading
AN ORDINANCE TO ENTER INTO AN AGREEMENT WITH ATIS GOLF LAND WATER
FOR PLANNING AND DESIGN SERVICES FOR DOGWOOD HILLS GOLF COURSE
IRRIGATION SYSTEM.

Documents:

[ORD 23-07 IRRIGATION SYS DOGWOOD HILLS GOLF COURSE.PDF](#)

Q. Police Department
Alderman Drew Jennings; Financed by: General Fund

R. Planning & Codes
Alderwoman Megann Thompson; Financed by: General Fund

1. Ordinance 23-08 - Second Reading
AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY
REZONING UNADDRESSED CORNER OF WT HARDISON STREET AND GIBSON
STREET, SUMNER COUNTY TAX MAP 200, GROUP D, PARCEL 008.00 FROM R-15

(LLOW DENSITY RESIDENTIAL) to R-10 (LOW DENSITY RESIDENTIAL).

Documents:

[ORD 23-08 REZONE UNADDRESSED WT HARDISON GIBSON STREET.PDF](#)

2. Ordinance 23-13 - First Reading

AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING 825A COLLEGE STREET. (SUMNER COUNTY TAX MAP 034, PARCEL 056.01) FROM RS-40 (LOW DENSITY RESIDENTIAL) TO RM-1 (HIGH DENSITY RESIDENTIAL).

Documents:

[ORD 23-13 REZONE 825A COLLEGE STREET.PDF](#)

S. Public Works

Alderman LaToya Holcomb; Financed by: General Fund - Streets, City Mechanic / Special Revenue Fund - Sanitation, Stormwater

1. Ordinance 23-11 - Second Reading

AN ORDINANCE AUTHORIZING THE CITY OF PORTLAND TO PURCHASE APPROXIMATELY 11.09 ACRES OF PROPERTY LOCATED OFF OF AIRPORT ROAD IN THE AMOUNT OF \$140,000 FOR A FUTURE STORMWATER PROJECT.

Documents:

[ORD 23-11 AIRPORT RD STORMWATER COLLINS PROPERTY PURCHASE.PDF](#)

T. Utility Infrastructure

Alderman Brian Woodall; Financed by; Enterprise Fund - Water Distribution, Water Plant, Wastewater Collections, Wastewater Plant, Natural Gas Distribution, GIS, Engineering

1. Ordinance 23-12 - Second Reading

AN ORDINANCE ALLOWING THE CITY OF PORTLAND TO PURCHASE PROPERTY FROM JAMES LINDSEY (619 DENNING FORD RD) FOR ACCESS POINTS TO THE RAW WATER INTAKE ON WEST FORK DRAKES CREEK.

Documents:

[ORD 23-12 - 619 DENNING FORD RD LAND PURCHASE FR JAMES LINDSEY.PDF](#)

2. Ordinance 22-67 - Second Reading

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH PORTLAND COMMERCE LAND 1, LLC FOR THE INSTALLATION OF A 12" WATERLINE THROUGH THE PROPERTY CONNECTING EUBANKS ROAD & VAUGHN PARKWAY WATERLINES IN ROBERTSON COUNTY, INCLUDING ANY WATER AND SEWER IMPROVEMENT FEES, FOR STATELINE COMMERCE CENTER NORTH PHASE 1, LOCATED OFF OF VAUGHN PARKWAY AND EUBANKS ROAD, TAX MAP 012,

PARCEL 038.01 IN PORTLAND, TENNESSEE.

Documents:

[ORD 22-67 - STATELINE COMMERCE - STATE LINE COMMERCE CENTER
NORTH PHASE 1 DEVELOPER AGREEMENT.PDF](#)

3. Ordinance 23-14 - First Reading

AN ORDINANCE TO AMEND SECTION 130 OF TITLE 18 OF THE CITY OF PORTLAND'S MUNICIPAL CODE WITH THE FOLLOWING LANGUAGE REFERENCING THE CITY'S MOST RECENTLY APPROVED TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION DROUGHT MANAGEMENT PLAN.

Documents:

[ORD 23-14 REVISE AND REPLACE SECTION 18-130 OF THE MC FOR THE
TDEC APPROVED DROUGHT MANAGEMENT PLAN.PDF](#)

4. Ordinance 23-15 - First Reading

AN ORDINANCE TO RESCIND IN ITS ENTIRITY ORDINANCE 22-68 AND REPLACE WITH THIS ORDINANCE FOR WATER, SEWER AND NATURAL GAS FEE STRUTURE.

Documents:

[ORD 23-15 ORD FOR WATER, SEWER AND GAS FEE STRUCTURE -
WAIVE CONNECTION FEES FOR NATURAL DISASTERS.PDF](#)

5. Ordinance 23-16 - First Reading

AN ORDINANCE TO RESCIND IN ITS ENTIRITY ORDINANCE 15-34 AND REPLACE WITH THIS ORDINANCE FOR STANDARD SPECIFICATIONS FOR SEWER AND WATER INSTALLATION FOR THE CITY OF PORTLAND.

Documents:

[ORD 23-16 ORDINANCE FOR 2023 STANDARD SPECIFICATION FOR
WATER AND SEWER.PDF](#)

6. Discussion - Project Order For Loan

Documents:

[UTILITIES DISCUSSION - PROJECT ORDER FOR 5 MILL LOAN.PDF](#)

U. Adjournment

Minutes

Board of Mayor and Aldermen

City of Portland, Tennessee

March 20, 2023

A. Call to Order - Mayor Callis called the meeting to order at 5:14 P.M.

B. Prayer/Pledge –City Attorney John Bradley offered the Invocation and the Pledge of Allegiance.

C. Roll Call -

Present:

Alderdwoman Penny Barnes
Alderdwoman LaToya Holcomb
Alderman Drew Jennings
Vice Mayor Jody McDowell
Alderdwoman Megann Thompson
Alderman Brian Woodall
Mayor Mike Callis

Also Present:

City Attorney John R. Bradley
Finance Director, City Recorder Rachel Slusser
Assistant City Recorder Tracy Kizer

Absent

Alderman Mike Hall

D. Approval of Minutes from March 6, 2023, Council Meeting. Motion was made by Vice Mayor McDowell, seconded by Alderdwoman Thompson to approve the minutes as presented. **Voice vote indicated approval.**

E. Approval of Agenda Mayor requested motion be made that under Planning & Code Item 2; Ordinance 23-10 be removed. A motion was made by Alderdwoman Thompson to remove Ordinance 23-10, seconded by Alderman Jennings to approve amended agenda. **Voice vote indicated approval of the amended agenda.**

F. Communications from Council Members – none

G. Presentation - Chief Jason Williams presented Lieutenant Toby Sabie with a twenty-year service plaque. Several members of the Police Department and family were there to support Lt. Sabie's milestone.

H. Public Recognition –

1. Doug Herman – Irish Oaks Dr. – Is here for Leadership Portland & no comment on agenda items.
2. Curtis Groves – Arthur Ct. - Robert Coleman Center Discussion – Would like for council to think about spending so much money on the RCC because there are many more buildings or memorials that need attention.

I. Public Hearing – None

J. Department Reports – Motion made by Alderdwoman Thompson second by Alderdwoman Holcomb to accept Department Reports. **Voice vote indicated approval.**

K. Mayor's Report – Mayor reported that Portland made the list for funding through the Army Corps. The Bill for funding has been signed into law. Projects have been submitted to the state.

L. Community Development – Alderwoman Megann Thompson – No items

M. Finance – Alderwoman Penny Barnes – No items

N. Fire Department – Vice Mayor Jody McDowell

Financed by: General Fund

1. **Resolution No. 23-39** - A Resolution to declare the H13 Breathing Air Compressor and nine 4500PSI Cascade Cylinders as surplus. Motion made by Vice Mayor McDowell, seconded by Alderwoman Thompson. **Voice vote indicated approval.**
2. **Discussion** – Call outs to property split by city and county boundaries. Chief Sam Thornton advised that if the Fire or Police departments are dispatched to a call they will go. Chief Thornton explained with technology, dispatch can see on their map if a property is split and will dispatch based on where the building is located.

O. Human Resources – Alderwoman Penny Barnes – No items

P. Legislative – Mayor Mike Callis – No items

Q. Municipal Airport – Alderman Mike Hall - No items

Financed by: Special Revenue Fund

R. Parks & Recreation – Alderman Brian Woodall

Financed by: General Fund / Special Revenue Fund – Golf Course

1. **Discussion** – Robert Coleman Community Center Project – Jamie White requested guidance from the council on moving forward with the RCC building. After discussion, a motion was made by Alderman Jennings, second by Vice Mayor McDowell to suspend the renovation on the RCC Building. **Voice vote indicated approval.**

S. Police Department – Alderman Drew Jennings - No items

Financed by: General Fund

T. Planning & Codes – Alderwoman Megann Thompson

Financed by: General Fund

1. **Ordinance No. 23-09- Second Reading** - An Ordinance to amend the city of Portland, Tennessee Alcoholic Beverage sales requirements. Motion to approve made by Alderwoman Thompson, second by Alderman Woodall. **Voice vote indicated approval.**
2. **Discussion** - Glendale Alley recommendations – see attachments. Bryan Price advised the council that the alley was a utility easement; he requested that no permanent structure be allowed. Vice Mayor McDowell made motion to suspend the rules of order to allow David Lane to address the board, Alderwoman Barnes seconded the motion. **A voice vote approved to suspend the rules.** Mr. Lane asked if it would be possible to park his mobile home and add gravel to the area. Mr. Price had no problem with Mr. Lane parking the RV in the alley if anything placed in the alley could be easily moved. Permission was granted to Mr. Lane to add gravel and park RV in the alley.

U. Public Works – Alderwoman LaToya Holcomb

Financed by: General Fund – Streets, City Mechanic / Special Revenue Fund – Sanitation, Stormwater

1. **Ordinance No. 23-11 – First Reading** - An ordinance authorizing the City of Portland to purchase approximately 11.09 acres of property located off of Airport Road in the amount of \$140,000 for a future Stormwater Project. Motion by Alderwoman Holcomb, seconded by Alderwoman Barnes. It was stated that funding would come from Stormwater. **Voice vote indicated approval.**

V. Utility Infrastructure – Alderman Brian Woodall

Financed by: Enterprise Fund – Water Distribution, Water Plant, Wastewater Collections, Wastewater Plant, Natural Gas Distribution, GIS, Engineering

1. **Ordinance No. 23-12 – First Reading**- An ordinance allowing the City of Portland to purchase property from James Lindsey (619 Denning Ford Rd) for access points to the raw water intake on West Fork Drakes Creek. Moved to approve by Alderman Woodall, second by Vice Mayor McDowell. Bryan Price explained that this would improve the access points on West Fork Drakes Creek. **Voice vote indicated approval.**
2. **Resolution 23-40** - A resolution to enter into an agreement between the City of Portland and Mid-Cumberland Community Action Agency for the Low-Income Home Energy Assistance Program (LIHEAP). Moved to approve by Alderman Woodall, second by Alderman Jennings. Kristi Gibbs explained that this a program we have been involved with for several years and this resolution allows us to accept the money from Mid-Cumberland for a specific citizen. **Voice vote indicated approval.**
3. **Resolution No. 23-41** - A resolution to enter into a contract with the Hill Firm for debt collection. Moved to approve by Alderman Woodall, second by Vice Mayor McDowell. Kristi Gibbs explained that the City had recently used Glaser Firm and Hill Firm is honoring their current contract. **Voice vote indicated approval.**
4. **Discussion** – 13 water taps on Highway 259. Bryan Price distributed a timeline of events related to the Eade Hwy 259 water main. Motion to suspend rules of order by Alderwoman Thompson to allow Wally Gilliam to address the board, second by Alderman Jennings. Mr. Gilliam presented notarized letter from Ms. Anita Eade, owner of property being discussed, to speak on her behalf. Mr. Gilliam explained Ms. Eade is asking for the \$1500 improvement fee per lot, to be waived. Because she felt she had started the project prior to fee changes. She felt the City should honor the price before the increase. Discussion and questions between the council and Bryan Price. Mayor advised that currently as it stands Ms. Eade is being charged. City Attorney John Bradley explained that if not motion is made, it stands as it is. **No motion made.**

Jamie White advised the presentation for the Park Master Plan will begin at 7 pm.

- W. Adjournment** – Motion to adjourn made by Alderwoman Barnes, second by Alderman Woodall. Voice vote indicated approval. **Meeting adjourned at 6:24 pm.**

Mike Callis, Mayor

Tracy Kizer, Assistant City Recorder

ORDINANCE

City of Portland, Tennessee

No. 23 - 08

SECOND READING

AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING UNADDRESSED CORNER OF WT HARDISON STREET AND GIBSON STREET, SUMNER COUNTY TAX MAP 200, GROUP D, PARCEL 008.00 FROM R-15 (LOW DENSITY RESIDENTIAL) TO R-10 (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 the rezoning to R-10 (Low Density Residential) by a vote of 7-0 at their February 21, 2023 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 (Low Density Residential) to R-10 (Low Density Residential).

Approximately 0.25 +/- acres more or less, located at unaddressed corner of WT Hardison Street and Gibson Street as shown on the attached map.

For reference, see Record Book 1281, Page 799 in the Register's Office of Sumner County, Tennessee, and being shown as Tax Map 200, Group D, Parcel 008.00 in the Register's Office of 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 passage on final reading, the public welfare requiring it.

Notice of the Public Hearing was published in the Portland Sun on Tuesday, March 14, 2023, and Portland Leader on Wednesday, March 15th, 2023.

The Public Hearing was held on April 3, 2023 at 5:00 PM at the City Council Meeting.

Mike Callis, Mayor

Attest Rachel Slusser, City Recorder

Passed First Reading: March 6, 2023
Passed Second Reading: April 3, 2023



Resolution
City of Portland, Tennessee
No. 23 - 42

**RESOLUTION FOR THE CITY OF PORTLAND TO ENTER INTO AN AGREEMENT
WITH MUNICIPAL TECHNICAL ADVISORY SERVICE TO CODIFY AND REVISE
THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF PORTLAND**

WHEREAS, the City of Portland last updated and revised the Municipal Code of Ordinances in 1998, and

WHEREAS, the City of Portland wishes to enter into an agreement with Municipal Technical Advisory Service (MTAS) to codify and update the Municipal Code at the earliest possible date, and

WHEREAS, the City of Portland agrees to pay MTAS a fee of \$9,300.00 for codification and revision services, and

WHEREAS, the \$9,300.00 fee is based on Portland's current population of 13,156; and

WHEREAS, fifty percent (50%) of the cost will be paid when ordinances are requested by MTAS; and

WHEREAS, the remaining fifty percent (50%) will be paid upon delivery of the first draft of the Municipal Code.

THEREFORE, BE IT RESOLVED, that the Board of Mayor and Aldermen for the City of Portland hereby approve an agreement with Municipal Technical Advisory Service to codify and revise the Portland Municipal Code of Ordinances for a fee of \$9,300.00.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved on this the 3rd day of April 2023

Ordinance

City of Portland, Tennessee

No. 23 - 07

Second Reading

AN ORDINANCE TO ENTER INTO AN AGREEMENT WITH ATIS GOLF LAND WATER FOR PLANNING AND DESIGN SERVICES FOR DOGWOOD HILLS GOLF COURSE IRRIGATION SYSTEM

WHEREAS, The City of Portland would like to enter into an agreement with ATIS Course Land Water for the planning/design phase for the irrigation system; and

WHEREAS, The City of Portland and ATIS Golf Water Land Water have agreed the Planning and Design Phase would include Pre-Design, Finalize Irrigation Design and Bid Package Administration; and

NOW, THEREFORE BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Portland to enter into an agreement with **ATIS Golf Land Water** in the amount of **\$8,000** for the Planning and Design Phase of the irrigation system at Dogwood Hills Golf Course.

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: March 6, 2023
Passed Second Reading: April 3-2023

ORDINANCE

City of Portland, Tennessee

No. 23 - 08

SECOND READING

AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING UNADDRESSED CORNER OF WT HARDISON STREET AND GIBSON STREET, SUMNER COUNTY TAX MAP 200, GROUP D, PARCEL 008.00 FROM R-15 (LOW DENSITY RESIDENTIAL) TO R-10 (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 the rezoning to R-10 (Low Density Residential) by a vote of 7-0 at their February 21, 2023 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 (Low Density Residential) to R-10 (Low Density Residential).

Approximately 0.25 +/- acres more or less, located at unaddressed corner of WT Hardison Street and Gibson Street as shown on the attached map.

For reference, see Record Book 1281, Page 799 in the Register's Office of Sumner County, Tennessee, and being shown as Tax Map 200, Group D, Parcel 008.00 in the Register's Office of 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 passage on final reading, the public welfare requiring it.

Notice of the Public Hearing was published in the Portland Sun on Tuesday, March 14, 2023, and Portland Leader on Wednesday, March 15th, 2023.

The Public Hearing was held on April 3, 2023 at 5:00 PM at the City Council Meeting.

Mike Callis, Mayor

Attest Rachel Slusser, City Recorder

Passed First Reading: March 6, 2023
Passed Second Reading: April 3, 2023



ORDINANCE

City of Portland, Tennessee

NO. 23 - 13

FIRST READING

AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING 825A COLLEGE STREET, (SUMNER COUNTY TAX MAP 034, PARCEL 056.01) FROM RS-40 (LOW DENSITY RESIDENTIAL) TO RM-1 (HIGH 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 the rezoning to RM-1 (High Density Residential) by a vote of 5-1 at their March 14, 2023 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 two properties from RS-40 (Low Density Residential) to RM-1 (High Density Residential). Approximately 1.00 +/- acres, located at 825A College Street as shown on the attached map.

For reference, see Record Book 5930, Page 263-265 in the Register's Office of Sumner County, Tennessee, and being shown as Tax Map 034, Parcels 056.01 in the Register's Office of 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 passage on final reading, the public welfare requiring it.

Notice of the Public Hearing was published in the Portland Sun on _____ and Portland Leader on _____.

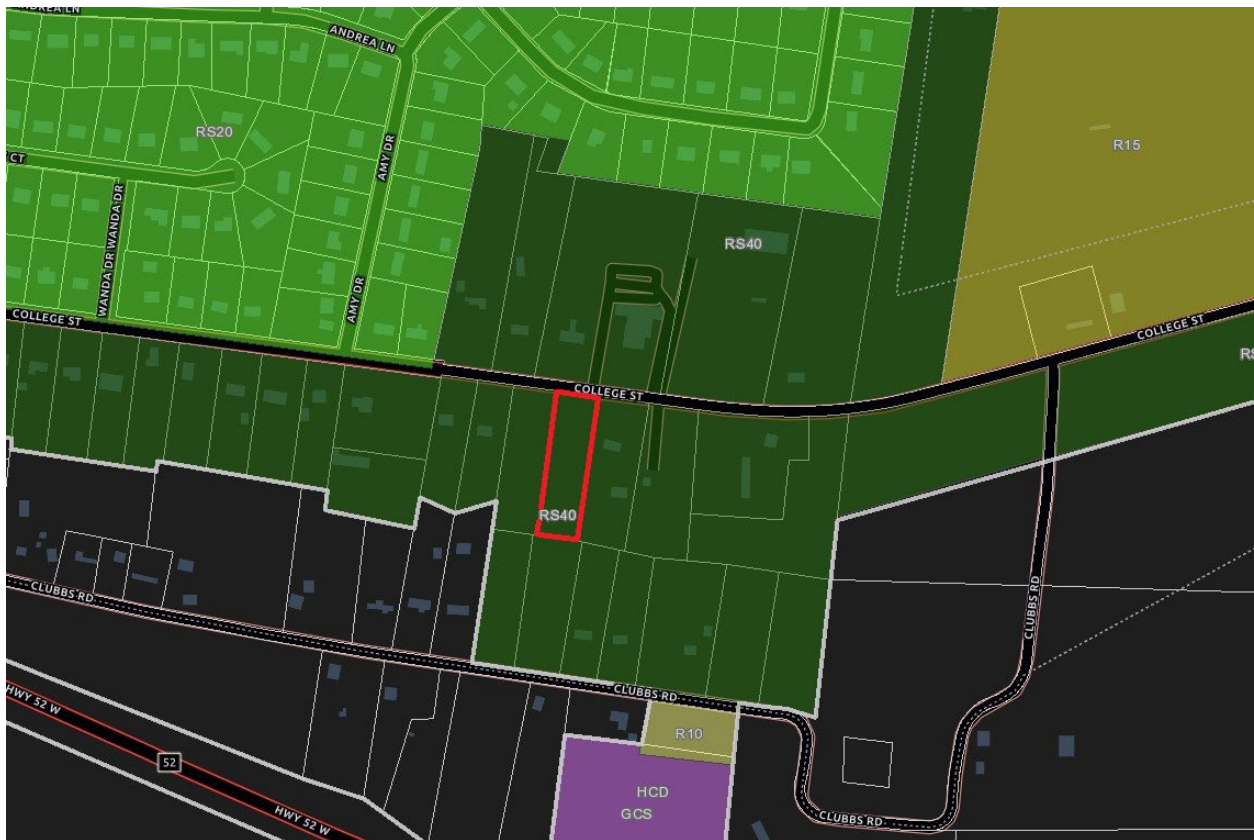
The Public Hearing was held on _____ at 5:00 PM at the City Council Meeting.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Passed First Reading: April 3, 2023

Passed Second Reading:



Ordinance

City of Portland, Tennessee

No. 23 – 11

Second Reading

AN ORDINANCE AUTHORIZING THE CITY OF PORTLAND TO PURCHASE APPROXIMATELY 11.09 ACRES OF PROPERTY LOCATED OFF OF AIRPORT ROAD IN THE AMOUNT OF \$140,000 FOR A FUTURE STORMWATER PROJECT.

WHEREAS, the City of Portland operates a Phase II MS4 Stormwater Program as required under certain Federal and State regulations and seeks to make improvements when able; and

WHEREAS, the City of Portland previously identified certain areas that are adversely affected by stormwater runoff in the Airport Road area of the community and in 2018 the City of Portland contracted with CEC (Civil & Environmental Consultants Inc.) to review and analyze localized flooding problems located generally in the Carrie Mae Circle area, including downstream at Jim Courtney Road and Lindsey Kyla Court; and

WHEREAS, the property known as Map-Parcel Number 033 061.01 000 as referenced and surveyed by J. Bruce Rainey on April 27, 2022 contains approximately 11.09 acres that would be used to slow the flow of stormwater to the affected areas identified by CEC; and

WHEREAS, the approximately 11.09 acres that was formerly part of the Mary Katherine Collins Estate is being offered by owner Larry Joe (Joey) Collins Jr. for the purchase price of \$140,000 with the City paying all other cost involved in the sale and transfer of the property; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen that the City is authorized to acquire 11.09 acres of property located off Airport Road Map-Parcel Number 033 061.01 000 for the purchase price of \$140,000; and

BE IT FURTHER RESOLVED 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: March 20, 2023
Passed Second Reading: April 3, 2023

Ordinance

City of Portland, Tennessee

No. 23 - 12

Second Reading

AN ORDINANCE ALLOWING THE CITY OF PORTLAND TO PURCHASE PROPERTY FROM JAMES LINDSEY (619 DENNING FORD RD) FOR ACCESS POINTS TO THE RAW WATER INTAKE ON WEST FORK DRAKES CREEK

WHEREAS, the City of Portland would recommend purchasing 0.31 acres from Mr. James Lindsey so that the city may construct a new access over an unnamed tributary of West Fork Drakes Creek to our raw water intake on West Fork Drakes Creek as our current two access points are dilapidated and will be cheaper than replacing the two existing crossings over the other two unnamed tributaries of West Fork Creek; and

WHEREAS, the City of Portland would like to purchase the 0.31 acres from James Lindsey at a cost of \$15,000 for the access area to the raw water intake; and

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Portland approves the purchase of 0.31 acres from Mr. James Lindsey (619 Denning Ford Rd) at a cost of \$15,000 for use access to the raw water intake; 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: March 20, 2023

Passed Second Reading: April 3, 2023

ORDINANCE
CITY of Portland, Tennessee

No. 22 - 67

SECOND READING

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH PORTLAND COMMERCE LAND 1, LLC FOR THE INSTALLATION OF A 12" WATERLINE THROUGH THE PROPERTY CONNECTING EUBANKS ROAD & VAUGHN PARKWAY WATERLINES IN ROBERTSON COUNTY, INCLUDING ANY WATER AND SEWER IMPROVEMENT FEES, FOR STATELINE COMMERCE CENTER NORTH PHASE 1, LOCATED OFF OF VAUGHN PARKWAY AND EUBANKS ROAD, TAX MAP 012, PARCEL 038.01 IN PORTLAND, TENNESSEE.

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

WHEREAS, the Portland Department of Utilities has approved the Water, Sewer, and Gas Capacity Letter (see Appendix A to Developer's Agreement), stating the Water and Sewer Systems have capacity for the development once improvements are made, with approved Construction Plans for the waterline installation forthcoming; and

WHEREAS, Portland Commerce Land 1, LLC, a Tennessee limited liability company (the "Developer") has agreed to be fully responsible for the improvements 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 for State Line Commerce Center North Phase 1, located off of Vaughn Parkway and Eubanks Road, Tax Map 012, Parcel 038.01; 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: September 12, 2022

Passed Second Reading:

STATELINE COMMERCE CENTER NORTH, PHASE 1 DEVELOPMENT AGREEMENT

CITY OF PORTLAND, TENNESSEE

This Development Agreement (“AGREEMENT”) is made and entered into on this ____ day of _____, 2023 by and between **Portland Commerce Land 1, LLC, a Tennessee limited liability company** (“DEVELOPER”), and the CITY of Portland, Tennessee, a municipality organized and existing under the laws of the State of Tennessee (“CITY”).

WITNESSETH:

WHEREAS, the DEVELOPER desires to **develop one industrial building** located off of Vaughn Parkway and Eubanks Road in Robertson County, Tax Map 012, **Parcel 038.01** in Portland, Tennessee, **once the CITY has approved the Construction Plans, State Line Commerce Center North Phase 1 (hereinafter called the "PROJECT").** The building will be approximately 1,218,560 square feet; and

WHEREAS, the DEVELOPER is the owner of the PROJECT (the “OWNER”); and

WHEREAS, DEVELOPER has received a letter from the Portland Department of Utilities on the **5th** day of **August, 2022** stating the Water and Sewer Systems have capacity for the development once improvements are made, which includes the PROJECT (the “LETTER”). A copy of the Letter is attached to this Agreement as Appendix A; 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 by the DEVELOPER to serve the PROJECT. **Said improvements include the installation of twelve-inch Blue DR14 C900 PVC or Class 350 Ductile Iron Pipe and all associated appurtenances with such water main located in the area outlined in red on Appendix B (the State Line Commerce Center North Phase 1 – Utility Layout of the Construction Plans), including any state or local government permitting (i.e. TDEC, Robertson County, etc.) required in order to permit the construction of the State Line Commerce Center North Phase 1 Construction Plans;** and

WHEREAS, in order for the PROJECT to be fully integrated with the public infrastructure of the CITY and to function in a satisfactory manner, the DEVELOPER has agreed to be financially responsible for all design, permitting, construction, and inspection cost associated with the aforementioned waterline installations; and

WHEREAS, the DEVELOPER shall be responsible for constructing the **PROJECT** in accordance with the PDU Standard Specifications and with the approval of the Construction Plans, and other rules, regulations, and ordinances of the CITY in said project.

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. Water Distribution System

The DEVELOPER shall provide and/or adhere to all the items listed below:

1. The DEVELOPER shall be financially responsible for all design, permitting, construction, inspections, and testing necessary to install and complete the **PROJECT** as per the **CITY-approved** Construction Plans.
2. The DEVELOPER will be required to pay **\$243,712** to the CITY for its pro-rata share of the water system improvements for the TGT Rd 16-inch Transmission Line in Appendix A. (See Appendix C for calculation). The pro-rata share will go towards the CITY constructing the TGT Rd 16-inch Transmission Line. This payment, along with tap, connection, and any other fees set forth in the most current Ordinance of utility fees, must be made prior to the CITY issuance of a building permit.
3. A Letter of Credit or cash escrow will be provided in the amount of **\$282,450** before construction of the PROJECT. Any surety for the PROJECT will be kept and renewed each year until the CITY has inspected and **accepted all public utility infrastructure**. For each year of renewal, there shall be an additional 10% increase added to the surety amount. **Once the public utility infrastructure within the PROJECT is accepted by the CITY**, a 12-month maintenance surety in the amount of **\$42,367.50** will be held. (See Appendix D for calculation).
4. The relocation of any existing utilities required for the PROJECT shall be relocated at the DEVELOPER's expense. This shall include all work incidental to any such relocation (i.e. engineering, excavation, materials, installation, etc.)
5. The DEVELOPER shall be responsible for restoring all private and public property **disturbed during the construction of the PROJECT** to the same or better condition prior to acceptance **of the public utility infrastructure within the PROJECT**.

B. Sanitary Sewer Collection System

The DEVELOPER shall provide and/or adhere to all the items listed below:

1. The DEVELOPER will be required to pay **\$182,784** to the CITY for its pro-rata share of the sewer improvements to the CITY's sewer system as described in Appendix A. (See Appendix C for calculation). These improvements will be constructed by the CITY. This payment, along with tap and any other fees for the PROJECT as set forth in the most current Ordinance of utility fees, must be made prior to the CITY issuance of a building permit.

2. All onsite sewer is private, and the CITY shall not be responsible for any maintenance or repairs.

3. Once a tenant is determined for a building, the DEVELOPER/TENANT will need to provide PDU the *Commercial/Industrial Utility Service Request Form*, with updated information on the tenant and the number of employees the company will have at this facility.

C. Gas System

Tap, meter, connection, and any other fees for the PROJECT as set forth in the most current Ordinance of utility fees, must be made prior to the CITY issuance of a building permit.

D. Preparation of Plans

The Construction Plans shall be prepared by individuals licensed by the State of Tennessee to design all systems and shall bear the seal, signature, and license number of those persons preparing such Construction Plans.

E. Design Criteria

The design of water improvements shall follow the State of Tennessee design criteria. In all cases, the specifications and design details for the Improvements shall be those of the CITY and those as approved by the Tennessee Department of Environment and Conservation (TDEC). In the event of a disagreement as to compliance with or interpretation of the Plans and the CITY's specifications, the decision of the CITY shall be final and binding on the DEVELOPER. .

F. COMMENCEMENT OF CONSTRUCTION

No construction of improvements shall begin until the following events have occurred:

1. The Pre-Construction conference with PDU has been held.
2. A surety in the appropriate amount has been posted.
3. Utility Materials Submittal has been submitted to and approved by PDU.

G. Public Works

1. A Letter of Credit or cash escrow will be provided in the amount of \$239,580.00 for the stabilization surety, before construction starts. Any surety for stabilization will be kept and renewed each year until final stabilization has occurred and the site has at least 75% vegetative cover. For each year of renewal, there shall be an additional 10% increase added to the surety amount.
2. All onsite stormwater management is private, and the CITY shall not be responsible for any maintenance or repairs.

H. 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.

I. Agreement Not Assignable

Except as provided in Section M below, no third party shall obtain any benefits or rights under this Agreement, nor shall the rights or duties be assigned by either party.

J. Revocation and Interpretation

This Agreement shall bind the DEVELOPER, when executed by the DEVELOPER and approved by the Board of Aldermen of the CITY and may not be revoked by the DEVELOPER without permission of the CITY, even if the Agreement has not been executed by the CITY. 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 Robertson County, Tennessee, and Tennessee Appellate Courts.

K. No Oral Agreement

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

L. Separability

If any portion of this Agreement is held to be unenforceable, the CITY 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 and obligations of the DEVELOPER pursuant to this Agreement terminated.

M. 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 appropriate address and telephone numbers. If it is the transferee's intention to

develop this property in accordance with this 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 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 principal.

II. 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..

III. 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.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

APPENDIX A



PORTLAND DEPARTMENT OF UTILITIES

BRYAN PRICE P.E. – UTILITY DIRECTOR
100 SOUTH RUSSELL STREET
PORTLAND, TENNESSEE 37148
Telephone 615.323.1437
Email Address: bprice@cityofportlandtn.gov

OTN Group
Attn: Adam DeSimone
960 Penn Ave
Pittsburgh, PA 15222

Date: 8/5/2022

**RE: STATE LINE COMMERCE CENTER
CAPACITY LETTER
GAS, WATER, & SEWER
VAUGHN PKWY – MAP 012, PARCELS 020.00 & 038.00**

Mr. DeSimone,

Portland Department of Utilities (PDU) has completed its review of your application for Utility Service (Gas, Sewer & Water) for the above referenced location for a proposed +/-2,565,120 sf industrial facilities. Please see below for availability of services.

GAS:

The existing system does have the capacity to service the proposed facility for heating. If the facility uses natural gas in the future as part of a manufacturing process, this will have to be reviewed.

See below for a breakdown of the total Gas Fees as per Ordinance 22-13:

Gas connection Fees:	4 buildings * (\$500 per meter)	~ \$2,000
Gas Tap Fees (2"):	4 buildings * (\$750 per building)	~ \$3,000
*Gas Meter Fees:	4 buildings * (\$9,000 per building)	~ \$36,000
Total		\$41,000

*Estimated Fees. Exact fee to be determined once individual building application is applied for.

SEWER:

The system does not currently have the capacity to service your proposed facility. This site is split and will flow into two (2) stations. Building A (1,218,560 sf) flows into Vaughn Pkwy #2 lift station. Due to the new developments, the Vaughn Pkwy #2 station requires improvements. State Line Commerce Center will be required to pay a pro-rata share for the improvements to the lift station. Buildings B, C, & D will flow into the Eubanks Rd lift station. Please note that the lift station on Eubanks is not currently operational. It is still under the ownership of L&W Properties and has not yet been accepted by the City. Prior to sewer being granted to Buildings B, C, & D the lift station on Eubanks must be completed and accepted by the City. For sewer to leave the Industrial Park and make it to the sewer plant it travels through seven (7) lift station, 5.47 miles of force main, and one (1) mile of gravity sewer. As more users come online the City has to make improvements to the collection system to get sewer to the plant. Stateline Commerce Center will be required to pay a pro-rata share of the collection system improvements. We utilize funding from new development to upgrade the system due to the additional demand of every new user.

Improvement Fee Calculation

The Pro-Rata share was based upon the square footage of the proposed facilities contributing to the station. Stateline Commerce Center will be required to pay **\$384,768** to the City of Portland toward the improvements to the station.

The payment was calculated as follows:

$$2,565,120 \text{ sf} * (\$750 \text{ per } 5,000 \text{ sf}) \sim \$384,768$$

This payment must be made prior to the City commencing any work toward the improvement of the station. Please note the station must be upgraded prior to offering service. Please keep this in mind when setting your project schedule.

Capacity Fee Calculation

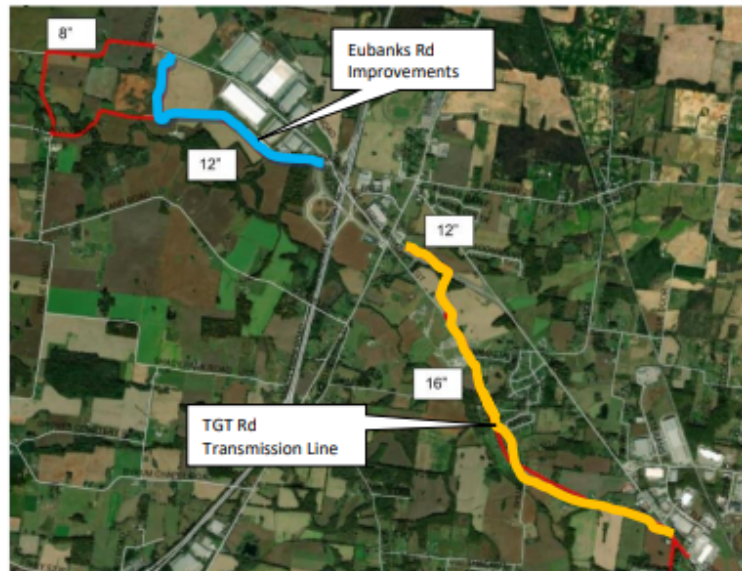
Industrial capacity fees are based upon the number of employees. Since these buildings are spec buildings, an employee count cannot yet be given. As such, capacity fees will be collected once a tenant is secured, and a new service is set up.

See below for a breakdown of the total Sewer Fees as per Ordinance 22-13:

8" Sewer Tap Fee:	\$5,000
Sewer Capacity Fee:	To be determined
Sewer Improvement Fee:	\$384,768
Total	\$389,768

WATER:

The system does not currently have the capacity to service your proposed facility. As with the sewer system, all the new development in the area is causing additional demand on the water system. The City has taken an overall approach on how to make these improvements. As shown below the City has an extensive plan on how to complete the improvements to the water system. Each section of the improvements has been assigned a value.



EUBANKS ROAD

Due to the additional fire demand within the industrial park, improvements to the water system are required. Every new industry in the industrial park contributes. The development within the Robertson County Industrial Park is requiring an upgrade of the 8" line along Eubanks Road to a 12" waterline. The City is requiring Stateline Commerce Center to install a twelve (12) inch waterline on Eubanks Rd along the entire road frontage to the proposed Building D. Once downstream of the Building D connections, the line may be downsized to an eight (8) inch for the remainder of the parcel's road frontage.

Once improvements are complete the water system will be able to provide 2,000 gpm at 30 psi while maintaining 20 psi system wide pressure to all hydrants connected to the City's water main. It should be noted as the fire duration continues and the tank levels drop in the system the fire protection rate will continue to reduce. Though the system can meet the 1,970 gpm requested in your *Availability of Service Request Form*, a pump will be required to meet the 120 psi requested. Since a pump will be needed an onsite tank for each building will be required. To ensure our system pressures are maintained at 40 psi, the fire line will require a flow control device upstream of the tank that will allow a maximum flow rate to the onsite tank of 1,800 gpm. Until all improvements are complete the existing system will supply 1,400 gpm at 24 psi while maintaining 20 psi system wide pressure.

Water System Improvements

Due to all the growth around the Exit 121 Interchange the City is making improvements to the distribution system to ensure our level of service to our future as well as existing customers. All the projects are listed in the table below. The TGT Rd project is depicted as the orange line above.

PROJECT	ESTIMATED COST
TGT Rd 16" Transmission Line	\$2,188,740
Oak Hill Dr 16" Transmission Line	\$2,352,893
500,000 Oak Hill Elevated Tank	\$2,006,750

The City is requiring all new development to pay as part of these improvements. Stateline Commerce Center is required to pay a pro-rata share of the improvements. As with Eubanks Road waterline, we are not asking for one development to pay for all the projects. The Pro-Rata share was based upon the square footage of the proposed facilities requiring the upgrade. Stateline Commerce Center will be required to pay \$513,024 to the City of Portland toward the improvements. This payment must be made prior to issuance of a building permit.

The payment was calculated as follows:

$2,565,120 \text{ sf} * (\$1,000 \text{ per } 5,000 \text{ sf}) \sim \$513,024$

Based upon your peak domestic flow rates listed in your *Availability of Service Request Form*, your normal operating pressures will be between 88-81 psi once the improvements are complete.

See below for a breakdown of the total Sewer Fees as per Ordinance 22-13:

Water connection Fees:	4 buildings w/ 3 meters * (\$500 per meter)	~ \$6,000
Water Fire Tap Fees (8"):	4 buildings * (\$11,200 per building)	~ \$44,800
Water Domestic Tap Fees (2"):	4 buildings * (\$4,500 per building)	~ \$18,000
Water Irrigation Tap Fees (2"):	4 buildings * (\$4,500 per building)	~ \$18,000
Water Improvement Fee:		~ \$513,024
Total		\$599,824

Please note that all applicable tap, capacity, meter, and connection fees will be required prior to issuance of a building permit.

This letter states PDU's ability to service the parcel in question. No approval of any services is indicated. All taps are approved by Resolution by the City Council.

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

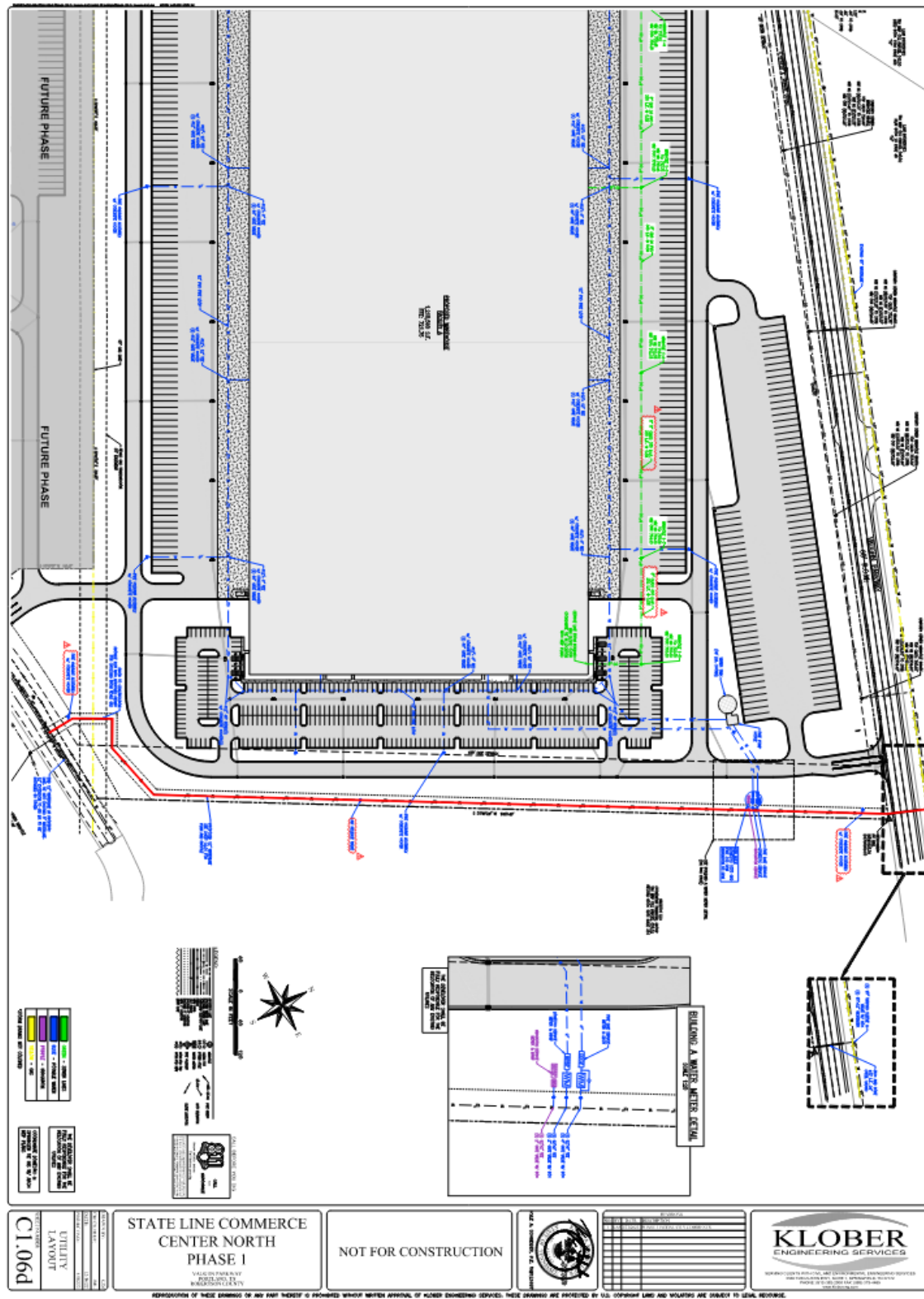
Sincerely,

A handwritten signature in blue ink, appearing to read "Bry S. Price".

Bryan S. Price, P.E.
Utilities Director
BSPAV000953CL

cc.
Felix Fukui
Josh Lyon
Denise Geminden
Megan Heisler
Darlene Baker
Kim White
Kristi Gibbs

APPENDIX B



APPENDIX C

Revised Sewer & Water Improvement Fees			
Improvement Fees As Per Capacity Letter			
	Total Building Square Footage	Amount Per 5,000 SF	Amount Charged
Sewer	2,565,120	\$750	\$384,768
Water	2,565,120	\$1,000	\$513,024
Improvement Fees for Phase 1 Only			
	Total Building Square Footage	Amount Per 5,000 SF	Amount Charged
Sewer	1,218,560	\$750	\$182,784
Water	1,218,560	\$1,000	\$243,712

APPENDIX D

City of Portland Surety Calculator									
				State/line Commerce / I-65 Logistics Center					
NOTES: Contingencies are based on 25% of cost of surety category. Per Section 3-102.2 Amount of Surety. Maintenance Surety shall not be less than 15% of the total surety. Surety is calculated by the City Planner in consultation with the appropriate Department Head.									
Input Field									
						PDU No. 1123-12 Date: 2/24/2023			
SURETY SUMMARY				SUB TOTAL	CONTINGENCY	TOTAL			
I. CITY WATER:				\$ 225,960.00	\$ 56,490.00	\$ 282,450.00			
II. CITY SEWER:				\$ -	\$ -	\$ -			
III. PRIVATE WATER:				\$ -	\$ -	\$ -			
IV. PRIVATE SEWER:				\$ -	\$ -	\$ -			
TOTAL SURETIES				\$ 225,960.00	\$ 56,490.00	\$ 282,450.00			
MAINTENANCE SURETY TO BE HELD				SUB TOTAL	TOTAL				
I. CITY WATER:				\$ 282,450.00	\$ 42,367.50				
II. CITY SEWER:				\$ -	\$ -				
TOTAL MAINTENANCE SURETY				\$ 282,450.00	\$ 42,367.50				
I. CITY WATER:				QUANTITY	UNIT	UNIT COST	TOTAL		
6" Main					LF	\$ 70.00	\$ -		
8" Main					LF	\$ 80.00	\$ -		
10" Main					LF	\$ 110.00	\$ -		
12" Main				1692	LF	\$ 130.00	\$ 219,960.00		
16" Main					LF	\$ 170.00	\$ -		
24" Main					LF	\$ 260.00	\$ -		
Booster Station (applicant provides quote)					QUOTE				
1" Auto Flusher					EA	\$ 5,000.00	\$ 5,000.00		
Hydrant				1	EA	\$ 6,000.00	\$ 6,000.00		
Note: City Water includes all Public, City of Portland Infrastructure. Does not include private service lines.						SUBTOTAL	\$	225,960.00	

Ordinance

City of Portland, Tennessee

No. 23 - 14

First Reading

AN ORDINANCE TO AMEND SECTION 130 OF TITLE 18 OF THE CITY OF PORTLAND'S MUNICIPAL CODE WITH THE FOLLOWING LANGUAGE REFERENCING THE CITY'S MOST RECENTLY APPROVED TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION DROUGHT MANAGEMENT PLAN

WHEREAS, this ordinance amends Section 18-130 of the City of Portland's Municipal Code and deletes all current language listed in Section 18-130 and replaces with the following:

18-130 – **Drought Management Plan** – A copy of the City of Portland's most recent TDEC approved Drought Management Plan may be requested and reviewed at Portland City Hall, 100 S Russell St, Portland, TN 37148; and

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Portland to amend Section 18-130 and revise with the language listed above; 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 3, 2023

Passed Second Reading:

Ordinance

City of Portland, Tennessee

No. 23 - 15

First Reading

AN ORDINANCE TO RESCIND IN ITS ENTIRITY ORDINANCE 22-68 AND REPLACE WITH THIS ORDINANCE FOR WATER, SEWER AND NATURAL GAS FEE STRUTURE

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)

- \$1,000 for water plans (per phase)
- \$1,000 for sewer plans (per phase)

WATER METER BASE FEES

Rate Class	Monthly Meter Base Fee
Residential	\$3
Commercial/Industrial	\$16
Fire Meters	\$75

Water Meter Base Fees shall be used to test, calibrate, maintain, and replace all existing 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**	\$100
Commercial	\$150
Industrial	\$500

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
3/4"	\$1,500	\$2,000
1"	\$2,100	\$2,600
2"	\$4,500	\$5,000
*3"	\$5,200	\$5,700
*4"	\$6,200	\$6,700
*6"	\$9,200	\$9,700
*8"	\$11,200	\$11,700
*10"	\$15,000	\$16,000
*12"	\$18,000	\$20,000

*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

\$1,500 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	\$1,500
51-100	\$1,275
101-150	\$1,125
Greater than 150	\$975

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 within the previous five (5) years that the new Development will be utilizing.

ROAD BORE FEE

\$1,500 per horizontal directional drilled bore

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	\$TBD
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 of \$1750.

Single Family Residence – One (1) Unit - \$1750 Capacity Fee

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

Number of Units	Fee per unit
1-50	\$1,750
51-100	\$1,485
101-150	\$1,315
Greater than 150	\$1,135

SEWER IMPROVEMENT FEE

\$1,000 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	\$1,000
51-100	\$850
101-150	\$750
Greater than 150	\$650

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 within the previous five (5) years that the new Development will be utilizing.

ROAD BORE FEE

\$1,500 per horizontal directional drilled bore

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	INSIDE CITY LIMITS	OUTSIDE CITY LIMITS
3/4"	\$300	\$450
1"	\$375	\$525
2"	\$450	\$750

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 within the previous five (5) years that the new Development will be utilizing.

ROAD BORE FEE

\$1,500 per horizontal directional drilled bore

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.

WHEREAS, after careful consideration the City Council recommends the new fee structure for water, sewer and natural gas 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 3, 2023

Passed Second Reading:

Ordinance

City of Portland, Tennessee

No. 23 - 16

First Reading

AN ORDINANCE TO RESCIND IN ITS ENTIRITY ORDINANCE 15-34 AND REPLACE WITH THIS ORDINANCE FOR STANDARD SPECIFICATIONS FOR SEWER AND WATER INSTALLATION FOR THE CITY OF PORTLAND

WHEREAS, the attached Water and Sewer Specifications have been approved by the Tennessee Department of Environment and Conservation Division of Water Resources; and

WHEREAS, the Standard Construction Specifications for Water and Sewer became effective January 27, 2023; and

WHEREAS, the adoption of these specifications is done to facilitate proper installation and inspections for the City of Portland water and sewer utilities; and

BE IT FURTHER ORDAINED by the Board of Mayor and Alderman of the City of Portland adopt the amended State approved Standard Specifications for Sewer and Water; and

NOW, THEREFORE BE IT 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 3, 2023

Passed Second Reading:

\$5,000,000 Loan
Project Priority List
3/24/2023

PDU Recommended Order

Project		Estimated Price	Signed Contract
1	Project Commodore - SIA Eubanks Rd widening project	\$1,110,000	X
2	WTP Feasibility Study	\$40,000	X
3	Developer's Agreement Match	\$217,000	X
4	2021 Masons Tank 12-IN Connector	\$625,000	X
5	2021 Oak Hill Projects - Tank & Waterlines	\$375,000	X
6	WTP Upgrade - Phase I	\$1,750,000	
7	Meter Change Out	\$300,000	
8	Fall Point Repairs	\$500,000	
		\$4,917,000	