Minutes

Board of Mayor and Aldermen

City of Portland, Tennessee

August 7, 2023

A. Call to Order – Mayor Callis called the meeting to order at 5:24 P.M. at Portland City Hall.

B. Prayer/Pledge –Alderman Drew Jennings offered the Invocation and the Pledge of Allegiance.

C. Roll Call -

Present:
Alderwoman Penny Barnes
Alderman Mike Hall
Alderwoman LaToya Holcomb
Alderman Drew Jennings
Vice Mayor Jody McDowell
Alderwoman Megann Thompson
Alderman Brian Woodall
Mayor Mike Callis

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

D. Approval of Minutes from July 10, 2023, Council Meeting. Motion was made by Vice-Mayor McDowell, seconded by Alderman Woodall to approve the minutes as presented. **Voice vote indicated approval**.

E. Approval of Agenda. Motion was made by Alderman Woodall, to add Resolution 23-81 as item #2 and Resolution 23-82 as item # 3 under Legislative also move item #9 (Discussion – Water Capacity) under Utilities to item #1. Second by Alderwoman Thompson to approve amended agenda. **Voice vote indicated approval of the amended agenda**.

F. Communications from Council Members – Alderwoman Thompson thanked Mayor Callis, Bryan Price, and Attorney Bradley for speaking at the Sumner County Commission meeting and County Commissioners Mark Harrison and Dylan Lamberth, who did the right thing, in her opinion.

G. Public Comment Period–

1. John McCloud of Portland spoke on Resolution 23-79.
2. Curtis Grove of Portland spoke on Resolution 23-79.

H. Department Reports – Motion was made by Alderwoman Thompson, second by Alderwoman Holcomb to approve. **Voice vote indicated approval of the Department Reports.**

I. Mayor's Report – Mayor Callis

- Mayor Callis thanked Vice-mayor McDowell for chairing last council meeting.
- He reported the TDEC competitive grant submission deadline is tomorrow which the City will be applying for. If the grant is awarded, the maximum amount would be $20 million minus our required match up to $1 million. Sumner County commission placed conditions on the

grant that would be difficult to follow, such as mortarium on annexation and impact fee for schools.

- The City has looked at other water supply options. We did not get state approval, or the cost was too high.
- Currently, there was a $9 million earmark of ARPA funds in the County budget for water use.
- By law, the rate payer must cover the cost to improve the water system. Portland's utility base in water is 8100 customers.
- Mayor Callis presented pictures showing the water intake at West Fork Drakes Creek from July 2023 and the drought of 2007. During the drought of 2007, we were days away from shutting off water to the factories in Portland.

- To put the amount of growth into perspective, since the County commission has been in their seats, they have approved over 300 residential homes in the unincorporated parts of Sumner County. During that same time period, Portland and Westmoreland have only approved a combined total of 38 new homes.
- Mayor Callis recommended to the ad hoc committee to look at city impact fees.

J. Community Development – Alderwoman Megann Thompson – No items

K. Finance – Alderwoman Penny Barnes

1. **Ordinance No. 23-37 – Second Reading** - An Ordinance of the City of Portland, Tennessee, amending Budget Ordinance No. 23- 25 for the fiscal year beginning July 1, 2023, and ending June 30, 2024. Motion by Alderwoman Barnes seconded by Alderman Woodall. Alderwoman Barnes made motion to amend by adding the noted items in the Ordinance, second by Alderman Woodall. **Voice vote indicated approval of amendment. Voice vote indicated approval of amended Ordinance.**

2. **Ordinance No. 23-38 – First Reading** – An Ordinance providing for the levy on all real property, personal property, and ad valorem taxes for the City of Portland, Tennessee for the year 2023. Alderwoman Barnes made a motion to approve, second by Vice-Mayor McDowell. Discussion and explanation from Finance Director Slusser. Alderman Woodall made motion to amend by increasing the Robertson County Rate .10 cents to 0.81 cents, second by Alderman Jennings. **Voice vote indicated approval of amendment. Voice vote indicated approval of amended Ordinance.**

L. Fire Department –

Financed by: General Fund

1. **Resolution 23-75 -** A Resolution to accept an assistance to firefighters grant for equipment and training through the Department of Homeland Security issued by FEMA. Motion to approve by Vice-Mayor McDowell, second by Alderwoman Barnes. **Voice vote indicated approval.**

   It was also noted that the Fire Department has had three CPR & AED classes for city employees this year and trained approximately 36 employees. Later this year, they will train Police officers in CPR & AED and fire extinguisher training for all employees.

M. Human Resources – Alderwoman Penny Barnes

1. **Ordinance No. 23-36 - Second Reading** - An Ordinance to update the Employee Christmas Bonus. Move to approve by Alderwoman Barnes, second by Alderman Woodall. After discussion, motion was made by Alderwoman Barns to change the name to Employee Longevity Bonus. Second by Alderman Woodall. **Voice vote indicated approval of amendment. Voice vote indicated approval of amended Ordinance**.

N. Legislative –Mayor Callis

1. **Resolution No. 23-76** - A Resolution to authorize that assignment of addresses in the City of Portland be delegated to the respective County E-911 office in which the address is located. Alderman Jennings made motion to approve, second by Alderwoman Thompson. **Voice vote indicated approval.**
2. **Resolution No. 23-81** - A Resolution authorizing the Mayor to execute a subordination agreement placing the deed of trust for the home of grant recipient, Thomas Dillard in a secondary position. Motion to approve by Vice-Mayor McDowell, second by Alderman Jennings. City Attorney Bradley gave additional information. **Voice vote indicated approval.**
3. **Resolution No. 23-82** - A Resolution authorizing the Mayor of the City of Portland to accept full settlement of the home program through Tennessee Housing and Development Agency for home improvements at 110 Jerry Street in Portland, Tennessee. Motion to approve by Vice-Mayor McDowell, second by Alderwoman Thompson. **Voice vote indicated approval.**

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

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

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

1. **Ordinance No. 23-39 – First Reading -** An Ordinance to amend the City of Portland, Tennessee zoning map by rezoning unaddressed West Longview Drive (tax map 039 parcel 47.09 and P/O 047.00) zoned from RM-1 (high density residential) to RS-20 (low density residential). Move to approve by Alderwoman Thompson, seconded by Alderman Jennings. **Voice vote indicated approval.**
2. **Ordinance 23-40 -** An Ordinance to amend Article IV of the Combined Zoning Ordinance No. 387 of the City of Portland to specify minimum residential driveway widths, standards for maximum residential driveway widths, and drainage pipe material. Motion to approve by Alderwoman Thompson, seconded by Alderwoman Holcomb. **Voice vote indicated approval.**
3. **Discussion** – Accessory Buildings – Discussion was held about the City Zoning Ordinance that requires detached carports be placed five feet behind the home. It was suggested that this matter be sent to Planning Commission for review in the restrictions and to bring their recommendation to the City Council for vote.

S. Public Works – Alderwoman LaToya Holcomb
Financed by: General Fund – Streets, City Mechanic / Special Revenue Fund – Sanitation, Stormwater

1. **Resolution No. 23-80** – A Resolution authorizing the City of Portland to appropriate funds from the payment in lieu of sidewalks fund. Motion to approve by Alderwoman Holcomb, second by Alderman Woodall. Alderwoman Thompson absent during vote. **Voice vote indicated approval**.

T. **Utility Infrastructure** –*Financed by: Enterprise Fund – Water Distribution, Water Plant, Wastewater Collections, Wastewater Plant, Natural Gas Distribution, GIS, Engineering*

1. **Discussion –Capacity–** Utility Engineer Megan Heisler provided information on the number of water taps that have been approved. Ms. Heisler distributed charts about water capacity. This information indicated that if all the approved taps are issued, we have maxed out our water capacity. The Council questioned if the capacity letters issuing water tapes were given a deadline for purchasing taps. Motion made by Alderman Hall to suspend the rules for John McCloud to discuss the language in his approved water tap letter. After much discussion, it was agreed to

move forward with the current process that Utilities has for granting water taps. The Mayor asked for a vote to continue capacity letters as currently written. Voice vote of 6 yes, Alderman Hall vote no.

2. **Ordinance 23-41 –First Reading** - An Ordinance to rescind and replace in its entirety Ordinance 22-16, authorizing the mayor to enter into a developer's agreement with Robert Robinson for upsizing the existing water main along Red River School Road and Highland Road for the 22- lot development, located at 6004 Red River School Road in Portland, Tennessee, with the attached developer's agreement. Motion to approve Alderman Woodall, second by Alderwoman Barnes. **Voice vote indicated approval with Alderman Hall no vote**.

3. **Ordinance 23-42 – First Reading** - An Ordinance to rescind and replace in its entirety Ordinance 22-73, the developer's agreement with Tri-dash Local Investors, LLC for the water and sewer system improvements for the Parkside Estates Development, located at 112 Old Westmoreland Rd in Portland, Tennessee, with the attached developer's agreement. Motion to approve Alderman Woodall, second by Alderwoman Barnes. **Voice vote indicated approval**.

4. **Ordinance 23-43 – First Reading** - An Ordinance to approve the funding of easements for the American Rescue Plan Act (ARPA) projects: 2021 Masons tank 12-inch connector, Oak Hill water system improvements, and Oak Hill elevated tank improvements. Motion to approve by Alderman Woodall, second by Vice-Mayor McDowell. **Voice vote indicated approval.**

5. **Ordinance 23-44 –First Reading** - An Ordinance to authorize the Mayor to enter into a developer's agreement with Stevison Ham Company for utility and paving improvements, located at 125 Stevison Ham Rd, tax map 019, parcel 124.00 in Portland, Tennessee. Move to approve by Alderman Woodall, second by Alderwoman Holcomb. **Voice vote indicated approval.**

6. **Ordinance 23-45 – First Reading** - An Ordinance to authorize the Mayor to enter into a developer's agreement with Daniel Williams for the water improvements, including the installation of a new 6-inch water main through the development and a new 8-inch water main along Briley Lane from Blue Door Road to Rolling Meadows Avenue, for the Bakers Acres Development, located at 355 Briley Lane, tax map 015, parcel 030.00 in Portland, Tennessee. Move to approve Alderman Woodall, second by Alderwoman Barnes. **Voice vote indicated approval.**

7. **Resolution No. 23- 77** - A Resolution amending the engineering agreement with OHM Advisors, approved by Ordinance 21-37, for additional construction phase services and construction project observation for the Oak Hill Water System Improvements Project in the amount of $612,120. Move to approve Alderman Woodall, second by Alderwoman Holcomb. **Voice vote indicated approval.**

8. **Resolution No. 23- 78** - A Resolution amending the engineering agreement with OHM Advisors, approved by ordinance 21-52, for additional construction phase services and construction project observation for the 2021 Masons Tank 12-inch Connector Project in the amount of $447,480. Move to approve Alderman Woodall, second by Alderwoman Barnes. **Voice vote indicated approval.**

9. **Resolution No. 23- 79** - *Alderwoman Thompson advised that the next resolution would be a conflict of interest and she dismissed herself from the remainder of the meeting.*
A Resolution authorizing the developer to pay-in-lieu of installing a 12-inch water main for the length of their road frontage along Hwy 52W and have their utility fees waived up to $19,125 for the Waffle House Development, located at 405 Hwy 52W, tax map 034E, Group B, Parcel 018.09 in Portland, Tennessee. Move to approve Alderman Woodall, second by Alderwoman Barnes.

Motion by Alderman Jennings, second to Alderman Woodall to suspend the rules for Waffle House representative to address the Council. The Representative agreed to pay the utility fees and the in-lieu of for the 12-inch water main. However, the Representative requested the requirement of installing fire sprinklers be waived. Assistant Chief Tyson explained that low water pressure at nearby hydrants would not adequately provide fire protection. This is the reason sprinklers were being required. His main concern was for the safety of the customers if a fire should occur at the establishment. Vice-Mayor McDowell questioned the valid need for the sprinklers when no other nearby businesses had them. It was explained to the Council that the City currently operates under the 2018 Building Code, which the State has adopted, and previous code requirements for sprinklers may have been different at the time of construction. Vice-Mayor McDowell expressed concern about the City placing too much financial burden on potential new businesses that would cause them to locate elsewhere.

Alderman Jennings made an amendment to the original motion, that the developer would still pay the In-Lieu of to install a 12-inch water main, but the utility fees would not be waived, second by Alderman Woodall. **Voice vote indicated approval.**

Adjournment – Motion to adjourn made by Alderman Hall, second by Alderman Jennings. **Meeting adjourned at 8:07 pm**.

Mike Callis, Mayor

Tracy Kizer, Assistant City Recorder