



**CITY OF PORTLAND  
BOARD OF MAYOR AND ALDERMEN  
AGENDA  
February 5, 2024**

- 1. Call to Order**
- 2. Prayer and Pledge**
- 3. Roll Call**
- 4. Approval of Agenda**

**Public Recognition**

In accordance with Tennessee Public Chapter No. 300, public comments are allowed when those comments are germane to actionable agenda items, except where otherwise prohibited; and the number of individuals speaking may be limited to ensure opposing viewpoints are fairly represented. Individuals wishing to comment on an actionable agenda item must sign up before the start of the meeting and are allotted 5 minutes to speak.

**6. Public Hearing**

- A. Ordinance No. 24-02 – Second Reading - An Ordinance amending Zoning Ordinance Number 387, Combined Zoning Ordinance of The City of Portland, Tennessee, by repealing and replacing Article XII: Planned Unit Developments of Language and Definitions.**

**7. Communications from Council Members**

**8. Mayor's Report**

**9. Alcohol Beverage Board**

- A. Lucky Fuel Inc.- Girish A Panchal - Off Premises Beer Permit at 5989 US-31-W, Portland, TN.**

**10. Consent Calendar**

- A. Approval of Minutes - January 8, 2024**
- B. Department Reports**
- C. Ordinance No. 24 - 05 Second Reading - An Ordinance to enter an agreement with OHM advisors to provide engineering services for The City of Portland American Rescue Plan Act (ARPA) Competitive Resource Protection Project.**

- D. Resolution No. 24-12 A Resolution to re-appoint two (2) current members to The City of Portland Construction Board/Property Maintenance Appeals Board.
- E. Resolution No. 24-13 A Resolution to re-appoint a member to The Portland Health and Educational Facilities Board.

**11. Community Development – Alderwoman Megann Thompson**

**12. Finance – Alderwoman Penny Barnes**

- A. Ordinance No. 24-01 – 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.

**13. Fire Department – Vice Mayor Jody McDowell**

- A. Resolution No. 24-11 A Resolution approving the best proposal for a Firework Show for The Strawberry Festival for 2024 and 2025.

**14. Human Resources – Alderwoman Penny Barnes**

- A. Discussion - Wage Study

**15. Legislative – Mayor Mike Callis**

**16. Municipal Airport – Alderman Mike Hall**

**17. Parks & Recreation – Alderman Brian Woodall**

**18. Planning & Codes – Alderwoman Megann Thompson**

- A. Ordinance No. 24-02 – Second Reading - An Ordinance amending Zoning Ordinance Number 387, Combined Zoning Ordinance of The City of Portland, Tennessee, by repealing and replacing Article XII: Planned Unit Developments of Language and Definitions.
- B. Ordinance No. 24-10 – First Reading - An Ordinance to amend the City of Portland, Tennessee Zoning Map by rezoning 120,126, and 128 Davis Street, from Heavy Commercial District to Industrial General.
- C. Ordinance No. 24-08 - First Reading - An Ordinance to amend The City of Portland, Tennessee Zoning Map by rezoning 131 Davis Street, from Heavy Commercial District to Industrial General.



- D. Ordinance No. 24-09 – First Reading - An Ordinance to amend The City of Portland, Tennessee zoning map by rezoning 403 College Street, from Residential -7.5 to Residential -7.5 PUD Munday College Street Preliminary Master Development Plan.

**19. Police Department – Alderman Drew Jennings**

- A. Resolution No. 24-14 A Resolution to resend and replace Resolution 22-54 authorizing an Animal Adoption Program to be implemented for the City of Portland Animal Control Department.

**20. Public Works – Alderwoman LaToya Holcomb**

- A. Resolution No. 24-04 - A Resolution to approve change order #1 in the increased amount of \$4,808.11 for the contract with Campbell Partners Concrete for The City's Salt Shed Project.

**21. Utility Infrastructure – Alderman Brian Woodall**

- A. Ordinance No. 24-04 - Second Reading - An Ordinance to authorize the Mayor to enter into a Developer's Agreement with Steve Kirby on The Twin Lakes Subdivision, which will include the installation of Water and Sewer Improvements, located at 925 North Broadway in Portland, Tennessee.
- B. Ordinance No. 24-11 – First Reading - An Ordinance to authorize the Mayor to enter into a Developer's Agreement with Jackson-Reed Properties, LLC on the North Harris Lane sewer extension, which will include the installation of sewer improvements, located at North Harris Lane in Portland, Tennessee.
- C. Resolution No. 24-15 – A Resolution rescinding and revising Resolution 23-43 to include all areas outside the city limits of Portland for issuing any new water capacity request.
- D. Discussion - Water meters damaged on Woods Rd.
- E. Discussion - OHM cost list of 2023 projects.
- F. Discussion - Professional Services Candidate Selection
- G. Discussion - Resource Protection Grant – WTP;
  - a. What WTP items are allowed and which are not?
  - b. Do we really need a full harvesting upgrade at this time, since no money is available for a harvesting pond?
  - c. What work on the spillway and lake is needed now?
  - d. Does a new raw water pump building really need to be built?
  - e. What items are needed to finish carrying the WTP to 5mgd, and what is the cost outside the grant?
  - f. Will TDEC allow us to withdraw enough for 5mgd, if not, then what upgrades are needed?

**Adjournment**

ORDINANCE

City of Portland, Tennessee

No. 24 – 02

Second Reading

**AN ORDINANCE AMENDING ZONING ORDINANCE NUMBER 387, COMBINED ZONING ORDINANCE OF THE CITY OF PORTLAND, TENNESSEE, BY REPEALING AND REPLACING ARTICLE XII: PLANNED UNIT DEVELOPMENTS OF LANGUAGE AND DEFINITIONS**

**WHEREAS** the City Council of the City of Portland wishes to amend and replace Article XII: Planned Unit Development of the Municipal Zoning Ordinance 387.

**WHEREAS**, the Planning Commission is responsible for the orderly development of land; 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 this Zoning Code Amendment to the Mayor and City Council by a vote of --- at their January 9<sup>th</sup>, 2024 meeting.

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

**Section 1.** The City Council of the City of Portland does hereby approve, authorize, and direct the revision of the City's Official Zoning Ordinance to show the changes in the text as described in Exhibit A: Article XII: Planned Unit Development:

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

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Mayor Mike Callis

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Attest: Rachel Slusser, City Recorder

Passed First Reading: January 8, 2024

Notice Published: Portland Sun- 1/16/24; Portland Leader: 1/17/24

Public Hearing: February 5, 2024

Passed Second Reading:

**APPLICATION FOR BEER PERMIT  
STATE OF TENNESSEE  
CITY OF PORTLAND**

APPLICATION FOR (CHECK ONE)

☐ ON PREMISES PERMIT                      ☐ ON AND OFF PREMISES PERMIT  
☒ OFF PREMISES PERMIT                      ☐ SPECIAL EVENTS PERMIT  
☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT

I HEREBY MAKE APPLICATION FOR A PERMIT TO SELL, STORE, MANUFACTURE, OR DISTRIBUTE BEER OR OTHER BEVERAGES AUTHORIZED TO BE SOLD, STORED, MANUFACTURED OR DISTRIBUTED UNDER THE PROVISIONS OF TENNESSEE CODE ANNOTATED SECTION 57-5-101 ET SEQ. AND BASE MY APPLICATION UPON THE ANSWERS THE FOLLOWING QUESTIONS:

**Notice:**

A non-refundable **\$250.00 fee** must accompany this application along with a copy of a statewide background check provided at the applicant's expense. Any applicant making false statement in this application shall forfeit his permit and shall not be eligible to receive any permit for a period of ten (10) years.

An annual **privilege tax of \$100.00** is imposed on the business of selling, distributing, storing, or manufacturing beer in this state.

**Note:** All persons, firms, corporations, joint-stock companies having at least a 5% ownership interest in the business, and managers will need to complete the applicant page (page 3).

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**For Beer Board use only:**

Map no. 026

Parcel no. 019.00

Distance from nearest school: 19,325FT / 3.66miles

Distance from nearest church: 17,317FT / 3.28miles

Distance from nearest residence: 107FT

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(Distances shall be measured using the straight-line method from building to building.)

## BUSINESS INFORMATION

1. Business Name? Lucky Fuel Inc. DBA: HWY 109
2. Business Street Address: 5989 US-31W. Portland. TN. 37148.
3. Business Telephone Number: 615-745-5096
4. Name, address, email, and phone number of the person to receive annual Privilege tax notices and any other communication from the city: Gary A Panchal  
128 Beaver Creek Dr, Portland TN. 37148.  
64quickstop@gmail.com
5. Name, address, email, and phone number of Property Owner, if other than Business Owner:  
same as Nu; 4 lane.
9. Will permit be used to operate two or more restaurants or other businesses under the same  
Yes ☒ No ☐
  - a. If so, specify number: 2017-05 And 2015-03
  - b. List the names of the restaurants or other businesses and addresses:  
Kirby Stop 905 North Broadway, Portland TN. 37148.  
Portland Exxon 5500 Highway 31W, Portland TN. 37148.
6. Has your organization ever had a beer permit revoked, suspended, or denied in the state of Tennessee? Yes ☐ No ☒
  - a. If so, specify, where, when, and why:  
\_\_\_\_\_
7. Name, relationship to applicant (if applicable) and address of the former beer permittee at this location: 5989 US-31W. Portland. TN. 37148.
8. Name and address of Church (or other places of worship) nearest to your business?  
Portland Church of Christ 4.5 ml. North Sumner Church of Christ 5.0 ml.  
Hillcrest Church of Christ 3.0 ml.
9. Name and address of the school nearest to your business? Portland High School 5ml.

(The City of Portland has adopted a law forbidding the sale of beer within **500 feet** of any church, school, state licensed childcare center, hospital, and public recreation parks having an area in size greater than five (5) acres.)

### APPLICANT INFORMATION

1. Full name of Applicant (or/Owner of Business): Lucky Fuel Inc. DBA: HWY 109 Applicant #      of
2. Type of Applicant (check one): Person      Firm      Corporation ☒       
Joint-stock Company
3. Present Home Address: 128 Beaver Creek Dr.  
Portland, TN. 37148.
4. Previous Address (es) (within last ten years): 128 Beaver Creek Dr, Portland TN. 37148.
5. Date of Birth :
6. Cell Phone Number:
7. Have you been convicted of any violation of the beer or alcoholic beverage laws or any crime (other than minor traffic violations) within the last ten (10) years? NO.  
a. If so, give particulars of each charge, court and date convicted:
8. Have you ever had a beer permit revoked, suspended, or denied in the State of Tennessee?  
Yes      No ☒       
a. If so, specify, where, when, and why:

I certify that I am knowledgeable of the laws prohibiting the sale of beer to minors. I hereby certify that no person having at least a 5% ownership interest, nor any person to be employed in the distribution or sale of beer in my establishment has been convicted of any violation of the beer or alcoholic beverage laws or any crime involving moral turpitude within the past ten (10) years. I am also aware that I shall not be issued a permit, or my permit shall be revoked if my business location causes traffic congestion or interferes with schools, churches, or other places of public gathering, or otherwise interferes with public health, safety, and morals.

By signing below, I acknowledge the receipt of Portland's Municipal code governing Beer sales in the City of Portland, TN.

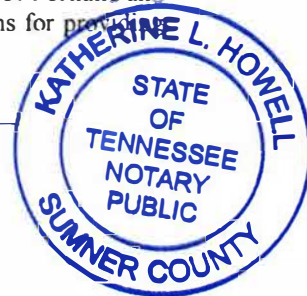
By signing below, I also authorize the City of Portland to investigate my background and secure additional information about me in order to verify my moral character. I hereby release from liability the City of Portland and its representatives for seeking such information and all other persons, corporations, or organizations for providing such information.

[Signature]  
Signature of Applicant/Owner (or authorized Corporation Officer)

Sworn to and subscribed before me this 16 day of January, 20 24

Katherine Howell  
Notary Public

12/1/27  
My commission expires





Work Study Minutes  
Monday, January 8, 2024  
4:00 PM

**1. Call to Order**

Mayor Mike Callis called the meeting to order at 4:03 pm.

**2. Roll Call**

**Present:** Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell(at 4:09 pm), Alderwoman Thompson, Alderman Woodall

**Also Present:** Mayor Callis, City Recorder Rachel Slusser, Asst. City Recorder Tracy Kizer

**Absent:** Alderman Hall, Alderwoman Holcomb

**3. Items for Discussion**

**A. Budget FY 2024-25**

Alderman Woodall reported the Ad Hoc Committee agreed that, based on the current status of the Police Department needing to retain and hire certified officers, it is recommended the Police department get a \$3.00/hour increase for hourly employees, by mid-February. Can pay cash through June 30th, but will have to make funding decisions come July 1, 2024.

Mayor Callis spoke about the improvements in employee wages and benefits that have been made over the last five years and the commitment the Council has made to fund this. Mayor Callis also advised other City job positions needs reviewing. Alderman Woodall expressed the need for a wage study, even though that would be a long-term rather than short-term fix.

There was discussion of funding for the Police increase in pay this fiscal year and next fiscal year. Mayor Callis advised there is a budget amendment tonight that we can add discussion of changes and the second reading is scheduled for the February Council Meeting. Alderman Woodall wants all departments to review their current budget and see if there are any savings that could be found.

It was agreed that Alderwoman Barnes, Rachel Slusser and Hazel Johnson would review 80 positions in the City and compare the salaries of other local Cities in the area. This comparison will need to be presented at the February Work Study. This information will help determine if a City wide wage study should be completed. Mayor Calls requested that the step plans for Police and Fire be reviewed to see if they should be compressed.

**Adjournment**

**Meeting adjourned at 4:41 pm**



## **BOARD OF MAYOR AND ALDERMEN MINUTES**

**January 8, 2024  
5:00 PM**

**1. Call to Order**

Mayor Mike Callis called the meeting to order at 05:01 PM.

**2. Prayer and Pledge**

Alderman Drew Jennings led the prayer and pledge.

**3. Roll Call**

**Present:** Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

**Also Present:** Mayor Callis, City Attorney Bradley, City Recorder Rachel Slusser, Asst. City Recorder Tracy Kizer

**Absent:** Alderman Hall, Alderwoman Holcomb

**4. Approval of Agenda**

**Motion to:** Amend by adding Resolution 24-10 to the Police Department Agenda

By: Alderwoman Thompson

Second: Alderman Jennings

**Discussion:** None

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Amended Agenda Passed(voice vote)**

**5. Public Recognition**

Curtis Grove of 104 Arthur Ct. Portland, TN spoke about the PUD Ordinance.

**6. Presentation - Small Business Administration**

Robbie Yang of the U.S. Small Business Administration spoke about disaster assistance loans.

**7. Communications from Council Members**

**No comments.**

**8. Mayor's Report**

- The Mayor explained property tax reappraisals from Robertson and Sumner County. He reminded everyone that the City does not assess property this is completed by the county.
- Thursday, January 11, there will be a Special Call Council Meeting at 4:30 for 2 items from the Utilities Department.
- January 25, 2024, is a Town Hall meeting at the Temple Theater about Portland's development, growth, and planning starting at 5:30 pm.

- Great work by the Utilities, Public Works, Police and Fire department employees that worked on the water main break at Highway 109 this past weekend.

## 9. Alcoholic Beverage Board

Beer Board Chair Jody McDowell called the meeting to order at 5:11 pm.

- A. Golden Bear #21 - Narendra B. Patel Off Premises Beer Permit at 100 Highway 52W. Application from Narendra B. Patel was presented for ownership and name change of 100 Highway 52W to Golden Bear #2.

**Motion to: Approve**

By: Alderwoman Thompson

Second: Alderman Woodall

**Discussion:** None

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Motion Passed(voice vote)**

Meeting adjourned at 5:13 pm.

## 10. Consent Calendar

**Motion to: Approve**

By: Alderwoman Thompson

Second: Alderman Jennings

**Discussion:** None

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Motion Passed for all items on Consent Agenda (voice vote)**

- A. Department Reports
- B. Minutes from the City Council Meeting of December 4, 2023.
- C. Ordinance No. 23-65 – Second Reading - An Ordinance to repeal Ordinance 16-46 which authorized a residential stormwater base rate and a tier rate for commercial and industrial properties and replace with this Ordinance to set a new rate schedule.
- D. Ordinance No. 23-67 – Second Reading - An Ordinance to enter an agreement with Nabholz Construction Corporation for the 2023 window replacement for Richland Gym project at Richland Park.
- E. Ordinance No. 23-68 - Second Reading - An Ordinance authorizing the acceptance of the best bid for the City of Portland 2023 sidewalk contract effective December 4, 2023-December 31, 2024 with a one (1) one year renewal option.
- F. Ordinance No. 23-69 – Second Reading - An Ordinance creating a job position as Utility Inspector I for the City of Portland department of Utilities.



- G. Ordinance No. 23-72 – Second Reading - An Ordinance to rescind and replace Ordinance 21-59 to begin a new Fire Line Billing Structure for all dedicated fire lines.
- H. Ordinance No. 23-73 – Second Reading - An Ordinance to enter an agreement with Community Development Partners, LLC (CDP) to provide professional administrative services for The City of Portland’s Tennessee Department of Environment and Conservation (TDEC) American Rescue Plan Act (ARPA) Competitive Water Resources Protection Grant.
- I. Resolution No. 24-01 – A Resolution to appoint one new member and re-appoint members to the Portland Industrial Development Board. - *Kathy Dixon, Jess Birdwell, Mark Rice, Thomas D. Hunter, Gail Gentry*
- J. Resolution No. 24-02 - A Resolution to appoint one member, to The Portland Municipal Planning Commission. - *Robert Tooker*
- K. Resolution No. 24-03 – A Resolution to appoint one member to The Portland Housing Authority Board. - *Lisa Goss*
- L. Resolution No. 24-07 – A Resolution approving the re-appointment of one member to The Portland Airport Authority. - *Jeff Collins*

**11. Community Development – Alderwoman Megann Thompson**

- Alderwoman Thompson encouraged all to attend the January 25th meeting for the opportunity to ask questions and discuss Portland's growth.
- Mayor Callis encouraged everyone to complete the survey. Kiosk will be added at the Portland Library.

**12. Finance – Alderwoman Penny Barnes**

- A. Ordinance No. 24-01 – First 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 to: Approve**

By: Alderwoman Barnes

Second: Alderman Woodall

**Discussion:** Changes reflecting the Police salary changes will be in the 2nd reading.

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Motion Passed(voice vote)**

- B. Discussion - Donations

Rachel Slusser distributed information about the requested donations and advised the budget is \$85,000. After discussion, it was agreed that the Ad Hoc Committee will review the information and make suggestions based on community needs, and prior donation amounts.

**13. Fire Department – Vice Mayor Jody McDowell**

**No Items**

**14. Human Resources – Alderwoman Penny Barnes**  
**No Items**

**15. Legislative – Mayor Mike Callis**

- A.** Resolution No. 24-08 - A Resolution to petition United States Congress for a Water Resources Development Act Budget Appropriation for Water Projects out of the 2022 Allotment.

**Motion to: Approve**

By: Alderman Jennings

Second: Alderman Woodall

**Discussion:** None

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Motion Passed(voice vote)**

- B.** Discussion - Hillcreek Plat

Mayor Callis brought to the Council that a citizen wanted to donate property on Hillcreek Court to the City. Mayor Callis had the staff review the property to see what asset it would be for the City. The staff determined there would be no advantage to own the property. The Council agreed that they would accept the advice of the staff.

**16. Municipal Airport – Alderman Mike Hall (Absent)**  
**No Items**

**17. Parks & Recreation – Alderman Brian Woodall**  
**No Items**

Mayor Callis reminded everyone of the Daddy Daughter Dance. Tickets are on sale and can be purchased by calling 615-325-6464.

**18. Police Department – Alderman Drew Jennings**

- A.** Resolution No. 24-10 – A Resolution authorizing the approval of an increase of \$3.00 per hour pay increase for each step of the Police Pay Scale effective for hours worked starting Monday, February 12, 2024.

**Motion to: Approve**

By: Alderman Jennings

Second: Vice-Mayor McDowell

**Discussion:** None

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Motion Passed(voice vote)**

**19. Planning & Codes – Alderwoman Megann Thompson**

- A.** Ordinance No. 24-02 – First Reading - An Ordinance amending Zoning Ordinance Number 387, Combined Zoning Ordinance of The City of Portland, Tennessee, by repealing and replacing Article XII: Planned Unit Developments of Language and Definitions.

**Motion to: Approve**

By: Alderwoman Thompson

Second: Alderwoman Barnes

**Discussion:** Alderwoman Thompson wanted to thank Josh Sutter for all the help in getting this Ordinance ready.

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Motion Passed(voice vote)**

Mayor Callis reminded everyone that the Food Truck Ordinance passed and beginning February 1, 2024, all food trucks must vacate the operation site every day. Citations will be issued for anyone not following the ordinance.

**20. Public Works – Alderwoman LaToya Holcomb (Absent)**

- A.** Ordinance No. 23-71 - Second Reading - An Ordinance to rescind Chapters 5 and 6 of Title 18 of The Portland Municipal Code and replace with the Title, Stormwater Management, Title 21.

**Motion to: Approve**

By: Alderman Woodall

Second: Alderwoman Barnes

**Discussion:** Mayor Callis noted that there were some language changes in the Ordinance that have been highlighted.

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Motion (voice vote)**

- B.** Resolution No. 24-04 - A Resolution to approve change order #1 in the increased amount of \$5,798.11 for the contract with Campbell Partners Concrete for the City's Salt Shed Project.

**Motion to: Approve**

By: Vice-Mayor McDowell

Second: Alderman Woodall

**Discussion:** Carlton Cobb made the Council aware that the Contractor, who won the bid with the lowest price, came back after he was awarded the bid stating that he did not included enough rebar for the project. Carlton Cobb also stated that changes were made and a pillar was added to the project. The Contractor did not separate the cost of rebar and pillar addition in the new cost.

**Motion Failed(voice vote)**

Motion to: Defer so the contractor can break down additional cost.

By: Alderman Jennings

Second: Alderwoman Thompson

Discussion: None

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Resolution Deferred so contractor can break down additional cost. (voice vote)**

- C. Resolution No. 24-09 - A Resolution to approve change order #1 in the increase amount of \$7,948.27 for the contract with Jetton Property Group for the City's Salt Shed Project.

**Motion to: Approve**

By: Alderman Woodall

Second: Alderman Jennings

**Discussion:** Carlton Cobb reported that during the construction, the Public Works Department made changes to the shed that resulted in more material being used on the project.

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Motion Passed(voice vote)**

- D. Discussion - Street lights

Mayor Callis reported that a meeting was held with Cumberland Electric Company (CEMC) representatives. The following was covered:

- The City pays for approximately 1700 streetlights, whether they are working or not.
- Several lights will be changed out to new LED lights.
- An adjustment to the City's CEMC bill will be made annually based on the number of non-working lights.
- A new system is being created for citizens to report non-working streetlights.
- CEMC will guarantee that within 5 days of the nonworking report, they will have the light repaired.

- E. Discussion - Parking Lot B

Mayor Callis reported that \$56,000 in funding had been previously approved for parking lot B (behind Strawberry Station). Once all estimates are completed, the Council will be presented with the complete cost. Utilities will be completing work and moving underground utilities and are checking to see if the electric pole can be moved. The design includes landscaping and light poles similar to the City Hall parking lot C. Parking slots will be numbered like Gazebo lot A & City Hall lot C.

- F. Discussion - Semi-Truck Traffic

Discussion of current issues and possible solutions:

- Larger signs advising truck lanes at entry points in town.
- Adding lighting to the signs.
- Paint on roadway advising truck traffic lanes - Carlton Cobb to check on cost.
- Information through GPS platforms

## **21. Utility Infrastructure – Alderman Brian Woodall**

- A. Ordinance No. 24-04 - First Reading - An Ordinance to authorize the Mayor to enter into a Developer's Agreement with Steve Kirby on The Twin Lakes Subdivision, which will include the installation of Water and Sewer Improvements, located at 925 North Broadway in Portland, Tennessee.

**Motion to: Approve**

By: Alderman Woodall

Second: Vice-Mayor McDowell

**Discussion:** None

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Motion Passed (voice vote)**

- B.** Ordinance No. 24 - 05 First Reading - An Ordinance to enter an agreement with OHM advisors to provide engineering services for The City of Portland American Rescue Plan Act (ARPA) Competitive Resource Protection Project.

**Motion to: Approve**

By: Alderman Woodall

Second: Alderwoman Barnes

**Discussion:** Discussion about the funding. Bryan Price advised it would come from grants. Alderwoman Thompson questioned if OHM is the only firm used. Bryan Price explained other firms are used and OHM is used for this project because of the short time frame to complete it.

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Motion Passed(voice vote)**

- C.** Ordinance No. 24-06 – First Reading - An Ordinance to enter into an agreement with Cumberland Pipeline, LLC for the water, sewer, and gas relocations associated with Tennessee Department of Transportation (TDOT) State Industrial Access (SIA) Road Project Commodore, Pin #127961.00, in Robertson County.

**Motion to: Approve**

By: Alderman Woodall

Second: Alderwoman Barnes

**Discussion:** Mayor Callis made mention that the second reading on this Ordinance would be at Special Call Meeting on Thursday night. Bryan Price explained that the engineering firm had changes and that this did not change the low bid.

**Motion to: Amend to accept bid tabs presented.**

By: Alderman Woodall

Second: Alderwoman Barnes

Discussion: Funding will come from fund balance or loan, since all most all is reembirsable.

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Original Motion Vote for Ordinance No. 24-06 First Reading as Admended.**

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Motion (voice vote)**

- D.** Ordinance No. 24-07 - First Reading - An Ordinance to enter into an agreement with Infinity Pipeline, Inc. for the Eubanks Road Water Line Project from Vaughn Parkway to Jay Bird Drive in Robertson County.

**Motion to: Approve**

By: Alderman Woodall

Second: Alderwoman Barnes

**Discussion:** Mayor Callis made mention that the second reading on this Ordinance would be at Special Call Meeting on Thursday night. Bryan Price explained the yellow-highlighted section needs to be amended for the first reading. Low bid did not change.

Motion to: **Amendment to accept bid tabs presented.**

By: Alderman Woodall

Second: Alderman Jennings

Discussion: None

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Original Motion Vote for Ordinance No. 24-07 First Reading as Admended.**

**Discussion:** Bryan Price reported money for funding has already been collected.

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman HolcombNone

**Motion Passed(voice vote)**

- E. Resolution No. 24-05 - A Resolution to approve change order #1 increasing the contract amount with OHM Advisors by \$22,000 for a total contract price of \$87,050 for additional engineering services for the 2023 Highway 52 Water Main Improvements Project.

**Motion to: Approve**

By: Alderman Woodall

Second: Alderwoman Barnes

**Discussion:** Bryan Price reported that the water line in front of O'Reilly Auto Parts is a 6" line. This section of 6" line needs to be changed to 12" lines, in order for the grant projects to work. Discussion of engineering cost for projects and if a person could be hired to handle projects instead of paying engineering firms. It was explained that some projects have to be handled by large engineering firms because of the time frame and number of people needed to complete the project. Bryan Price explained that the Utility Department does not need an additional engineer but a drafting/drawing person, so small projects could be handled in-house. The Council advised Bryan Price to look at the engineering cost to compare it to hiring an individual. Mayor Callis also suggested Bryan Price compare the number of employees that other Utility Departments have.

Yes: Alderwoman Barnes, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall, Alderwoman Holcomb

**Motion Passed(voice vote)**

- F. Discussion – Official Drought Alert Phase as per the TDEC approved Drought Management Plan.

Bryan Price advised the Council that we are currently in a water drought. He has concerns about the water supply because of a drought at this time of year. Bryan Price wanted to make the Council aware of the steps in a drought alert. Discussion was held about if drought continues, what steps can be made to reduce consumption. Bryan Price advised that the next discussion item could help with water demand. Alderman Woodall questioned if Sumner County could be included. Mr. Price did not want any action to be taken, he only wanted to make the Council

aware.

Bryan Price gave an update on the meter replacement program. The issue is the batteries have a 10-year life, and these have been in place for 15 years. Replacement parts are not available and batteries cannot be changed fast enough. Still looking at a two to three year time frame for swapping out old meters with the new system meters.

- G.** Discussion - Water moratorium for Robertson County outside City Limits.  
Discussion under Item F.

**Adjournment**

**Motion to Adjourn** by Alderwoman Thompson; Second by Alderman Jennings;  
Motion passed by voice vote to **adjourn at 06:39 PM.**

**Portland Building Codes Department**  
**December 2023 Monthly Report**

| <b><u>PERMIT TYPE</u></b>           | <b><u>No. of Permits</u></b> | <b><u>Amount</u></b> |
|-------------------------------------|------------------------------|----------------------|
| Use & Occupancy Permits             | -NA-                         | \$ -NA-              |
| Swimming Pool                       | 1                            | \$ 135.00            |
| Plumbing                            | 6                            | \$ 2,071.40          |
| Mechanical                          | 10                           | \$ 10,400.15         |
| Stand Alone Building                | 4                            | \$ 3,000.94          |
| Residential Building                | 2                            | \$ 1,707.99          |
| Fire Alarm / Fire Suppression       | -NA-                         | \$ -NA-              |
| Commercial/Industrial               | 2                            | \$ 435.16            |
| Plan Review                         | 12                           | \$ 5,278.08          |
| Demolition                          | -NA-                         | \$ -NA-              |
| Fire Works                          | -NA-                         | \$ -NA-              |
| Moving                              | -NA-                         | \$ -NA-              |
| <b>TOTAL ALL PERMIT FEES</b>        | <b>37</b>                    | <b>\$ 23,028.72</b>  |
| PORTLAND IMPACT FEE – PARKS         |                              | \$ 998.00            |
| PORTLAND IMPACT FEE – POLICE        |                              | \$ 526.00            |
| PORTLAND IMPACT FEE – FIRE          |                              | \$ 1,205.00          |
| <b>TOTAL – PORTLAND IMPACT FEES</b> |                              | <b>\$ 2,729.00</b>   |
| <b>GRAND TOTAL</b>                  |                              | <b>\$ 25,757.72</b>  |





# CITY OF PORTLAND, TENNESSEE

OFFICE OF ECONOMIC & COMMUNITY DEVELOPMENT

DENISE GEMINDEN, DIRECTOR

DECEMBER, 2023



Green family descendent, Dan Green, provided history of the boarding house for those attending the unveiling of the historic marker in December.



The Disco Ball at the theatre was put to good use in December.



John Graham who donated architectural design ideas to the theatre attended the movie, It's a Wonderful Life in December. See history insert Page 2.



TCAT Portland now provides day and night classes for Welding. Nursing, Cosmetology and Construction Classes have also been added to IT, Advanced Manufacturing and Tool and Die Classes.

For More Information Call: 615/325-5575

[www.templetheatretn.com](http://www.templetheatretn.com)  
for Upcoming  
Shows and Events

- Worked with Sumner County on the Broadband Ready Grant Submittal; researched "Tech Goes Home" Train the Trainer process. Met with the IT teacher at the TCAT to confirm their participation and partnership in the program. Provided the signed Agreement Resolution for Sumner County to take the lead on this project.
- Received the minutes from the August 17<sup>th</sup> Sumner County Joint ECD board meeting.
- Attended required meetings in December.
- Worked on a five-year planning document to be submitted by January 31, 2024.
- Notified recipients of the System Administration Management Renewal received and predicted the renewal sometime in January.
- Forwarded questions about the Greater Nashville Regional Council's Comprehensive Plan to Planning.



100 South Russell Street  
Portland, Tennessee 37148  
Phone 615.325.6776 X246 Cell 615.881.3404  
[geminden@cityofportlandtn.gov](mailto:geminden@cityofportlandtn.gov)





November, 2023

**Commemorative Engraved Bricks are available from the Preservation Foundation.**

**Please help us pave the Way!**

**For more information visit our website  
templetheatretn.com**



*Honored to have Christina Guthrie and her daughter, descendants of Charlie Green, attend the unveiling of the historic marker at the Moye-Green Boarding House. Below, Billy Geminden speaks about the restoration process.*



*Theatre Director Barry Young chats with "Santa's Elf" about Letters to Santa during performer staging at "Hometown Christmas".*



## **DOWNTOWN, DOWNTOWN, DOWNTOWN**



*The Portland Preservation Foundation and the Certified Downtown Committee hosted a successful fund-raising dinner on December 14<sup>th</sup>.*



**Help Pave the Way**

**Thank you for  
supporting the Temple Theatre Restoration**

- Prepared notifications and program for the unveiling ceremony of the Moye-Green Boarding House in December. Coordinated the ribbon-cutting, invitations and program for the Temple Theatre to follow the Boarding House Historic Marker Unveiling Event. Consolidated these events to a "Celebration of Downtown". Honored to have both Senator Haile and Representative Lamberth in attendance.
- Thank you to each one who donated, bought tickets, and provided auction items for the Preservation Foundation's Debt Reduction Dinner held in December. This event was a true success due to the Portland community's support and commitment.

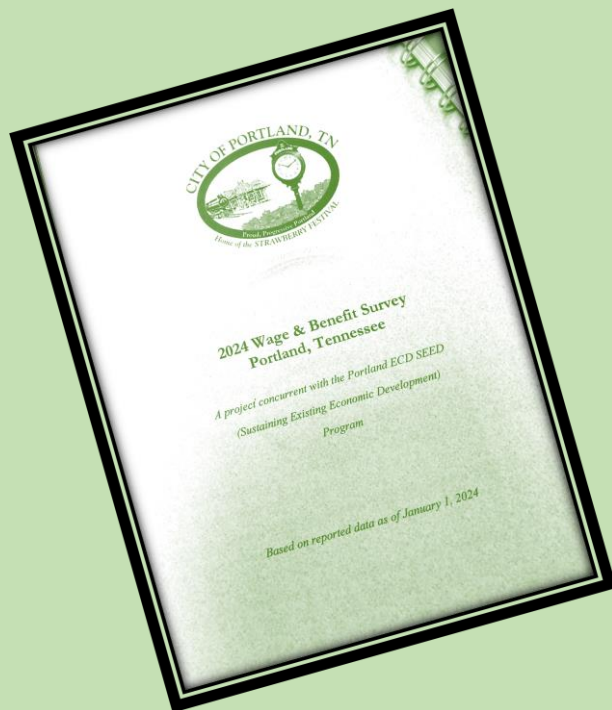
In December 2023, *It's a Wonderful Life* was shown at the Temple Theatre for the first time in approximately 80 years. Jimmy Stewart who plays George Bailey in the movie said he wanted to learn how to "Build Things".

In real life, Stewart attended Princeton University with a concentration in Architecture graduating in 1932 with honors. In the audience at the Temple were Portland citizens, Hallie Graham, currently a Freshman at Princeton and John Raulston Graham, a Senior at Princeton with an Architecture concentration who provided most of the design work for the Temple Theatre. John Raulston is also a member of the Princeton Charter Club of which Stewart is an alumnus.





If you received an e-mail with this guy inserted – Please see the attached Wage/Benefit Survey and return your data by January 31, 2024.



### ***SUSTAINING EXISTING ECONOMIC DEVELOPMENT***

- Prepared and mailed Christmas investment recognition cards to business and industry in December.
- Participated in a call with an Economic Consultant Group interested in providing service to the city on December 18<sup>th</sup>. Set a date to re-connect on January 10<sup>th</sup> for a Retail Grocery Analysis.
- Met with a potential developer of commercial property in the Tennessee Business Park.
- Attended pre-application meetings as necessary.
- Responded to Request for Information from Regional Partners as relevant.
- Referred questions regarding Payment in Lieu of Tax participation to the IDB Attorney.
- Continued communication with Portland High School Career Coach about potential workforce opportunities. Provided a list of potential industrial contacts.
- Reached out for a progress report on existing industries indicating potential growth plans.
- Updated the industrial listing and available property listings in December.
- Mailed the 2024 Wage/Benefit Survey to industries indicating the return deadline of January 31<sup>st</sup>.
- Distributed Mobile Food Vendor regulations to industry. Redirected industry questions to Planning.
- Provided employment numbers to Greater Nashville Regional Council to assist with the Comprehensive Planning document.
- Reviewed MTAS rule of "When a Public Hearing is Required".
- Forwarded an interesting article about Franchising Trends to the members of the Retail Committee.
- Received excellent resources to ESRI data for Portland, Sumner, and Robertson Counties from the Finance Department.



**Spending money in Portland, Tennessee brings my money back to me ~  
Half of our sales tax dollars support our Sumner County Schools.**



November, 2023

## Portland Municipal Airport

- The Portland Airport was happy to host the Leadership Portland Class in December. Thanks to Patsy Thornton who created a beautiful presentation for the breakfast buffet for the class.
- Submitted Airport Layout Plan Packet #3 to Black Cat for payment in December.
- Received ACH payments for the Land Acquisition Appraisal and Environmental expenses. Provided finance information regarding payments needed or reimbursement credits.
- Reviewed the airport information provided for Leadership Portland's visit in December.
- Provided specific data requested for project audit to aeronautics external auditor for Project 83-555-012622. External Audit reported no findings – however, the audit supervisors must agree with the preliminary decision.
- Provided an update to the Engineers on a past pay request to accommodate year-end bookkeeping.
- Provided notice of the cancellation of the Airport Authority meeting in December.
- Clarified an audit finding consent from last year for Finance.



***Thank you for your continued support of  
The Portland Municipal Airport***



[www.cityofportlandtn.gov](http://www.cityofportlandtn.gov)





# Celebrating Downtown Portland in December 2023!







# Celebrating Downtown Portland in December 2023!







Reggie & Mary Anne Mudd

## Celebrating Downtown Portland in December 2023!

Honored to have Hometown Hero Dr. John Cage at the Christmas Dinner. Also thankful Dr. Paul Porter and his lovely grand-daughter (previously pictured) attended.



Charles Wilkinson is a faithful Memory Keeper.



Our Handsome Emcee, Dan Green with his lovely wife Debbie.

*Rhonda Vincent – Sponsored by Wally Gilliam Auction & Realty  
Moye Green Marker Unveiling  
Temple Theatre Ribbon Cutting  
The Ornaments featuring Charlie Brown Christmas Music  
Movie White Christmas  
Hometown Christmas – Dinner & Show  
A Clazzy Christmas with PHS Student Art Exhibition in the  
Banquet Room  
Movie -The Grinch Who Stole Christmas – Sponsored by Freeman  
Farms  
Movie- It's a Wonderful Life 2 Shows– Sponsored by JB Donoho  
Nursery and Oakdale Municipal Advisors  
For the Love of the Theatre Fundraiser Dinner & Auction*



Ten years and thankful we are still preserving.  
This project is only as successful as your support allows.

Thank you for your continued support!



Office of the Finance Director  
100 S. Russell Street Portland, TN 37148  
615-325-6776

*As of December 31, 2023  
Fiscal Year has elapsed - 50%*

|               | Amount       | Unspent Committed Funds |
|---------------|--------------|-------------------------|
| GO Bond 2020  | \$3,921,537  | \$2,614,788             |
| W/S Bond 2020 | \$18,238,174 | \$8,843,110             |

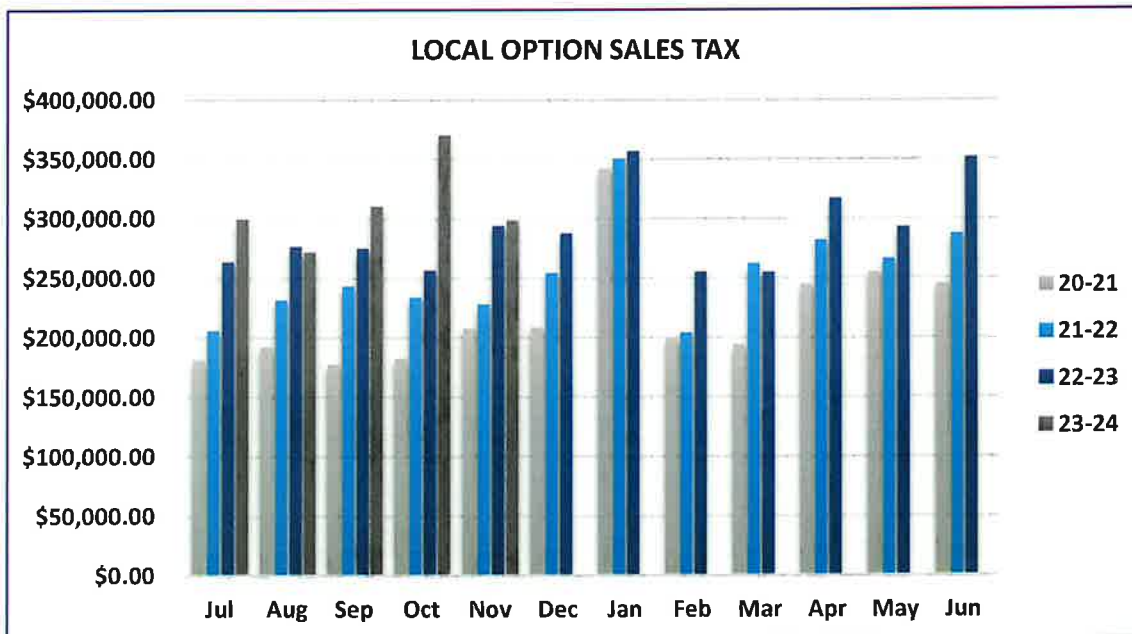
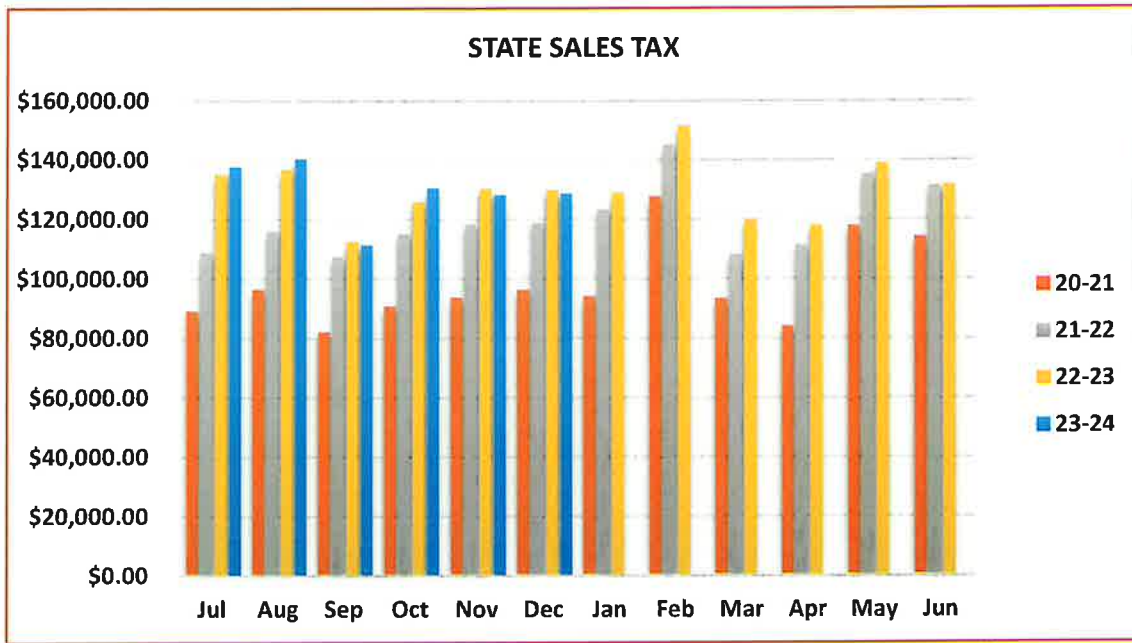
|                                  |                    | Board Passed        |              |
|----------------------------------|--------------------|---------------------|--------------|
|                                  |                    | 12/31/2023          | % of Budget  |
| <b>GENERAL FUND</b>              |                    |                     |              |
| <b>Revenue</b>                   |                    |                     |              |
| Taxes & Licenses                 | 4,345,230          | 9,052,000           | 48.0%        |
| Planning & Codes                 | 443,766            | 675,750             | 65.7%        |
| Intergovernmental                | 908,273            | 2,354,000           | 38.6%        |
| Miscellaneous                    | 12,362             | 29,600              | 41.8%        |
| Court                            | 67,618             | 152,500             | 44.3%        |
| Other Revenues                   | 200,764            | 157,300             | 127.6%       |
| Loan Proceeds - Other Fin Source | 874,383            | 900,000             | 97.2%        |
| Grants & Special Projects        | 322,004            | 0                   | 0.0%         |
| <b>TOTAL</b>                     | <b>7,174,399</b>   | <b>13,321,150</b>   | <b>53.9%</b> |
| <b>Expense</b>                   |                    |                     |              |
| General Government               | 688,556            | 1,975,061           | 34.9%        |
| Administrative & Mayor           | 207,760            | 383,083             | 54.2%        |
| Human Resources                  | 59,494             | 120,726             | 49.3%        |
| Planning & Zoning                | 162,896            | 324,945             | 50.1%        |
| Codes                            | 69,697             | 151,955             | 45.9%        |
| Court                            | 42,176             | 93,160              | 45.3%        |
| Police                           | 2,165,156          | 4,429,397           | 48.9%        |
| Fire                             | 2,161,299          | 3,468,260           | 62.3%        |
| Streets & Highways               | 610,910            | 1,284,002           | 47.6%        |
| City Garage                      | 79,407             | 150,637             | 52.7%        |
| State Street Aid                 | 96,451             | 650,000             | 14.8%        |
| Animal Control                   | 44,507             | 69,600              | 63.9%        |
| Grants & Special Projects        | 102,614            | 1,820,000           | 5.6%         |
| Swimming Pool                    | 0                  | 0                   | 0.0%         |
| Parks & Recreation               | 583,092            | 949,920             | 61.4%        |
| Community Development            | 62,356             | 125,402             | 49.7%        |
| <b>TOTAL</b>                     | <b>\$7,136,369</b> | <b>\$15,996,148</b> | <b>44.6%</b> |



| <b>WATER &amp; SEWER</b> |                           | <b>Board Passed</b> |                   |                    |
|--------------------------|---------------------------|---------------------|-------------------|--------------------|
|                          |                           | <b>12/31/2023</b>   | <b>Budget</b>     | <b>% of Budget</b> |
| Revenue                  |                           |                     |                   |                    |
|                          | Revenue                   | 5,777,061           | 9,792,000         | 59.0%              |
|                          | <b>TOTAL</b>              | <b>5,777,061</b>    | <b>9,792,000</b>  | <b>59.0%</b>       |
| Expense                  |                           |                     |                   |                    |
|                          | Water Plant               | 769,532             | 1,756,238         | 43.8%              |
|                          | Water Distribution System | 1,062,108           | 2,819,389         | 37.7%              |
|                          | Grants & Projects         | 3,847,437           | 8,787,000         | 43.8%              |
|                          | Sewer Collection          | 688,510             | 2,108,296         | 32.7%              |
|                          | Sewer Plant               | 864,327             | 2,759,151         | 31.3%              |
|                          | Business Office           | 218,533             | 476,334           | 45.9%              |
|                          | Utility Administration    | 337,771             | 702,941           | 48.1%              |
|                          | <b>TOTAL w/ Bond</b>      | <b>7,788,218</b>    | <b>19,409,349</b> | <b>40.1%</b>       |
|                          |                           | <b>Board Passed</b> |                   |                    |
|                          |                           | <b>12/31/2023</b>   | <b>Budget</b>     | <b>% of Budget</b> |
| <b>AIRPORT FUND</b>      |                           |                     |                   |                    |
| Revenue                  |                           | \$2,420,288         | \$368,000         | 657.7%             |
| Expense                  |                           | \$286,510           | \$367,839         | 77.9%              |
| <b>DRUG FUND</b>         |                           |                     |                   |                    |
| Revenue                  |                           | \$4,914             | \$4,000           | 122.9%             |
| Expense                  |                           | \$36,570            | \$43,000          | 85.0%              |
| <b>STORMWATER</b>        |                           |                     |                   |                    |
| Revenue                  |                           | \$493,314           | \$815,000         | 60.5%              |
| Expense                  |                           | \$502,043           | \$1,201,659       | 41.8%              |
| <b>SOLID WASTE</b>       |                           |                     |                   |                    |
| Revenue                  |                           | \$716,266           | \$1,355,603       | 52.8%              |
| Expense                  |                           | \$593,804           | \$1,312,620       | 45.2%              |
| <b>GOLF COURSE</b>       |                           |                     |                   |                    |
| Revenue                  |                           | \$300,854           | \$569,400         | 52.8%              |
| Expense                  |                           | \$307,722           | \$563,713         | 54.6%              |

|                             |                            | 12/31/2023 | Board Passed<br>Budget | % of Budget |
|-----------------------------|----------------------------|------------|------------------------|-------------|
| IMPACT FEES                 |                            |            |                        |             |
| Revenue                     |                            |            |                        |             |
|                             | Parks                      | 25,756     | 20,000                 | 128.8%      |
|                             | Police                     | 15,976     | 15,000                 | 106.5%      |
|                             | Fire                       | 36,075     | 7,500                  | 481.0%      |
|                             | Interest                   | 12,832     | 0                      |             |
|                             | TOTAL                      | \$90,639   | \$42,500               | 213.3%      |
| Expense                     |                            |            |                        |             |
|                             | Parks                      | 0          | 65,000                 | 0.0%        |
|                             | Police                     | 21,170     | 0                      | 0.0%        |
|                             | Fire                       | 100,654    | 76,000                 | 132.4%      |
|                             | TOTAL                      | \$121,824  | \$141,000              | 86.4%       |
| DEBT SERVICE - GENERAL FUND |                            |            |                        |             |
| Revenue                     | Transfer from General Fund | \$88       | \$719,229              | 0.0%        |
| Expense                     |                            | \$168,157  | \$719,229              | 23.4%       |
| GAS                         |                            |            |                        |             |
| Revenue                     |                            | 2,017,752  | 5,881,000              | 34.3%       |
| Expense                     |                            | 1,814,516  | 6,770,369              | 26.8%       |

*Rachel Slusser, CMFO*



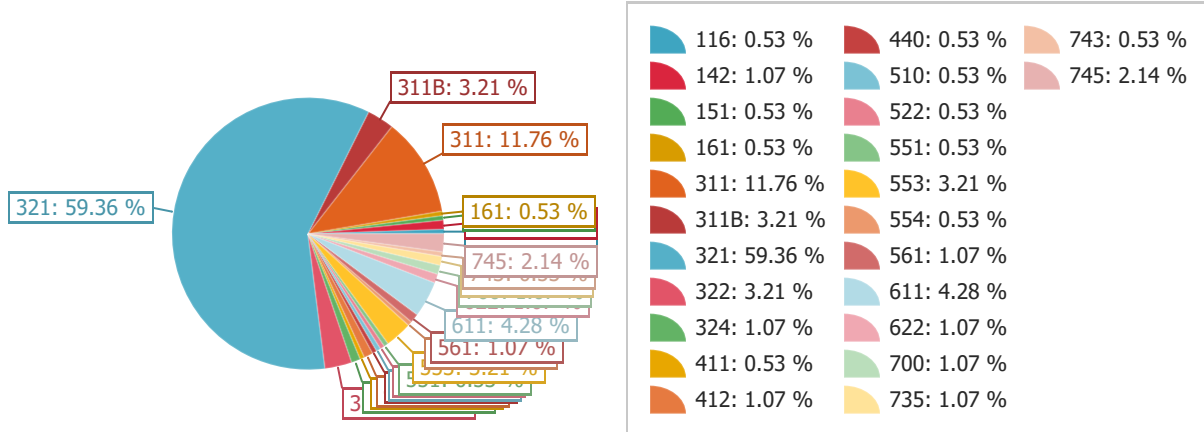


# Portland Fire Department

111 Woods Road  
Portland, Tennessee 37148  
(615) 325-5649



## Incident Reports By Incident Type, Summary



| Incident Type                                          | Total Incidents | Percent |
|--------------------------------------------------------|-----------------|---------|
| 116 - Fuel burner/boiler malfunction, fire confined    | 1               | 0.53%   |
| 142 - Brush or brush-and-grass mixture fire            | 2               | 1.07%   |
| 151 - Outside rubbish, trash or waste fire             | 1               | 0.53%   |
| 161 - Outside storage fire                             | 1               | 0.53%   |
| 311 - Medical assist, assist EMS crew                  | 22              | 11.76%  |
| 311B - Public Assist                                   | 6               | 3.21%   |
| 321 - EMS call, excluding vehicle accident with injury | 111             | 59.36%  |
| 322 - Motor vehicle accident with injuries             | 6               | 3.21%   |
| 324 - Motor vehicle accident with no injuries.         | 2               | 1.07%   |
| 411 - Gasoline or other flammable liquid spill         | 1               | 0.53%   |
| 412 - Gas leak (natural gas or LPG)                    | 2               | 1.07%   |
| 440 - Electrical wiring/equipment problem, other       | 1               | 0.53%   |
| 510 - Person in distress, other                        | 1               | 0.53%   |
| 522 - Water or steam leak                              | 1               | 0.53%   |
| 551 - Assist police or other governmental agency       | 1               | 0.53%   |
| 553 - Public service                                   | 6               | 3.21%   |
| 554 - Assist invalid                                   | 1               | 0.53%   |



| <b>Incident Type</b>                                     | <b>Total Incidents</b> | <b>Percent</b> |
|----------------------------------------------------------|------------------------|----------------|
| 561 - Unauthorized burning                               | 2                      | 1.07%          |
| 611 - Dispatched & canceled en route                     | 8                      | 4.28%          |
| 622 - No incident found on arrival at dispatch address   | 2                      | 1.07%          |
| 700 - False alarm or false call, other                   | 2                      | 1.07%          |
| 735 - Alarm system sounded due to malfunction            | 2                      | 1.07%          |
| 743 - Smoke detector activation, no fire - unintentional | 1                      | 0.53%          |
| 745 - Alarm system activation, no fire - unintentional   | 4                      | 2.14%          |

**Total Number of Incidents: 187**

**Total Number of Incident Types: 24**

**Incident Type**

**Total Incidents**

**Percent**

**Report Filter Settings**

**Report File Name:** Incident Reports by Incident Type, Summary

**Filter Name:** Last Calendar Month

**Filter Expression:** [AlarmDateTime] is between '12/1/2023 12:00:00 AM' and '12/31/2023 11:59:59 PM'

## Human Resources Monthly Report December 2023

|                          |          |     |
|--------------------------|----------|-----|
| New Hire Orientations    | December | YTD |
| Full-Time                | 7        | 42  |
| Re-Hires                 | 2        | 4   |
| Part-Time                | 0        | 8   |
| Retirements              | 0        | 1   |
| Severances               |          |     |
| • Voluntary              | 11       | 32  |
| • Involuntary            | 0        | 3   |
| Workers Comp Claims      | 0        | 23  |
| Current posted positions | 6        |     |



**Monthly Report / December 2023**  
**Jamie White, Parks Director**  
**Tammy Groves, Assistant Parks Director**  
**Trent Stephens, Park Maintenance Supervisor**  
**Marty Bullington, Golf Course Manager**

**Civic Clubs**

|                                |            |
|--------------------------------|------------|
| Portland Youth Football League | Off Season |
| Portland Soccer Club           | Off Season |
| Dixie Youth Baseball           | Off Season |

**Parks and Recreation Programs and Events**

The new 2 – 5 years old play structure at Richland Park is now open. Installation was completed the week of December 18<sup>th</sup>.

Visit with Santa was held on Saturday December 9<sup>th</sup> at Richland Gym.

Christmas for Kids wrestling event was held at Richland Gym on Saturday December 16<sup>th</sup>.

Daddy Daughter Dance is set for Saturday February 10<sup>th</sup>. Tickets have sold out for this event.

Staff has winterized all outdoor plumbing.

We had 1,325 rounds played on our UDisc app for the Glenn Bell Disc Golf Course in 2023. The players represented 16 States and 2 Countries. It is estimated that only 20% of players use the UDisc app.





### January 2023 – December 2023

| <b><u>Category</u></b> | <b><u>Items Sold</u></b> | <b><u>Total Sales</u></b> |
|------------------------|--------------------------|---------------------------|
| Annual Memberships     | 62                       | \$71,350.00               |
| Cart Rentals           | 1,275                    | \$6,395.00                |
| Concessions            | 6,936                    | \$12,224.25               |
| Daily Rounds           | 9,249                    | \$241,050.00              |
| Pro Shop               | 1,835                    | \$57,888.25               |
| Shed Rentals           | 7                        | \$1,875.00                |
| <b>Total:</b>          |                          | <b>\$390,782.50</b>       |

### January 2022 – December 2022

| <b><u>Category</u></b> | <b><u>Items Sold</u></b> | <b><u>Total Sales</u></b> |
|------------------------|--------------------------|---------------------------|
| Annual Memberships     | 47                       | \$43,300.00               |
| Cart Rentals           | 873                      | \$5,675.00                |
| Concessions            | 7,281                    | \$11,103.75               |
| Daily Rounds           | 8,683                    | \$201,815.00              |
| Pro Shop               | 1,295                    | \$26,237.19               |
| Shed Rentals           | 8                        | \$1,575.00                |
| <b>Total:</b>          |                          | <b>\$289,705.94</b>       |



## **2024 SPECIAL EVENTS SCHEDULE**

Daddy / Daughter Dance (Richland Gym): February 10<sup>th</sup>

Easter Egg Hunt (Richland Park): March 24<sup>th</sup>

3<sup>rd</sup> Annual Strawberry Quilt Show (Richland Gym): May 3<sup>rd</sup> & 4<sup>th</sup>

3<sup>rd</sup> Annual Strawberry Art Show (Richland Gym): May 9<sup>th</sup>

Strawberry Festival: May 10<sup>th</sup> & 11<sup>th</sup>

Touch a Truck (Richland Park): July 27<sup>th</sup>

Back to School Bash (Richland Park): July 27<sup>th</sup>

Safety Day (Richland Park): July 27<sup>th</sup>

Trick or Treat (Richland Park): October 31<sup>st</sup>

51<sup>st</sup> Annual Harvest Craft Show (Richland Gym): November 9<sup>th</sup>

Christmas Tree Lighting (Main Street): November 26<sup>th</sup>

Christmas Parade: December 7<sup>th</sup>

Visit with Santa (Richland Gym): December 14<sup>th</sup>

[www.cityofportlandtn.gov](http://www.cityofportlandtn.gov)

# PORTLAND POLICE DEPARTMENT MONTHLY REPORT

12/1/2023 TO 12/31/2023

| CID ACTIVITY     |    |                        |    |                     |    |
|------------------|----|------------------------|----|---------------------|----|
| Cases Assigned   | 21 | Interviews Conducted   | 72 | Asset Forfeitures   | 0  |
| Cases Closed     | 1  | Monitored Interviews   | 0  | DCS/AOA             | 33 |
| Cases Cleared    | 17 | Search Warrants        | 2  | Knock and Talk      | 19 |
| Call outs        | 1  | Judicial Subpoenas     | 0  | Assist Patrol Units | 14 |
| Grand Jury Cases | 1  | General Sessions Cases | 0  | Forensic Interviews | 0  |
| Grand Jury Hours | 2  | General Sessions Hours | 0  | Fire Investigations | 0  |
| Juv Court Cases  | 0  | Criminal Court Cases   | 0  |                     |    |
| Juv Court Hours  | 0  | Criminal Court Hours   | 0  |                     |    |

| Records Activity       |    |                   |     |
|------------------------|----|-------------------|-----|
| Copies Distributed     |    | Background Checks |     |
| Walk-ins               | 13 | Government        | 2   |
| E-mails                | 33 | Public Housing    | 0   |
| Grand Jury & DA Copies | 3  | Local             | 1   |
| Arrest Reports         | 36 | Incident Reports  | 219 |
| Written Warnings       | 54 | City Citations    | 49  |

| ANIMAL CONTROL ACTIVITY |    |                             |   |                               |   |
|-------------------------|----|-----------------------------|---|-------------------------------|---|
| CALLS ANSWERED          | 67 | WILDLIFE                    | 0 | DECLARED VICIOUS              | 0 |
| ANIMALS PICKED UP       | 19 | RETURNED TO OWNER OR RESCUE | 5 | BARKING COMPLAINT             | 0 |
| SENT TO S.C.S.C.        | 0  | TRAPPED ANIMALS             | 0 | CRUELTY & WELFARE COMPLAINTS  | 5 |
| DOGS                    | 19 | ANIMAL BITE ON ANIMAL       | 1 | WILDLIFE/LIVESTOCK COMPLAINTS | 1 |
| CATS                    | 0  | ANIMAL BITE ON HUMANS       | 2 | TICKETS/WARRANTS/ARRESTS      | 7 |
| LIVESTOCK               | 0  | EUTHANASIA                  | 0 | WARNINGS                      | 3 |
|                         |    | ADOPTIONS                   | 4 | REPORTS                       | 7 |
| SPECIAL ASSIGNMENTS     | 2  | INTAKE                      | 9 |                               |   |

| PROPERTY MAINTENANCE / CODES |   |                           |    |
|------------------------------|---|---------------------------|----|
| CASE NUMBERS                 | 5 | RESOLVED BY CONTACT/PHONE | 0  |
| NON-COMPLIANCE LETTERS       | 5 | CITY COURTS DATES         | 0  |
| NEW GRASS/RUBISH COMP        | 5 | CITY HALL BANK ESCORTS    | 15 |
| RE-INSPECTIONS               | 3 | MAIL DELIVERY             | 15 |
| PARKING COMPLAINTS           | 0 | ASSIST ANIMAL CONTROL     | 5  |
| FOLLOW-UP PARKING COMP       | 0 | ARRESTS                   | 1  |
| VEHICLES (NON-COMP)          | 0 | REPORTS                   | 0  |
| WORK ORDERS                  | 1 | CITATIONS                 | 0  |
| PROPERTY LIENS               | 1 | WRITTEN WARNINGS          | 0  |
| RELEASE OF LIENS             | 0 |                           |    |

| FLEX UNIT INFORMATION |  |                   |  |                 |  |
|-----------------------|--|-------------------|--|-----------------|--|
| TRAFFIC STOPS         |  | DRUGS CASES       |  | WEAPONS SEIZED  |  |
| WARNINGS              |  | Misdemeanor       |  | RIFLE           |  |
| CITATION              |  | Felony            |  | SHOTGUN         |  |
| ARRESTS               |  | Paraphernalia     |  | PISTOL          |  |
|                       |  | ASSET FORFEITURES |  | OTHER           |  |
|                       |  | Vehicles          |  |                 |  |
|                       |  | Currency          |  | KNOCK AND TALKS |  |
|                       |  | Other             |  |                 |  |

\*\*\*Flex Unit reassigned to patrol for manpower\*\*\*

|                 |  |                     |  |                       |  |
|-----------------|--|---------------------|--|-----------------------|--|
| WARRANTS SERVED |  | ASSIST PATROL       |  | CONSENSUAL ENCOUNTERS |  |
| K-9 ALERTS      |  | ASSIST OTHER AGENCY |  | ASSIST CID            |  |

| FLEX UNIT COURT INFORMATION |            |  |            |  |
|-----------------------------|------------|--|------------|--|
| GRAND JURY                  | # OF CASES |  | # OF HOURS |  |
| GENERAL SESSIONS            | # OF CASES |  | # OF HOURS |  |
| JUVENILE COURT              | # OF CASES |  | # OF HOURS |  |
| CRIMINAL COURT              | # OF CASES |  | # OF HOURS |  |



| Portland Police Department        |                |            |     |            |           |                    |             |                |                |             |     |         |        |                 |         |             |                   |
|-----------------------------------|----------------|------------|-----|------------|-----------|--------------------|-------------|----------------|----------------|-------------|-----|---------|--------|-----------------|---------|-------------|-------------------|
| PPD PATROL DIVISION ACTIVITY FORM |                |            |     |            |           |                    |             |                |                |             |     |         |        |                 |         |             |                   |
| Month: DECEMBER 2023              |                |            |     |            |           |                    |             |                |                |             |     |         |        |                 |         |             |                   |
| Supervisor: WILLIAMS              |                |            |     |            |           |                    |             |                |                |             |     |         |        |                 |         |             |                   |
| Officer                           | Crashes Worked | Speed Cite | DUI | Child Seat | Seat Belt | Distracted Driving | Other Cites | Other Warnings | Verbal Warning | School Zone | CMV | Reports | Assist | Extra Patrol/BC | Arrests | Total Stops | Calls for Service |
| ADAMS                             | 1              | 1          | 0   | 0          | 0         | 0                  | 1           | 0              | 6              | 0           | 1   | 4       | 26     | 78              | 1       | 5           | 60                |
| BERRY                             | 0              | 0          | 0   | 0          | 0         | 0                  | 0           | 0              | 0              | 0           | 0   | 0       | 11     | 12              | 0       | 0           | 22                |
| BISE                              | 0              | 4          | 0   | 0          | 0         | 0                  | 0           | 3              | 3              | 0           | 0   | 2       | 20     | 15              | 0       | 10          | 17                |
| BONEY                             | 0              | 0          | 1   | 0          | 0         | 0                  | 1           | 0              | 0              | 0           | 0   | 3       | 2      | 5               | 1       | 2           | 6                 |
| BRAY                              |                |            |     |            |           |                    |             |                |                |             |     |         |        |                 |         |             |                   |
| CLEMMONS                          |                |            |     |            |           |                    |             |                |                |             |     |         |        |                 |         |             |                   |
| CONVER                            | 4              | 0          | 0   | 0          | 0         | 0                  | 0           | 0              | 3              | 0           | 0   | 15      | 22     | 7               | 9       | 4           | 64                |
| FONDREN                           | 4              | 0          | 1   | 0          | 0         | 1                  | 2           | 4              | 3              | 0           | 0   | 116     | 42     | 54              | 3       | 9           | 79                |
| CLINE                             | 0              | 0          | 0   | 0          | 0         | 0                  | 0           | 16             | 0              | 0           | 0   | 5       | 19     | 8               | 0       | 16          | 36                |
| CRADDOCK                          | 2              | 0          | 0   | 0          | 0         | 0                  | 1           | 0              | 1              | 0           | 0   | 5       | 27     | 15              | 1       | 1           | 30                |
| GAZZO                             | 0              | 1          | 0   | 0          | 0         | 0                  | 2           | 2              | 4              | 0           | 0   | 0       | 13     | 15              | 0       | 8           | 2                 |
| KAYLOR                            |                |            |     |            |           |                    |             |                |                |             |     |         |        |                 |         |             |                   |
| LADD                              | 3              | 5          | 0   | 0          | 0         | 0                  | 3           | 13             | 11             | 0           | 0   | 7       | 15     | 19              | 1       | 28          | 63                |
| MILLER                            | 12             | 0          | 0   | 0          | 0         | 0                  | 1           | 2              | 2              | 0           | 0   | 16      | 24     | 12              | 1       | 4           | 103               |
| NICOLAZZI                         | 1              | 0          | 0   | 0          | 0         | 0                  | 0           | 3              | 3              | 0           | 0   | 0       | 2      | 24              | 0       | 6           | 6                 |
| PSZENITZKI                        | 0              | 0          | 0   | 0          | 0         | 0                  | 0           | 0              | 0              | 0           | 0   | 3       | 10     | 0               | 1       | 0           | 18                |
| RILEY                             | 7              | 0          | 0   | 0          | 0         | 0                  | 2           | 2              | 3              | 3           | 0   | 14      | 20     | 7               | 1       | 6           | 57                |
| RONAN                             | 1              | 4          | 0   | 0          | 0         | 0                  | 1           | 1              | 3              | 0           | 0   | 3       | 55     | 43              | 3       | 10          | 8                 |
| RUSH                              | 0              | 0          | 0   | 0          | 0         | 0                  | 0           | 4              | 0              | 5           | 0   | 2       | 6      | 43              | 2       | 2           | 61                |
| STEPHENS                          | 4              | 3          | 0   | 0          | 0         | 0                  | 3           | 2              | 9              | 0           | 0   | 5       | 37     | 41              | 2       | 14          | 61                |
| TAYLOR                            | 1              | 0          | 1   | 0          | 0         | 0                  | 6           | 2              | 2              | 0           | 0   | 4       | 15     | 18              | 1       | 0           | 20                |
| TONEY                             | 0              | 0          | 0   | 0          | 0         | 0                  | 0           | 0              | 0              | 0           | 0   | 0       | 0      | 0               | 0       | 0           | 0                 |
| WILLIAMS                          | 0              | 0          | 0   | 0          | 0         | 1                  | 2           | 1              | 0              | 0           | 0   | 0       | 0      | 0               | 1       | 3           | 7                 |
| WILSON                            | 1              | 0          | 0   | 0          | 0         | 0                  | 2           | 0              | 1              | 0           | 1   | 12      | 35     | 27              | 2       | 4           | 59                |
| WIX                               |                |            |     |            |           |                    |             |                |                |             |     |         |        |                 |         |             |                   |
| Total:                            | 41             | 18         | 3   | 0          | 0         | 2                  | 27          | 55             | 54             | 8           | 2   | 216     | 401    | 443             | 30      | 132         | 779               |

Totals by Detective

| Unit # | DETECTIVE     | CASES<br>ASSIGNED | CASES<br>INACTIVE | CASES<br>CLEARED | INTERVIEWS<br>CONDUCTED | ASSIST<br>PATROL | AOA'S     | JUDICAL<br>SUBPOENA | SEARCH<br>WARRANTS | CALL<br>OUTS |
|--------|---------------|-------------------|-------------------|------------------|-------------------------|------------------|-----------|---------------------|--------------------|--------------|
| Dec-23 |               |                   |                   |                  |                         |                  |           |                     |                    |              |
| 705    | Lt. J.ARNOLD  | 0                 | 0                 | 0                | 0                       | 3                | 23        | 0                   | 0                  | 0            |
| 760    | J.BARTOLOTTA  | 3                 | 1                 | 7                | 21                      | 5                | 5         | 0                   | 0                  | 0            |
| 761    | C.HOPE        | 14                | 0                 | 10               | 35                      | 4                | 3         | 0                   | 2                  | 0            |
| 762    | D.DALBEC      | 4                 | 0                 | 0                | 16                      | 2                | 2         | 0                   | 0                  | 1            |
|        |               |                   |                   |                  |                         |                  |           |                     |                    |              |
|        |               |                   |                   |                  |                         |                  |           |                     |                    |              |
|        |               |                   |                   |                  |                         |                  |           |                     |                    |              |
|        | <b>TOTALS</b> | <b>21</b>         | <b>1</b>          | <b>17</b>        | <b>72</b>               | <b>14</b>        | <b>33</b> | <b>0</b>            | <b>2</b>           | <b>1</b>     |



**CITY OF PORTLAND**  
**STORMWATER MANAGEMENT PROGRAM**  
**100 SOUTH RUSSELL STREET**  
**PORTLAND, TENNESSEE 37148**  
**Telephone 615/325-6776**

Date: 1/26/2024

## **Stormwater Management Monthly Report- January 2024**

### Stormwater Ordinance

The revised and updated Stormwater Title was officially passed through second reading at City Council on January 8<sup>th</sup>, 2024. The new Title is identified as Title 21 with chapters 1, 2 and 3: Stormwater Management, Stormwater Utility and Stormwater Utility Credit Manual. Also, a new stormwater utility fee schedule was passed at the same meeting. Residential rates were increased by \$1 and commercial/industrial were increased on a sliding scale based off the ERU.

### Water Quality Presentation

The Stormwater Department and Utilities began work on a first annual water quality presentation that will be held on February 29<sup>th</sup>. The first installment of this series will be about the FOG (fats, oils and grease) program and how it relates to businesses in Portland. There have been at least 10 RSVPs so far and is expected to be a very informative day.

### Illicit Discharge Detection and Elimination

There was one complaint during this reporting period of an illicit discharge involving a local industry. The issue was quickly resolved and there was no exposure to stormwater. The business made the Stormwater Department aware as soon as the leak happened. The site will continue to be closely monitored.

### Construction Site Runoff Control

Pre-Construction Meetings: 0

LDPs issued: 4

CGP Inspections: 12

CGP inspections are required once monthly per TDEC. Most sites are inspected more than once a month through pre-con inspections, re-inspections, and illicit discharge complaints. Residential sites that are not under TDEC coverage are inspected on a weekly basis.

Inclement weather made inspections difficult this month. Snow and ice had most sites frozen for a few days.

## Stormwater Field Crew Council Report

Submitted by: David Harris

Data for the month of Dec.

Meeting Date: Feb. 5, 2024

Called in Tn One Call tickets

Met with homeowners about drainage issues or upcoming jobs

Equipment – Maintenance, clean up, and haul to various job sites

Placed order for supplies needed for upcoming jobs. Unload deliveries.

Prep and move supplies, trucks and equipment for upcoming jobs.

Cleaned and service equipment

Checked and cleaned tiles and storm drains throughout the city

Cleared beaver dams - Various locations

City Dump project: constructing the new road and ramp with a lot of dirtwork.

Garrott Bros: Pick up blocks (Convenience Center project)

# Sanitation Dept Council Report

Monthly Report for December 2023

Meeting Date: February 5 , 2024

Sanitation Dept is responsible for picking up, disposing of household trash and bulk items.

Pick up bulk items - Furniture, appliances, etc.....

Pick up brush (Claw truck, and chipper)

Pick up trash carts at curb repair or replace damaged carts

Keep trucks and equipment in working condition.

Travel to Sumner Co. Resource Authority to empty

2 claw trucks picking up bulk items and brush at curbside

## Sumner Co. Resource

| Authority           | # of loads | Tonnage | Per Ton | Dumping fee |
|---------------------|------------|---------|---------|-------------|
| City of Portland    | 51         | 451.05  | 55.00   | 24,807.75   |
| Volunteer Recycling | 10         | 27.79   | 55.00   | 1,528.45    |
|                     |            | 478.84  |         | \$26,336.20 |

## Volunteer Recycling

| Center           | # of loads | Haul cost | Hauling Total |
|------------------|------------|-----------|---------------|
| City of Portland | 10         | 275.00    | \$2,750.00    |
| Portland Cares   | 1          | 137.50    | \$137.50      |
|                  |            |           | \$2,887.50    |

|                  |                    |            |             |
|------------------|--------------------|------------|-------------|
| Monthly Dump Fee | \$26,336.20        |            |             |
| Monthly Haul Fee | \$2,887.50         |            |             |
|                  | <b>\$29,223.70</b> | <b>Dec</b> | <b>2023</b> |



## Street Dept Council Report

Submitted by: Martin Weekley  
Data for the month of December  
Meeting Date: Feb. 5, 2024

Maintain the downtown area - pick up trash, empty cans, water flowers, etc....  
Maintain sidewalks and roadways - pick up trash, weed eat and spray  
Maintain all the intersection islands and curbs.  
Maintenance of traffic signals, school zone lighting and decorative street lights.

Trimmed low hanging branches and tree's that fell over the roadway  
Signage - Replaced stop signs, brackets, replace post, install new signage & post.  
Potholes: checked, graveled or patched with hot mix. Cold patch as needed  
Road Cuts: gravel filled until patched with hot mix  
Roadway crack sealing: Various locations  
Repaired edge of multiple roadways  
Picked up asphalt - Cross Plains  
Graveled around mailboxes (USPS request)  
Brush & Bulk (Chipper truck, 2 claw trucks, truck with trailer) numerous loads

Office paperwork - Time sheets, po request, review work orders and route sheets  
Training / Meetings - None  
Clean, Check and Maintenance trucks and equipment  
Clean at the Shop / put away tools - Daily  
Clean up at shop (organize signage and other materials)  
Straighten up yard: all tractors, trailers, backhoe, and other equipment  
Hauled away scrap metal  
Hauled concrete to both dump sites  
Cleaned up around the new salt shed building and roadway  
Spread millings on back drive near salt shed  
Hauled millings and dirt to various job site (Repairing roadway and shoulders)

Repair equipment and tools (Tires, batteries, hoses, decks, fluids, fittings, blades, etc.)  
Repairs made on tractors, chipper, trailers, hot box, backhoe etc.....  
Took trucks and equipment in for various repairs.  
Picked up supplies - Ace Hardware and Napa

Removed debris and dead animal from roadway  
Helped check storm drains -city wide  
Codes enforcement lot - cleaned up and weed eat around the property  
Removed trash - Magnolia spring rd., behind City Hall, Hwy 109 etc.....  
Checked traffic boxes at all the main intersections  
Repaired solar lights

## Street Dept Council Report

Tornado cleanup - Helped in Springfield and Hendersonville multiple days

Sit in on interview / Train new hires

Street lighting - Marked poles for CEMC to make repairs

Flagging for the paving crew - On Hwy 109

Freedom Dr. - Repaired ditch line

William Mack Ln. - replaced gravel on both roads behind homes.

Parking lots A & C: Installed signage in new islands

E Market St - Shut down to repair utility road cut - Asphalted area

McGlothlin St. - Shut down to repair utility road cut - Asphalted area

Sandy Ave (DQ entrance) - Shut down to repair utility road cut -Asphalted area

Winter weather event: put on plow, blower, salt spreader, and blades on trucks

Christmas Lights and Decorations -set up city wide

After Christmas Event:

Unloaded stage at usual storage area

Removed lights off UTV's

Picked up signage and barricades

Hauled the sign boards back to shop and put them away



**CITY OF PORTLAND**  
GRANT PROGRAMS  
SUE KIM – ADMIN. CLERK II  
100 SOUTH RUSSELL STREET  
PORTLAND, TENNESSEE 37148  
Telephone 615-325-6776

## Grant Programs Monthly Report

### Active Projects

Safe Routes to School Grant <Portland West Middle School (PWMS)>  
Railroad Crossing <Downtown Intersections - E Market, Main, E McGlothlin Street (CSX/TDOT)>  
CMAQ (Congestion Mitigation and Air Quality) <Hwy 109 from College St. to Hwy 52>  
Surface Transportation Block Grant (STBG)<Scattersville Rd. & New Deal Potts Rd>  
Surface Transportation Block Grant (STBG) <Kirby Dr. & S Russell St.>  
Surface Transportation Block Grant (STBG)<Pedestrian Connector Project - College Street>

### Project Status

**PWMS** - Closing phase.

**Scattersville Road** – Closing phase.

**Railroad Crossing** – City is contracted with Stansell Electric Company for Signal Light, Campbell Partners Concrete for Sidewalk and Kerr Bros. & Assoc. for Signing & Striping.

**CMAQ** – Design phase. Waiting on TDOT to confirm budget amendment to include mast arms.

**STBG Kirby Rd. & S. Russell St. Resurface** – Design Phase and received reimbursements NEPA FY 22-23 #2.

**STBG College St. sidewalks** – NEPA phase; additional surveys work is needed due to one property being on historic registry. TDOT approved additional funds for survey work. Once TDOT updates system to allow.

### Reimbursement Status

**PWMS** - Request final reimbursement for the Portland West Middle School amount of \$16,886.00 and \$8,258.62, received \$8,258.62 on 12/20/23 and waiting for partial final reimbursement of 100% \$16,886.00.

According to TDOT, 100% of the invoice was denied because TDOT finance needed the third-party contract that had been given to them. Now it is back in their worklist for review.



**CITY OF PORTLAND**  
 GRANT PROGRAMS  
 SUE KIM – ADMIN. CLERK II  
 100 SOUTH RUSSELL STREET  
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**STBG Kirby Rd. & S. Russell St. Resurface** - Request reimbursement for NEPA FY 22-23 #3  
\$12,327.00 on 1/12/24 and under reviewing.

**STBG College St. sidewalks** - Approved reimbursement by TDOT NEPA FY 22-23 #3 amount of  
\$27,507.65. (TDOT confirmed that finance will resend the reimbursement amount. Received on 1/9/24  
 via email)

Request reimbursement for NEPA FY 22-23 #4 \$18,509.20 on 1/12/24.

| Name               | Funding Type | Description     | Total Contract Amount | Total City Expenditures | Current FY 23-24 Reimbursement | Total Reimb. Amount |
|--------------------|--------------|-----------------|-----------------------|-------------------------|--------------------------------|---------------------|
| PWMS               | SRTS&TAP     | Sidewalks       | \$ 204,694.85         | \$ 198,151.24           | \$ 8,258.62                    | \$ 177,959.62       |
| Scattersville      | STBG         | Resurfacing     | \$ 454,240.20         | \$ 408,193.78           | \$ 3,082.00                    | \$ 326,089.56       |
| CMAQ               | ITS          | Traffic Signals | \$ 762,662.50         | \$ 39,478.85            | -                              | \$ 39,478.85        |
| College            | STBG         | Sidewalks       | \$1,139,215.00        | \$109,371.48            | -                              | \$ 36,499.58        |
| Kirby & S. Russell | STBG         | Resurfacing     | \$446,295.00          | \$61,007.84             | \$ 7,924.50                    | \$17,910.00         |
| Volkswagen Diesel  | TDEC         | Large Truck     | \$98,437.50           | \$148,950.00            | -                              | \$ 98,437.50        |
| Volkswagen Diesel  | TDEC         | Midum Trucks    | \$113,328.75          | \$157,900.00            | -                              | \$118,425.00        |
|                    |              |                 | \$76,233.48           | \$91,818.00             | -                              | \$68,863.50         |

**City of Portland  
Office of Recorder  
100 South Russell Street  
Portland, Tennessee 37148**

**Phone 615/325-6776 Ext. 245**

**December 2023 Monthly Report**

|                               |   |                           |
|-------------------------------|---|---------------------------|
| Number of Council Meetings    | 1 | December 4 <sup>th</sup>  |
|                               |   | 7 Council Members present |
|                               |   | 0 Council Members absent  |
| Number of Work Study Meetings | 0 |                           |
| Number of Ad-Hoc Meetings     | 1 |                           |
| Number of Liability Claims    | 0 |                           |
| Number of Property Claims     | 0 |                           |
| Number of Records Requested   | 4 |                           |

Continued training and set up for new Recorder software. Added Planning Commission Agenda to software and worked with Nate Heisler to implement.





## CITY OF PORTLAND

298 PORTLAND LAKE ROAD  
PORTLAND, TENNESSEE 37148

Telephone 615/325-6776 ext. 192  
Mobile 615/566-7074

Email Address: [PortWTP@cityofportlandtn.gov](mailto:PortWTP@cityofportlandtn.gov)

# Portland WTP Report for Month of December 2023

- Submitted November 2023 DMR via the EPA CDX online portal.
- Submitted November 2023 MOR's via certified mail.
- Cleaned leaves from WFDC intake as needed.
- Collected quarterly TOC samples and delivered to Pace Analytical in Mt. Juliet.
- Mel Taylor with Smart Fish Farms delivered 2,000 shad to City Lake.
- Drained and cleaned sedimentation basin #2. Inspected trac-vac trolleys, cables, and drive units. Performed maintenance as needed.
- 
- Processed bac-t samples for CSBUD and the City of Westmoreland water system.
- Verified genset weekly exercises @ WTP and both booster sites.
- Checked monitoring wells at City Lake.
- Collected and processed 25 bac-t compliance samples.
- Routine maintenance was performed on schedule.
- Produced gallons of potable water for distribution to customers.



## CITY OF PORTLAND

PORTLAND NATURAL GAS

LUCAS BAKER – GAS SUPERVISOR

126-B MORNINGSIDE DR.

PORTLAND, TENNESSEE 37148

Office: (615) 325-6776, ext. 187

Email Address: lbaker@cityofportlandtn.gov

## Gas Dept Monthly Report –December 2023

- 6 Gas Services installed consisting of 1,573 ft of ¾" service line pipe
- Repaired ¾" service leaks at 1074 Payne Rd and 3806 Academy Rd
- 2" Main repair at Jasmine Way -Excavation Damage
- Rebuilt regulator at Robertson Co Gate Station -primary run
- Repaired cathodic protection coating at Richland and Church St
- Relocate service/meter at 434 N Broadway
- Replaced 2 Hightide Units at TGT#1 and Shaub Rd
- Upsized gas meter at 1550 Maxwell Branch -415 to D1000 meter
- Valve Maintenance -TPUC Requirement
- Leath Rd Gate Station annual calibration
- Regulator Station Annual Inspection
- Regulator Station Maintenance on relief stack vents (TGT#2 and Shaub)
- Atmospheric Corrosion Inspections on residential and industrial gas meters-TPUC Requirement
- Gathered GIS data to assist in updating the Natural Gas System
- Gas Leak Investigations
- Various gas pressure checks
- Air Test Inspections
- Daily monitoring of Gate Stations and odorant injection
- Daily work orders and Tennessee One Calls – 12" Regional Water Line locates from Oak Grove to Old Westmoreland Rd
- Monthly Odorant Sniff Test – TPUC requirement



## DEPARTMENT OF UTILITIES

SEWER COLLECTION DEPARTMENT

122 D MORNINGSIDE DR.

PORTLAND, TENNESSEE 37148

Telephone 615-323-1437

Email Address: [jharrison@cityofportlandtn.gov](mailto:jharrison@cityofportlandtn.gov)

### Monthly Report for December 2023.

During the Month of December, the department checks daily the 84 pump stations that are in the Collection System, this is required by TEDEC and takes up a good portion of each day. We also locate TN 1 Calls that come in daily, and their number can vary from 0 to any number per day. Some TN 1 calls are Emergency Locates that require a 2hr response time, we had 1 of these this month and 1 short notice locates.

We had some "Service Calls" which resulted in rodding 5 service lines. Some calls were issues or questions, the homeowner had with their service line or problems under the house. Other calls were questions about plumbing repairs or odor complaints. We did a smoke test looking for a smell a homeowner was having. We had 2 new sewer inspections and inspected a repair on a homeowner's service line. We had some Telemetry Call outs and issues with the telemetry not calling and had 4 after hours call outs.

While checking the pump stations this month we found several problems. We pulled 6 clogged pumps, and we unstopped 3 suction lines, we changed a start and Run capacitors, and relays. We worked on air release valves, and repaired a broken force main right as it left the wet well. We got the new pump installed at Buntin Farms. We replaced 4 more heaters and another GFI plug on the pumpstations. We got the Transducer replaced at N Harris and fixed the latch on Scattersville.

We had other non-pumpstation related work such as replacing broken plastic c/o boxes and 7 broken c/o caps and assemblies and boxes. We also continued with our monthly grease removal at pump stations, made a tap at 831 College St, repaired a collapse service line, and removed roots from the wet well at Holland Gate pumpstation that caused a blockage in the main line w/ the Vac Truck.

We CCTV 5 services for tap locations and needed repairs. We inspected taps for business permits, demos, and main lines for location of taps. We cleaned grease out of 2 pumpstations and jetted lines to CCTV them. We CCTV 2 Sections of main lines to inspect the condition of them and locate taps for possible repairs. We CCTV a Storm drain at Lyon Dr, jetted 3 sections of Main line, and Hydro excavated for the Water Dept.

This month we finished the inspections on Park Side Estates, we did the open ditch inspections on the Collins Sewer Extension. We had 1 day of interviews. We finished the pump station breakdowns, listing the different parts of the pump stations for tracking failures on the Elements software, we worked on job tasks for Elements and did a new inventory count for Elements. We reviewed several plan submittals and had a large locate for OHM that included all sewer from Old Westmoreland Rd to Ranch Rd. The Collection System had 3 DWO Overflows and 2 DWR Releases this month. Our monthly safety meeting this month was over" Our Emergency Response Plan.

Jon Harrison  
Supervisor of Collections.



**CITY OF PORTLAND**  
**WATER DEPT SUPERVISOR CHRISTOPHER GREER**  
**100 SOUTH RUSSELL STREET**  
**PORTLAND, TENNESSEE 37148**  
**Telephone 615-670-3977**  
**Email Address: [cgreer@cityofportlandtn.gov](mailto:cgreer@cityofportlandtn.gov)**

**DECEMBER 2023 MONTHLY REPORT**  
**WATER DISTRIBUTION DEPARTMENT**

(15) Service Leaks – All services leaking were renewed.

(3) New services installed

(19) Meter box replacement

(74) Meters replaced with Vac Trailer

(30) Backflows Tested

(19) Yards repaired

Traffic

Back Flow Device Checks

Cut Off Lists

Flushing

Locates



**CITY OF PORTLAND**  
**LARRY QUATTLEBAUM- WRF CHIEF OPERATOR**  
**122-A MORNINGSIDE DRIVE**  
**PORTLAND, TENNESSEE 37148**  
**Office: (615) 325-6776,ext 186**  
**Mobile: (615) 806-2736**

Date: 12/19/2023

## **DECEMBER MONTHLY REPORT**

Construction continues at the Water Reclamation Facility. Training new employees to do Laboratory tests and day-to-day duties. We had our Chlorine system Preventive Maintenance done by Chemical Feed Systems. We worked on organizing our storage in the control building.

*Larry Quattlebaum*  
**Portland TN WRF Chief Operator**



# ORDINANCE

## City of Portland, Tennessee

No. 24 - 05

Second Reading

**AN ORDINANCE TO ENTER AN AGREEMENT WITH OHM ADVISORS TO PROVIDE ENGINEERING SERVICES FOR THE CITY OF PORTLAND AMERICAN RESCUE PLAN ACT (ARPA) COMPETITIVE RESOURCE PROTECTION PROJECT.**

**WHEREAS**, this project is deemed necessary to provide resilient infrastructure for extreme weather events and to support strategic investments in water system challenges; and

**WHEREAS**, funding for this project will include \$4,250,000 from the State Water Infrastructure Grant (SWIG) money from the ARPA Competitive portion and \$750,000 matching funds from the City of Portland; and

**WHEREAS**, OHM Advisors fee shall not exceed \$1,365,000 which provides the following services; and

|                                            |             |
|--------------------------------------------|-------------|
| Task 1 – Study and Report Phase            | \$ 55,000   |
| Task 2 – Preliminary Design Phase          | \$230,200   |
| Task 3 – Final Design Phase                | \$549,000   |
| Task 4 – Bidding                           | \$ 55,000   |
| Task 5 – Construction Administration Phase | \$238,000   |
| Task 6 – Resident Project Representative   | \$172,000   |
| Incidentals 5%                             | \$ 65,800   |
| Total Estimated Fee                        | \$1,365,000 |

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Board of Aldermen of the City of Portland to enter into an agreement with OHM Advisors in the amount not to exceed \$1,365,000 to provide engineering services for the ARPA Resource Protection project; 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: January 8, 2024  
Passed Second Reading:

RESOLUTION

City of Portland, Tennessee

No. 24 – 12

**A RESOLUTION TO RE-APPOINT TWO (2) CURRENT MEMBERS TO THE CITY OF PORTLAND CONSTRUCTION BOARD/PROPERTY MAINTENANCE APPEALS BOARD**

**WHEREAS**, The Portland Construction Board/Property Maintenance Appeals Board was established by Ordinance No. 19-21; and

**WHEREAS**, It is necessary to re-appoint members whose terms will expire on March 4, 2024; and

**WHEREAS**, Brent Ausbrooks has consented to serve another 5-year term, as outlined in the establishing ordinance; and

**WHEREAS**, John Brown, an Alternate, has also consented to serve another 5-year term; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Board of Aldermen of the City of Portland does hereby re-appoint Brent Ausbrooks and John Brown, each to five-year terms that will expire on March 4, 2029 in accordance with the establishing ordinance and bylaws of the Portland Construction Board/Property Maintenance Board of Appeals; and

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

---

Mike Callis, Mayor

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Attest: Rachel Slusser, City Recorder

Approved this      day of

RESOLUTION

City of Portland, Tennessee

No. 24 – 13

**A RESOLUTION TO RE-APPOINT A MEMBER TO THE PORTLAND HEALTH AND EDUCATIONAL FACILITIES BOARD**

**WHEREAS**, Tennessee Code Annotated regulates the function and appointment of members to the Portland Health and Educational Facilities Board; and

**WHEREAS**, Dr. Nathan Shadowens' first term on this board will end on February 23, 2024 and he has consented to serve another term in this capacity; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Board of Aldermen of the City of Portland that Dr. Nathan Shadowens is hereby re-appointed to the Health and Educational Facilities Board, to another six-year term that will end on 02/23/2030; and

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

\_\_\_\_\_  
Mike Callis, Mayor

\_\_\_\_\_  
Attest: Rachel Slusser, City Recorder

Approved this      day of

# ORDINANCE

## City of Portland, Tennessee

No. 24 – 01

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**

**WHEREAS**, the Board of Mayor and Aldermen of Portland, Tennessee, assembled in regular session on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices and agencies of Portland, Tennessee, during the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Section 1.** The budget amendment is as follows:

#### **General Fund**

##### **Expense**

|                    |                  |                  |
|--------------------|------------------|------------------|
| General Government | Sound System     | \$ 8,200         |
| General Government | Table and Chairs | \$ 2,500         |
| Highway & Streets  | Pavement Saw     | \$ 20,000*       |
| Parks              | Gym Windows      | \$ 78,000        |
| Parks              | Welcome Sign     | \$ 11,000        |
| Parks              | Paint Gym        | \$ 50,000        |
| Parks              | Bobcat/Trailer   | \$ 67,000        |
| Police             | Salary           | <u>\$120,000</u> |
| <b>TOTAL</b>       |                  | <b>\$356,700</b> |

##### **Revenue/Funding Source**

|                              |                  |
|------------------------------|------------------|
| Cash on Hand                 | <b>\$228,700</b> |
| Use of Assigned Fund Balance | <b>\$128,000</b> |

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#### **Drug Fund**

##### **Expense**

|           |                      |                  |
|-----------|----------------------|------------------|
| Equipment | Lien on seized truck | <b>\$ 15,400</b> |
|-----------|----------------------|------------------|

##### **Revenue/Funding Source**

|              |                 |
|--------------|-----------------|
| Cash on Hand | <b>\$15,400</b> |
|--------------|-----------------|

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**Impact Fee Fund****Expense**

|        |              |                  |
|--------|--------------|------------------|
| Fire   | Equipment    | \$ 60,000        |
| Police | Equipment    | <u>\$ 22,000</u> |
|        | <b>TOTAL</b> | <b>\$ 82,000</b> |

**Revenue/Funding Source**

|                              |                  |
|------------------------------|------------------|
| Fire Impact Fee Revenue      | \$ 27,000        |
| Cash on Hand (Police & Fire) | <u>\$ 55,000</u> |
| <b>TOTAL</b>                 | <b>\$ 82,000</b> |

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**Water/Sewer Fund****Expense**

|                    |              |                  |
|--------------------|--------------|------------------|
| Sewer Collection   | Truck        | \$ 70,600        |
| Water Distribution | Pavement Saw | \$ 20,000*       |
| Water Distribution | Truck        | \$ 78,700        |
| Water Distribution | Vac Trailer  | <u>\$ 32,000</u> |
|                    | <b>TOTAL</b> | <b>\$201,300</b> |

**Revenue/Funding Source**

|                     |                   |
|---------------------|-------------------|
| Grant (75/25) Match | \$ 99,800         |
| Cash on Hand        | <u>\$ 101,500</u> |
| <b>TOTAL</b>        | <b>\$ 201,300</b> |

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**Gas Fund****Expense**

|           |              |                   |
|-----------|--------------|-------------------|
| Equipment | Vac Trailer  | \$ 31,000         |
| Equipment | Pavement Saw | <u>\$ 20,000*</u> |
|           |              | <b>\$51,000</b>   |

**Revenue/Funding Source**

|              |                  |
|--------------|------------------|
| Cash on Hand | <b>\$ 51,000</b> |
|--------------|------------------|

\*One pavement saw split between three departments that will be utilizing the equipment.

**BE IT ENACTED** by the Board of Mayor and Alderman of Portland, Tennessee that this ordinance shall take effect from and after its passage, the welfare of the city requiring it.

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Mayor Mike Callis

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Attest: Rachel Slusser, City Recorder

Passed First Reading: January 8, 2024

Passed Second Reading:



RESOLUTION

City of Portland, Tennessee

No. 24 - 11

**A RESOLUTION APPROVING THE BEST PROPOSAL FOR A FIREWORK SHOW FOR THE STRAWBERRY FESTIVAL FOR 2024 AND 2025.**

**WHEREAS**, the City of Portland would like to provide a firework show during the 2024 and 2025 Strawberry Festival; and

**WHEREAS**, only one proposal was received; and

**WHEREAS**, the funding will come from prior year firework permit fees and the amount not to exceed is \$20,000 for the 2024 and 2025 show; and

**WHEREAS**, the proposal met all the specifications set forth.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and the Board of Aldermen of the City of Portland with recommendation to approve Impact Pyro for a firework show for the 2024 and 2025 Strawberry Festival with funding to come from prior year firework permit fees not to exceed \$20,000; and

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

\_\_\_\_\_  
Mike Callis, Mayor

\_\_\_\_\_  
Attest: Rachel Slusser, City Recorder

Approved this      day of

ORDINANCE

City of Portland, Tennessee

No. 24 – 02

Second Reading

**AN ORDINANCE AMENDING ZONING ORDINANCE NUMBER 387, COMBINED ZONING ORDINANCE OF THE CITY OF PORTLAND, TENNESSEE, BY REPEALING AND REPLACING ARTICLE XII: PLANNED UNIT DEVELOPMENTS OF LANGUAGE AND DEFINITIONS**

**WHEREAS** the City Council of the City of Portland wishes to amend and replace Article XII: Planned Unit Development of the Municipal Zoning Ordinance 387.

**WHEREAS**, the Planning Commission is responsible for the orderly development of land; 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 this Zoning Code Amendment to the Mayor and City Council by a vote of --- at their January 9<sup>th</sup>, 2024 meeting.

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

**Section 1.** The City Council of the City of Portland does hereby approve, authorize, and direct the revision of the City's Official Zoning Ordinance to show the changes in the text as described in Exhibit A: Article XII: Planned Unit Development:

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

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Mayor Mike Callis

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Attest: Rachel Slusser, City Recorder

Passed First Reading: January 8, 2024

Notice Published: Portland Sun- 1/16/24; Portland Leader: 1/17/24

Public Hearing: February 5, 2024

Passed Second Reading:



# **City of Portland, Tennessee Proposed Planned Unit Development Regulations**

## **Table of Contents:**

**Chapter 1: Purpose and Objectives**

**Chapter 2: Relationship Between Planned Unit Developments and Other Regulations**

**Chapter 3: Minimum Standards for All Planned Unit Developments**

**Chapter 4: Open Space, Amenities and Perpetual Maintenance Standards**

**Chapter 5: Review and Approval Process**

**Chapter 6: Submittal Requirements**

**Chapter 7: Procedure for Amending an Existing Final Development Plan and Regulating Pattern Book**

**Chapter 8: Expiration of Approved Plans**

**Chapter 9: Other Issues**

**Appendix A: Planned Unit Development Checklist**

**Appendix B: PUD Review/Approval Process Summary**

## ARTICLE XII: PLANNED UNIT DEVELOPMENTS

### CHAPTER 1: PURPOSE AND OBJECTIVES

#### 12.101 PURPOSE:

The purpose of this Article is to provide design freedom to the developer in order to create a better living environment for current and future residents of the City. Quality private development requires a flexible approach to be available both to the City and to the developer. Deviations from the uniformity characteristic of traditional zoning regulations and the use of new and innovative techniques are henceforth to be encouraged as a matter of policy. However, this section is not intended to make increased densities more acceptable without corresponding benefits to the City, nor is it to be utilized as a means of circumventing the City's development regulations.

#### 12.102 OBJECTIVES:

In return for greater flexibility in site design requirements, Planned Unit Developments are expected to deliver exceptional quality community designs that accomplish the following objectives:

##### Objective #1: Accountability:

Developments shall strictly adhere to the guidelines provided herein. No waiver of any City requirement may be granted unless specifically authorized by this Article.

##### Objective #2: Demonstration of Public Benefit:

Developments shall demonstrate substantial public benefit, to potentially include developer assistance in implementing City recreation, transportation, utility, and public safety goals.

##### Objective #3: Innovative and Flexible Project Design:

Developments shall incorporate a creative approach to the use of land that avoids monotony and that results in a higher quality design than might otherwise be accomplished.

##### Objective #4: Neighborhood Compatibility:

Developments shall be designed in order to ensure compatibility and a harmonious relationship with surrounding land uses.

##### Objective #5: Quality Architectural Design:

Developments shall be designed to incorporate quality architectural design via the submittal and approval of detailed renderings and elevations as part of the entitlement process.

##### Objective #6: Preservation of High Quality Open Space:

Developments shall be designed in order to encourage the conservation of high quality open space, as well as the preservation of natural features and environmentally sensitive areas.

##### Objective #7: Provision of Amenities

Developments shall provide unique amenities, such as interconnected pedestrian pathways and on-site recreational facilities such as clubhouses, swimming pools, fishing ponds, etc.

##### Objective #8: Efficiency:

Developments shall make efficient use of land, resulting in networks of utilities, streets, and other infrastructure features that maximize allocation of fiscal and natural resources.

## **CHAPTER 2: RELATIONSHIP BETWEEN PLANNED UNIT DEVELOPMENTS AND OTHER REGULATIONS**

### **12.201 : ZONING STATUS OF PLANNED UNIT DEVELOPMENTS:**

Planned Unit Development (PUD) districts shall be structured so as to reference their base zoning district or districts, and to make clear that they are subject to an adopted PUD. Such zoning designation shall be reflected upon the official City Zoning Map.

*For example, R-15 PUD, GCS-PUD, RM1-PUD, etc.*

### **12.202 : DISTRICTS IN WHICH PLANNED UNIT DEVELOPMENTS ARE PERMITTED:**

Planned Unit Developments shall be permitted in all zoning districts, except for the Central Business District (CBD) zoning district.

### **12.203 : EXCEPTIONS FROM ZONING AND SUBDIVISION STANDARDS, GENERAL AUTHORIZATION:**

Within PUDs, the Planning Commission may recommend, and the City Council may grant, specific exceptions to the underlying district's lot, density, use and bulk standards, as well as other applicable Zoning and Subdivision Regulations standards where it is determined that such modifications shall not negatively affect the value and enjoyment of surrounding property, the provision of municipal services, or the flow of traffic.

### **12.204 : EXCEPTIONS FROM REQUIREMENTS OF THIS ARTICLE PROHIBITED:**

While exceptions to other Zoning requirements are permissible, no exceptions may be granted to any requirement of this Article unless specifically authorized by this Article. All requirements of this Article shall apply to all PUDs unless otherwise stated.

### **12.205 : EXCEPTIONS FROM OTHER ZONING AND SUBDIVISION STANDARDS, APPROVAL REQUIRED:**

The underlying zoning district's requirements as well as all other applicable Zoning and Subdivision Regulation standards shall by default apply, unless an exception is specifically granted as part of the approved PUD. To be considered for approval by the City Council, any exception must have been reviewed by the Planning Commission and must be specifically noted within the Preliminary Development Plan and Regulating Pattern Book within a table created and labeled for that purpose.

*To clarify: Unless the exception is specifically granted as part of the PUD approval, and unless such exception is specifically reflected on the governing documents for the development, the underlying district requirements shall apply. No exceptions shall be implied unless explicitly stated or shown on the PUD's governing documents.*

### **12.206 : CRITERIA FOR GRANTING EXCEPTIONS:**

To be granted such exceptions, the applicant must demonstrate compliance with the Purpose and Objectives provided at Chapter 1 of this Article, above. *In no case shall an exception to district regulations within a PUD be granted unless the applicant demonstrates a substantial benefit to the City.*



Design characteristics and amenities to be considered in this determination shall include, but are not limited to the following:

- (A) Landscaping, buffering, or screening within or around the perimeter of the PUD that is in addition to the minimum required by this Ordinance.
- (B) The provision of additional landscaping and screening of parking lots and structures in addition to the minimum required by this Ordinance.
- (C) Reduced use of impervious surface materials, including use of semi-pervious material such as grass-crete.
- (D) Design characteristics including, but not limited to, mixed use development circulation systems that utilize alleys or traffic-calming techniques, and pedestrian-oriented environment.
- (E) Community amenities including plazas, malls, formal gardens, places to congregate, outdoor seating, public art, and pedestrian facilities.
- (F) Preservation of environmental features such as wetlands, conservation areas, hillsides, streams, or other unique features.
- (G) Preservation of historic or other culturally significant features.
- (H) Recreational amenities such as:
  - (1) Swimming Pools
  - (2) Outdoor rooms, arbors, gazebos, seating areas, and other hardscape
  - (3) Clubhouse with meeting and fitness facilities
  - (4) Jogging trails and fitness courses
  - (5) Playgrounds and dog parks
  - (6) Lakes and natural water features
- (I) Retention ponds and detention areas which are accessible to occupants or the public via nature trails, boardwalks, and/or perimeter walkways, but only if they are designed as natural water features and are landscaped with native vegetation.
- (J) Additional public infrastructure improvements in addition to the minimum required by this Ordinance, such as ornamental streetlights, street name signs, stop signs, and mailboxes.
- (K) Dedication of lands for public uses.
- (L) Offsite Traffic, Recreational, or Public Safety Improvements, or payments in lieu of such improvements.
- (M) Provision of sign standards which exceed the minimum required by this Ordinance.
- (N) Provision of a Design Guide with design standards which exceed the minimum required by City's Design Guidelines. For residential PUDs, this includes provision of draft elevations and floorplans of the homes which are to be built, as well as renderings depicting entryway monumentation, landscaping, fencing etc.
- (O) Restrictive covenants which prohibit, limit, or provide standards for utility buildings, fences, and similar structures.
- (P) Provision of requirements within the governing documents of the Owner's Association which stipulate that maintenance for all Open Space areas shall be performed by a 3<sup>rd</sup> party vendor at the Owner's Association's expense.

## **CHAPTER 3: MINIMUM STANDARDS FOR ALL PLANNED UNIT DEVELOPMENTS**

### **12.301: GENERAL STANDARDS:**

All applications for PUD approval will be evaluated using the following standards of review:

- (A) The site of the PUD shall be under common ownership and/or unified control. If there are two (2) or more owners, the application for the PUD shall be jointly filed by all owners.
- (B) There shall be a minimum size of two (2) acres for any new PUD, with the exception that all rezoning requests containing a multi-family component shall be submitted in accordance with this Article regardless of acreage.
  - (1) “Multi-family” as used within this Article shall mean a building containing three (3) or more dwelling units, including apartments, condominiums and the like. It shall not include townhome developments, in which each dwelling unit is on an individual lot with each dwelling unit being separated from the other units by a party wall.
  - (2) This requirement shall in no way limit or abrogate any existing zoning entitlement.
- (C) The proposed PUD must be in agreement with the adopted Land Use Plan and any adopted Area Plan for the City. Planning Staff shall clarify upon the record whether this is the case. It shall be incumbent upon the applicant to seek amendment to any applicable City Plans simultaneously with submitting the proposed PUD. The Planning Commission shall not recommend for approval any proposed PUD not in compliance with such adopted plans.
- (D) All rezoning requests that wholly, or in part, contain multi-family uses as defined by this Zoning Ordinance shall be required to be submitted in accordance with this Article.
- (E) Approval of a PUD shall be based upon a finding by the Planning Commission that studies provided by the applicant do confirm that streets, utilities, and drainage features have adequate capacity to serve the proposed development. If deficiencies do exist, the applicant shall offer to upgrade or otherwise provide adequate facilities to support their development.
- (F) Any PUD shall be responsive to the character of surrounding properties and the existing neighborhood area. When located in an area where land use types and/or intensities or densities vary, the development shall be designed in such a manner as to provide for gradual changes in intensity and/or density.
- (G) Street System connectivity to adjoining properties shall be provided wherever possible in the judgment of the Planning Commission and City Council.
- (H) Walkways and trails are encouraged to be provided within the PUD in a manner which promotes pedestrian safety and circulation. Where appropriate, the plan shall provide pedestrian/bicycle access to, between or through open space areas and to appropriate off-site amenities.
- (I) No sidewalk waivers shall be allowed for any PUD containing a residential component. Sidewalk waivers may be allowed for nonresidential PUDs at the discretion of the Planning Commission and City Council.
- (J) No action of the Board of Zoning Appeals shall be required in the approval of a PUD.
- (K) PUD districts shall be designed to preserve the natural features of the land and historic resources, such as existing trees, natural topography, and archaeological and historic sites, as much as possible.
- (L) The PUD shall include additional screening, buffering, transitional uses or other design features as necessary to adequately protect existing or proposed uses of surrounding property;

- (M) Homeowner associations or some other responsible party shall be required to maintain any and all common and open space and/or common elements, unless accepted to be conveyed to the City.
- (N) All utilities shall be underground within PUD districts.
- (O) No PUD application shall be considered unless such proposed plan includes a certification that the services of one or more design professionals in one or more of the following disciplines were utilized in the preparation of the Development Plan and Regulating Pattern Book in addition to a licensed civil engineer.
  - (1) An urban planner who possesses the education and experience to qualify for membership in a recognized professional planning association;
  - (2) A practicing landscape architect licensed by the State of Tennessee
  - (3) A practicing architect licensed by the State of Tennessee.
- (P) A Development Agreement shall be required at the Platting/Site Plan stage for all developments that will involve the installation of any infrastructure to be owned and/or maintained by the City.
- (Q) In order to provide feedback to the applicant, an optional and nonbinding conceptual review of any proposed PUD is authorized to be undertaken by the Planning Commission.
- (R) City standards for public notice and advertisement shall be met for all applications. Any additional notice requirements provided by this Article are in addition to any required by the City and by State law.
- (S) All PUDs shall be designed to facilitate safe and efficient ingress and egress for municipal and/or private solid waste vehicles. All developments shall be designed to ensure such access without otherwise blocking or obstructing the flow of traffic along bordering streets.
- (T) All PUDs shall be designed to facilitate safe and efficient ingress and egress for school buses. All developments, and non-single family residential developments in particular, may be required to provide bus turnouts, pull out stops, covered rider shelters, or other design elements in order to ensure safety.

### **12.302: SPECIFIC STANDARDS:**

In addition to the General Standards noted above, the following Specific Standards shall apply to all PUDs:

(A) Minimum Lot Sizes:

Lot Sizes may not be less than 50% of that allowed by the base zoning. However, except as indicated in these standards, no proposed building lot within a PUD may be reduced to less than 5,000 square feet.

*Note: Townhome lots under individual units shall not be less than 2,000 square feet. Townhome development lots as a whole (meaning groups or blocks of Townhomes) shall not be less than 6,000 square feet (2000 sq/ft per unit X minimum of 3 units=6,000 sq/ft)*

*Note: Multi-family developments shall provide a minimum of 5,000 square feet of lot area per residential unit.*

*Note: Horizontal Property Regimes (HPR) shall also comply with these standards in that each HPR dwelling unit or group of dwelling units within such Regime shall be provided with sufficient open space around each unit or group of units to meet these minimum area requirements.*

(B) Minimum Setbacks:

In no event shall setbacks be reduced to less than:

Front: 20 feet

Side: 5 feet

Rear: 15 feet

*Note: A side yard of at least these dimensions is required on each end of a group or block of attached townhomes and multi-family dwellings. Zero (0) feet is required on the interior sides of each townhome and multi-family dwelling (shared wall).*

*Note: Horizontal Property Regimes (HPR) shall also comply with all of these standards. Each HPR dwelling unit within such Regime shall be provided with sufficient open space around each unit or group of units to meet this minimum yard requirement.*

*Note: Certain zoning districts contained in this Ordinance may allow "build to" lines that reduce setbacks to less than these PUD standards. These PUD standards shall govern in the event of a conflict.*

(C) Allowable Uses:

All uses allowed and allowed upon appeal as per the base zoning shall be allowed. However, the Planning Commission may recommend, and the City Council may require, the elimination of certain uses that may be deemed objectionable or not in keeping with the area as part of a PUD approval. In addition, the applicant may voluntarily limit uses that would otherwise be allowable in the base zoning district.

The applicant may request the addition of uses or mix of uses that may not be allowed as per the base zoning, and such uses may be approved by the City Council upon recommendation by the Planning Commission. Such uses must be noted as a requested exception as required at Chapter 2 of this Article.

*For example: In a district that might otherwise only allow standard detached single family dwellings, the applicant may request the addition of a convenience commercial use for the development. Any such items must be noted as an exception upon the governing documents for the development, and must be clearly indicated upon the Preliminary/Final Development Plan and Regulating Pattern Book.*

(D) Buffers:

- (1) A 15 foot Type B buffer yard shall be provided around the perimeter of all PUDs consisting solely of a single family residential uses.
- (2) A 20 foot Type C buffer yard shall be provided around the perimeter of all PUDs containing a commercial component, or a residential component containing townhomes, two family dwellings of any kind, or semi-detached dwellings.
- (3) A 25 foot Type D buffer yard shall be provided around the perimeter of all PUDs containing an industrial component or a residential component containing multi-family residential.
- (4) Specific planting requirements for various buffer yards are found at Table 4-502 of this ordinance.

- (5) As used within this article, “perimeter” is intended to mean the sides and rear, as well as the front of a subject property.
- (a) In other words, at any point in which a proposed development fronts existing right of way, a buffer meeting these requirements shall be provided in addition to buffering along the sides and rear of the property.
  - (b) Within the front buffer, the applicant may substitute decorative fencing, entryway monumentation, and other similar amenities for required canopy tree plantings, provided that required accent trees and shrubs are planted as required by this ordinance.
  - (c) Sidewalks shall be required to be installed along or within all front buffers. No exceptions or in lieu of payments are allowed within PUDs containing a residential component.
- (6) All required buffers shall be located in Open Space under ownership of the homeowner or property owners’ association. No required buffer of any kind shall be contained on any single family residential building lot. Landscape easements etc, are prohibited on single family residential building lots.

(E) Transitions

Proposed lot sizes around the perimeter of the development which directly border other property currently used for single family residential uses shall not be less than the minimum required by the requested base zoning if such homes are within 250 feet of the property proposed for rezoning. This requirement shall be applied to each boundary of the project independently, to include the front of the property, and shall be in addition to any required buffers.

*Example #1: if the applicant is requesting an R-15 PUD zoning, the minimum lot size for lots around the perimeter of the development shall be 15,000 square feet if those lots will border property in which existing homes are within 250 feet of the proposed PUD.*

*Example #2: If a new PUD is to be surrounded by property in which there are no homes within 250 feet of the development’s boundaries, this requirement shall not apply.*

*Example #3: If homes are located within 250 feet of one side of a development, and the other sides contain no homes within 250 feet of the proposed development, this requirement shall be applied only to the side containing homes within 250 feet of the proposed development.*

(F) Market Analysis:

The Planning Commission or City Council may require the developer to provide a market analysis for any PUD containing a nonresidential component. The analysis will be utilized, among other things, to determine the economic feasibility of the proposed project, and to determine the impact of the proposed development on the long-term development of commercial/industrial land use in the area.

- (G) All PUDs containing a residential component shall submit population projection data, to include projected adult and school aged population at build out.

## **CHAPTER 4: OPEN SPACE, AMENITIES, AND PERPETUAL MAINTENANCE STANDARDS**

### **: QUALITY AND CHARACTER OF OPEN SPACE:**

The following requirements shall apply for all common elements and associated improvements located within any PUD:

- (A) At least 20% of the gross site acreage of the PUD shall be comprised of open space.
- (B) All Open Space shall be classified as either:
  - (1) Usable Open Space
  - (2) Passive Open Space
- (C) Not less than 10% of the gross site acreage shall be Useable Open Space, which is defined as follows:
  - (1) Useable Open Space: An area or areas within the boundaries of a development that are designed, set aside and maintained for either active or passive recreation, or both, and are available and accessible for use and enjoyment by all residents of the development.
    - (a) Useable Open Space must be suitably improved for its intended use. Active recreation facilities are encouraged. Permitted uses for usable open space may include, but are not limited to pedestrian, bike and multi-purpose trails, pocket parks, playgrounds, etc.
    - (b) Areas of Useable Open Space must be clearly delineated on the Amenities Plan Sheet, along with table of calculations showing that these requirements have been met.
- (D) All Open Space not classified as Usable shall be classified as Passive Open Space, which may include, but not be limited to, required landscape buffers, important natural features, cemeteries, agricultural uses, and Stormwater detention facilities.
- (E) Public right of way, as well as any right of way that may be set aside for private streets, may not be counted toward any Open Space calculations.
- (F) Existing Public Utility Easements, including TVA transmission easements, pipeline easements and other similar easements owned by utilities not controlled by the City may not be counted toward any Usable Open Space calculations.
- (G) Lands Located within the Floodplain or Floodway or that are located within a designated wetland may not be counted toward Usable Open Space requirements, unless the developer proposes to install recreational amenities within them, such as boardwalks, pedestrian footpaths/bridge crossings etc. Any applicable federal/state/local permitting requirements shall apply, and shall be the developer's responsibility.
- (H) Lands to be dedicated to the City may be counted toward Usable Open Space requirements if actually accepted by the City.

### **: AMENITIES PLAN REQUIRED:**

All PUDs shall provide an Amenities plan within the Preliminary Development Plan and Regulating Pattern Book, which at minimum shall provide:

- (A) A description and location of all proposed amenities
- (B) A table indicating overall useable and passive open space proposed,
- (C) A specific phasing plan for all amenities and open space improvements.



**: SURETY FOR PROPOSED AMENITIES REQUIRED:**

The City shall require that surety guaranteeing all private amenities for the entire development be posted prior to initiation of construction for the first phase of the development. Such surety shall be held by the city until the final phase of the project is completed.

**: TIMING FOR AMENITY INSTALLATION:**

Amenities should be installed and completed in the phase in which they are to be located. However, all amenities must be installed by the developer and approved by the City prior to commencement of grading activities for the final phase of the development.

**: MAINTENANCE OF OPEN SPACE:**

All open space and usable open space shall be deeded to a homeowners or property owners' association, and the developer shall submit a draft declaration of covenants and restrictions that will govern the association concurrently with the application for Preliminary Development Plan and Regulating Pattern Book approval. The City Attorney shall review the documentation as to conformity with this Article. The provisions shall include, but not be limited to the following:

- (A) The association must be set up before the recording of the first Final Plat for the development;
- (B) Membership must be mandatory for each buyer and any successive buyer;
- (C) The open space and usable open space restrictions must be permanent and not just for a period of years;
- (D) The association must be responsible for liability insurance, local taxes and the maintenance of recreational and other facilities;
- (E) Property owners must pay their prorated share of the cost to the assessment levied by the association to meet changed needs.
- (F) The association must assume perpetual responsibility for all Stormwater infrastructure located within an Open Space area, and must enter into a Long Term Stormwater Maintenance Agreement with the City as per state and local requirements.

**: DEDICATION OF OPEN SPACE BY DEVELOPER:**

- (A) All land shown on the approved Final Development Plan and Regulating Pattern Book as Open Space may be either:
  - (1) Conveyed to a public body, if the public body agrees to accept conveyance and to maintain the common open space and any buildings, structures or improvements which have been placed on it; or
  - (2) Conveyed to an homeowner or property owner's organization for ownership and maintenance
- (B) No common open space of a PUD shall be conveyed or dedicated by the developer or any other person to any public body, homeowner's association or other responsible party unless the Planning Commission has determined that all required improvements, to include Stormwater improvements, have been completely and satisfactorily installed.

**: OWNER'S ASSOCIATION DEFAULT:**

In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after the establishment of the PUD fail to maintain the open

space in accordance with the adopted Final Development Plan and Regulating Pattern Book, the City may serve written notice upon such organization and/or the owners or residents of the PUD and hold a public hearing.

If, 30 days following the public hearing, the deficiencies of maintenance remain uncorrected, the City Attorney shall call upon all the owners of property within the PUD to maintain the common open space, and, in default thereof, the City may maintain same.

The cost of such maintenance by the City shall be assessed severally and proportionally against the properties within the PUD that have a right of enjoyment of the common open space and shall become a lien on the properties.

## **CHAPTER 5: REVIEW AND APPROVAL PROCESS**

### **GENERAL:**

Review and approval of a proposed PUD shall entail the following steps. With the exception of an optional and nonvoting conceptual review by the Planning Commission, there shall be no portion of this process which may be waived by city staff or the Planning Commission.

### **: STEP 1: PRELIMINARY CONCEPT MEETING:**

The applicant shall meet with the Planning Department to discuss the initial concepts of the PUD. The applicant shall supply preliminary information including, but not limited to, proposed uses, site constraints, road access, utility availability, and proposed density. Staff shall make the applicant aware of any applicable plans and ordinances. All staff comments are purely advisory in nature.

### **: STEP 2: PRE-APPLICATION CONFERENCE:**

Within 90 days of the preliminary concept meeting, and not less than 10 days prior to any required Neighborhood Meeting, the applicant shall meet with the Planning Department and other departments, as appropriate, for a pre-application conference.

- (A) The applicant shall supply preliminary information to the Planning Department in a form established by the Planning Department. Such information shall be submitted at least three business days prior to the pre-application conference meeting.
- (B) The purpose of the pre-application conference shall be to review refined plans and concepts for the PUD, the submittal requirements for the formal application, and the neighborhood meeting.
- (C) All staff comments provided at the preapplication meeting are purely advisory in nature.

### **: STEP 3: NEIGHBORHOOD MEETING:**

Within 30 days of the pre-application conference, the applicant is required to hold at least one formal neighborhood meeting. This neighborhood meeting shall be held prior to formal submittal of the application for Preliminary Development Plan and Regulating Pattern Book approval. The applicant shall meet the following standards when conducting a neighborhood meeting:

- (A) At least five (5) business days prior to the neighborhood meeting, provide written notice to the Planning Department, including the project name, time, date, and location of the meeting.
- (B) Conduct the neighborhood meeting within proximity of the location of the proposed development. If it is not possible to hold the meeting in proximity to the location of the proposed development, due to lack of public facilities, the meeting shall be held in a nearby convenient location.
- (C) An effort shall be made to provide adequate notice of the neighborhood meeting to the community. At a minimum, informational letters shall be distributed by the applicant to property owners within a 500-foot radius of the proposed PUD.
- (D) Provide the Planning Department with a written summary of the meeting as part of the Preliminary Development Plan and Regulating Pattern Book application. The summary shall include a brief description of the method used to provide notice of the neighborhood meeting to the community and highlight the primary concerns of the neighboring property owners raised at the neighborhood meeting.

(E) The Planning Director may waive the neighborhood meeting requirement for reapplications under the following circumstances:

- (1) For reapplications: If a formal neighborhood meeting has been conducted for the PUD application in the last 12 months and no changes to the original application are being proposed.

**: STEP 4: OPTIONAL CONCEPTUAL REVIEW BY PLANNING COMMISSION:**

Prior to submittal of a formal application for a PUD, the applicant may make a conceptual presentation to the Planning Commission at a regularly scheduled meeting. The purpose of this submission is to obtain information and guidance prior to entering into binding commitments or incurring substantial expense. There shall be no formal vote on the conceptual presentation. The applicant may furnish whatever information that may assist the Planning Commission with understanding the proposal, but at minimum, such a conceptual presentation shall consist of the following:

- (A) A map or maps in general form containing the proposed land uses, the natural features of the development site, the character and general location of all roadways and access drives proposed within the potential development, the location of adjacent public streets, thoroughfares and public utilities, and approximate schematic drawings showing the size, character, and location of buildings on the site.
- (B) A written cover letter containing a general explanation of the potential development, including a statement of the present ownership of all the land within the development.

**: STEP 5: PRELIMINARY DEVELOPMENT PLAN AND REGULATING PATTERN BOOK APPLICATION:**

Within 90 days of the pre-application conference, the applicant shall submit an application in accordance with the application requirements contained herein. If the applicant fails to submit an application within 90 days of the pre-application conference, the applicant shall be required to begin the review procedure again from the pre-application conference (Step 2).

**: STEP 6: PLANNING COMMISSION REVIEW AND RECOMMENDATION OF PRELIMINARY DEVELOPMENT PLAN AND REGULATING PATTERN BOOK APPLICATION:**

The Planning Commission shall review the application, hold a public hearing, and make a recommendation to the City Council. The Planning Commission shall recommend approval, denial, or approval with conditions within 60 days after the initial consideration of the application. The applicant may waive the 60 day time requirement and consent to an extension or extensions.

**: STEP 7: CITY COUNCIL REVIEW OF PRELIMINARY DEVELOPMENT PLAN AND REGULATING PATTERN BOOK APPLICATION:**

The City Council shall review the application, hold a public hearing, and make a final decision in accordance with the city's ordinance review process generally. In making such a decision, the City Council shall consider but not be bound by, the recommendation of the Planning Commission. The City Council shall approve, deny, or approve with conditions. The City Council may defer the application for a reasonable amount of time if more information is needed to make an informed decision. Within 30 days after approval of a Preliminary Development Plan and Regulating Pattern Book, the zoning map will be amended to show the PUD as a zoning district.

**: STEP 8: PLANNING COMMISSION REVIEW OF FINAL DEVELOPMENT PLAN AND REGULATING PATTERN BOOK APPLICATION:**

The Planning Commission shall review the Final Development Plan and Regulating Pattern Book and hold a public hearing. If the Final Development Plan is in substantial compliance with the approved Preliminary Development Plan and Regulating Pattern Book to include any applicable conditions or modifications made by the City Council, the Planning Commission shall vote to approve it.

*Note: If the Final Development Plan and Regulating Pattern Book is not in substantial compliance with the approved Preliminary Development Plan, it shall not be approved by the Planning Commission. In such cases, the applicant shall either revise the Final Development Plan and Regulating Pattern Book in order to bring it into conformity with the approved Preliminary Development Plan, or else recommence the Review and Approval Process for new Planned Unit Developments outlined at Chapter 5 of this Article.*

*Note: The grounds for determining if the Final Development Plan is in substantial compliance with the approved Preliminary Development Plan are provided at 12.607, below.*

**: STEP 9: SITE DEVELOPMENT PLAN AND/OR SUBDIVISION PLAT SUBMITTAL AND DESIGN REVIEW:**

If approved, the Final Development Plan and Regulating Pattern Book, as described in this Article, will become the controlling document for all future development in that established PUD zone. Parcels approved for a PUD will continue to be regulated by the Final Development Plan and Regulating Pattern Book regardless of future subdivision and sale of the property.

- (A) The procedure for Site Development Plan review will be required as established by Article 14-202.2 of the Portland Zoning Ordinance.
  - a. *Note: Site Development Plan approval shall be required for any Planned Unit Development utilizing a Horizontal Property Regime (HPR). Subdivision review is not required for such Regimes as they are exempted from municipal subdivision requirements (See Tennessee Attorney General's Opinion, 01-147).*
- (B) The procedure for Preliminary Subdivision Plat and Final Subdivision Plat review will be required as established in the Portland Subdivision Regulations.
- (C) The procedure for design review shall be required as established by the City of Portland's Zoning Ordinance and Design Guidelines.

## **CHAPTER 6: SUBMITTAL REQUIREMENTS**

### **: COMPLETE APPLICATION REQUIRED:**

A totally complete application shall be required for all PUD submittals. Under no circumstance is the Planning Commission empowered to consider an application unless all submittal requirements herein have been fulfilled. In no circumstance shall the Planning Commission recommend approval of an application “contingent upon” required information being provided.

### **: COMPLETED PUD CHECKLIST REQUIRED:**

It shall be the responsibility of the City Planner to provide the City’s official PUD checklist to the applicant during the Preapplication conference. It shall be the responsibility of the applicant to return the signed and completed checklist to the City Planner as part of the PUD application submittal.

### **: PRELIMINARY DEVELOPMENT PLAN AND REGULATING PATTERN BOOK: OVERALL INTENT:**

The overall intent of requiring a Preliminary Development Plan and Regulating Pattern Book is to ensure that the applicant furnishes adequate information so that the Planning Commission and City Council fully understand the scope and impact of the project, its compliance with the Goals and Objectives of this Article, and the proposed project’s benefit to the public. The approval of such a plan by the City Council constitutes a vested property right per state law.

It is incumbent on the applicant to furnish sufficient information at the Preliminary Development Plan stage, so that so that elected and appointed officials can have confidence that they fully understand what is proposed prior to any approvals which would convey a vested property right.

### **: APPLICATION REQUIREMENTS: PRELIMINARY DEVELOPMENT PLAN AND REGULATING PATTERN BOOK:**

The following items shall be the minimum required for all applications to be submitted to the Planning Commission for Preliminary Development Plan and Regulating Pattern Book review:

- (A) Completed Application and any required review fees
- (B) Completed PUD Application Checklist
- (C) Completed Letter of Agency
- (D) Current Deed
- (E) Cover sheet addressed from the developer’s representative to the City Planner describing how the project conforms to the Purpose and to each of the Objectives found at Chapter 1 of this Article.
- (F) Preliminary Development Plan, which shall be submitted in black and white 24 X 36 format, and which shall contain the following
  - (1) Sheet 1: Title Sheet, containing the following information:
    - (a) Name of Development
    - (b) Name and address of Current property owner
    - (c) Name and Address of Developer (if different)
    - (d) Name and contact information for professionals who prepared plan.
    - (e) Current Zoning
    - (f) Proposed Zoning
    - (g) Property identification information (address, map/parcel, deed information)



- (2) Sheet 2: Plot plan prepared and stamped by a licensed surveyor for overall property depicting existing conditions, boundaries and topography
  - (3) Sheet 3: Overall layout sheet, with:
    - (a) Proposed street network
    - (b) All proposed lots with conceptual building and driveway footprints clearly indicated in relation to proposed setbacks
    - (c) All open space and areas proposed for public use (fire station, park etc)
  - (4) Sheet 4: Preliminary Utilities plan sheet, showing how water, sewer and gas utilities will be run through the site and how they will be connected to existing utilities in the area
  - (5) Sheet 5: Preliminary Landscape plan sheet depicting all open space areas, including buffers
  - (6) Sheet 6: Preliminary Roadway improvements Plan Sheet if improvements within existing public right of way are to be required.
  - (7) Sheet 7: Preliminary Drainage Plan indicating how surface drainage will be controlled and managed
  - (8) Sheet 8: Preliminary Amenities Plan Sheet, containing the following:
    - (a) A description and location of all proposed amenities
    - (b) A table indicating overall useable and passive open space proposed,
    - (c) A specific phasing plan for all amenities and open space improvements.
- (G) Regulating Pattern Book, which shall be submitted in color 11 X 17 format, and which shall contain the following:
- (1) Title sheet
  - (2) Name, address, contact information of applicant and professional architect, planner, or engineer responsible for preparing the Regulating Pattern Book
  - (3) Table of Contents
  - (4) Narrative describing the subject property's context, history and existing conditions
  - (5) Narrative describing the proposed development
  - (6) Table of Exceptions from City Zoning and Subdivision Regulations being sought
  - (7) Listing of permitted uses within the development
  - (8) Proposed density/intensity of project
  - (9) A tabulation of the number of lots which would be allowed under the existing and proposed zoning.
  - (10) Typical lot layout(s) and proposed setbacks
  - (11) Colorized graphic rendering showing all natural features, such as topography, soils, woodlands, wetlands, floodplain, and existing drainage patterns which affect the property
  - (12) Architectural Renderings/Floorplans/Photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures
  - (13) Written description of materials to be used as well as any to be prohibited
  - (14) Amenities renderings, photographs and depictions
  - (15) Signage Plan Sheet
    - (a) For Residential Developments: Horizontal depiction of entryway monumentation and associated landscaping

(b) For Nonresidential Developments: Horizontal depiction of proposed signage, as well as formal PUD sign policy regarding size, illumination, and materials.

(16) For projects that include nonresidential or multifamily uses, a photometric lighting plan of the project location and environs complete with light cut sheets and lighting fixtures examples

(17) Overall Phasing Schedule for the development

(H) Utility Availability Letter(s), for public water, sewer and natural gas

(I) Traffic Impact Study (if required by City staff)

(J) Documentation summary of neighborhood meeting

(K) Draft Covenants, Conditions, Restrictions

**: FINAL DEVELOPMENT PLAN AND REGULATING PATTERN BOOK:  
OVERALL INTENT:**

The intent of the Final Development Plan and Regulating Pattern Book is to incorporate any terms, conditions, or other modifications to the Preliminary Development Plan and Regulating Pattern Book that may have been made by the City Council during their review and approval. In addition, the developer shall ensure that sufficient engineering work shall have occurred to ensure with reasonable certainty that the actual locations of future roads, utilities and other amenities are depicted in what will be their actual locations.

**: MINIMUM APPLICATION REQUIREMENTS: FINAL DEVELOPMENT PLAN AND  
REGULATING PATTERN BOOK:**

Following approval of the Preliminary Development Plan and Regulating Pattern Book by the City Council, the developer may make an application to the Planning Commission for Final Development Plan approval. The following items shall be the minimum required for all such applications to be submitted to the Planning Commission for Preliminary Development Plan and Regulating Pattern Book review:

(A) In final form, all of the information required for the Preliminary Development Plan and Regulating Pattern Book.

**: CONFORMITY OF FINAL DEVELOPMENT PLAN AND REGULATING  
PATTERN BOOK WITH APPROVED PRELIMINARY DEVELOPMENT  
PLANS:**

The Final Development Plan and Regulating Pattern Book submitted for Planning Commission review and approval shall be in substantial compliance with the approved Preliminary Development Plan. The following criteria shall be utilized in determining whether a submitted Final Development Plan is in conformity with the approved Preliminary Development Plan.

If any of the following occur, the submitted Final Development Plan shall be deemed to be not in conformity:

(A) The submitted Final Development Plan and Regulating Pattern Book seeks to amend a specific condition that was imposed by the City Council;

- (B) The submitted Final Development Plan and Regulating Pattern Book shows an increase in the number or dwelling units (density) or maximum square footage (intensity) in the case of non-residential PUDs;
- (C) The submitted Final Development Plan and Regulating Pattern Book modifies the location and/or number of the PUDs primary access points;
- (D) The submitted Final Development Plan and Regulating Pattern Book indicates that the overall gross open space or usable open space acreage will be reduced;
- (E) The submitted Final Development Plan and Regulating Pattern Book seeks to modify any development regulations or architectural commitments expressly enumerated in the approved Preliminary Development Plan and Regulating Pattern Book.
- (F) The submitted Final Development Plan and Regulating Pattern Book seeks to obtain an exception from any Subdivision or Zoning standard that was not indicated on the Preliminary Development Plan.

**SUBMITTED FINAL DEVELOPMENT PLAN NOT IN CONFORMITY WITH  
APPROVED PRELIMINARY DEVELOPMENT PLAN:**

If the Final Development Plan and Regulating Pattern Book submitted for Planning Commission review is not in conformity with the approved Preliminary Development Plan, the applicant shall have two (2) options:

- (A) Revise the submitted Final Development Plan and Regulating Pattern Book in order to bring it into compliance with the approved Preliminary Development Plan.
- (B) Recommence the Review and Approval Process for new Planned Unit Developments outlined at Chapter 5 of this Article.

## **CHAPTER 7: PROCEDURE FOR MODIFYING AN EXISTING FINAL DEVELOPMENT PLAN AND REGULATING PATTERN BOOK**

### **12.701: AMENDMENT OF APPROVED PLANNED UNIT DEVELOPMENTS AUTHORIZED:**

Following final approval of a Final Development Plan and Regulating Pattern Book, it is possible that as the development of the PUD progresses, modifications to the approved Final Development Plan may be necessary for a variety of reasons.

“Minor” modifications shall only require approval from the Planning Commission. However, “Major” modifications, as defined below, will be subject to further review by the Planning Commission and City Council and will be required to undergo the entire process for PUD approval as enumerated at Chapter 5.

### **12.702: STAFF APPROVAL OF PUD AMENDMENTS PROHIBITED:**

Under no circumstance shall city staff be empowered to approve any modification to any PUD. City staff shall enforce the adopted PUD exactly as approved, and as shown on the approved Final Development Plan and Regulating Pattern Book. Questions related to interpretation should be referred to the Planning Commission by the City Planner if there is disagreement. Any modifications proposed by the developer shall follow the process outlined in this Chapter.

### **12.703: SUBMITTAL PROCESS FOR PLANNED UNIT DEVELOPMENT AMENDMENTS:**

A written request from the developer seeking an amendment to an approved PUD shall be submitted to the Planning Director. The request shall describe the overall effect of the proposed changes, a modified Final Development Plan and Regulating Pattern Book, the reasons for seeking such amendment, and shall provide a written description of how the proposed modifications accomplish the intent of the PUD as originally proposed. Upon receipt of a complete request, the Planning Director will make a written determination on whether the proposed modification is Major or Minor within ten (10) business days.

### **12.704: THRESHOLDS FOR MAJOR PLANNED UNIT DEVELOPMENT AMENDMENTS:**

Any modifications that results in any of the following will be classified as “Major”:

- A. The changes proposed seek to amend a specific condition that was imposed by the City Council;
- B. The proposed amendment results in an increase in the number or dwelling units (density) or maximum square footage (intensity) in the case of non-residential PUDs;
- C. The amendment modifies the location and/or number of the PUDs primary access points;
- D. The amount of gross open space or usable open space is reduced;
- E. Modification any other development regulations or architectural commitments enumerated in the Final Development Plan and Regulating Pattern Book.
- F. The changes proposed seek to obtain an exception from any Subdivision or Zoning standard that was not indicated on the approved Final Development Plan and Regulating Pattern Book.

Modifications not meeting these thresholds shall be deemed “Minor.”

## **CHAPTER 8: EXPIRATION OF APPROVED PLANS**

### **12.801: EXPIRATION OF APPROVED PRELIMINARY DEVELOPMENT PLAN AND REGULATING PATTERN BOOK:**

If the applicant has not obtained Final Development Plan approval from the Planning Commission within three (3) years of the approval of a Preliminary Development Plan, the Planning Commission, consistent with the Vested Property Rights Act, Tenn. Code Ann. § 13-4-310, shall give notice by certified mail to the owner and applicant who requested the PUD and shall schedule a public hearing to take any of the following actions:

- A. Recommend extending, removing, or modifying the schedule for development;
- B. Recommend amendments to the Preliminary Development Plan and Regulating Pattern Book;
- C. Recommend revocation of the Preliminary Development Plan and Regulating Pattern Book approval; and/or
- D. Recommend rezoning of the property to its former zoning classification.

After receiving the Planning Commission's recommendation(s), and providing any notice required by statute and City regulations, the City Council shall hold a public hearing and render a decision.

### **12.802: EXPIRATION OF APPROVED FINAL DEVELOPMENT PLAN AND REGULATING PATTERN BOOK:**

If the applicant has not entered into a development agreement with the City Council and has not commenced site preparation within five (5) years of the City Council's approval of a Preliminary Development Plan and Regulating Pattern Book, the Planning Commission, consistent with the Vested Property Rights Act, Tenn. Code Ann. § 13-4-310, shall give notice by certified mail to the owner and applicant who requested the PUD and shall schedule a public hearing to take any of the following actions:

- A. Recommend extending, removing, or modifying the schedule for development;
- B. Recommend amendments to the Final Development Plan and Regulating Pattern Book;
- C. Recommend revocation of the Final Development Plan and Regulating Pattern Book; and/or
- D. Recommend rezoning of the property to its former zoning classification.

After receiving the Planning Commission's recommendation(s), and providing any notice required by statute and City regulations, the City Council shall hold a public hearing and render a decision.

## **CHAPTER 9: OTHER ISSUES**

### **12.901: REAPPLICATION IF DENIED:**

If an application for a PUD has been denied by the City Council, no application for substantially the same PUD may be filed for a period of one (1) year from that date of denial. Whether the application is for “substantially the same PUD” shall be within the discretion of the Planning Commission.

### **12.902: ADDITIONAL INFORMATION MAY BE REQUIRED:**

By their very nature, each PUD is unique. As such, there may arise circumstances in which information may be needed that is not envisioned by these regulations. At any stage of the PUD review and approval process, the planning staff, Planning Commission, or City Council may require additional information to be submitted which may be necessary to make a determination regarding the PUD application.

### **12.903: NOTICE AND OTHER PROCEDURAL REQUIREMENTS:**

Standards for public notice and advertisement contained in State law and City Regulations shall be met for all applications. Any additional notice requirements provided by this Article are in addition to any required by the City and by State law.

### **12.904: PROJECT REPRESENTATION REQUIRED:**

It shall be the developer’s responsibility to ensure that persons versed in the proposed PUD’s specifics and authorized to speak and make commitments on behalf of the developer are present at every meeting and hearing required by this article. Failure of the developer or developer’s assigned agent to attend any hearing or meeting required by this article shall constitute grounds for, at minimum, a deferral of the application, or, at maximum, a negative recommendation or denial of the application.



# APPENDIX A:

## City of Portland Planned Unit Development Application Checklist

Please mark Yes (Y), No (N) or Not Applicable (N/A) for each item in the right hand column.

|                                                                                   |                                                                                                                                                          |  |
|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Project Name:</b>                                                              |                                                                                                                                                          |  |
| <b>Project Address &amp; Map and Parcel ID:</b>                                   |                                                                                                                                                          |  |
| <b>Baseline Information</b>                                                       |                                                                                                                                                          |  |
| 1                                                                                 | Completed PUD Application and any required fees                                                                                                          |  |
| 2                                                                                 | Cover letter summarizing project and addressing how application conforms to Purpose and Objectives for Planned Unit Developments (Article 12, Chapter 1) |  |
| 3                                                                                 | Traffic Impact Study (If required by City staff)                                                                                                         |  |
| 4                                                                                 | Utility Availability Letters for Public Water, Sewer, Natural Gas                                                                                        |  |
| 5                                                                                 | Current Deed                                                                                                                                             |  |
| 6                                                                                 | Completed Letter of Agency                                                                                                                               |  |
| 7                                                                                 | Summary of required neighborhood meeting                                                                                                                 |  |
| 8                                                                                 | Draft set of Covenants, Conditions and Restrictions for development                                                                                      |  |
| 9                                                                                 | Population Information, to include projected adult and school aged population at build out.                                                              |  |
| 10                                                                                | Preliminary/Final Development Plan, with all required information below                                                                                  |  |
| 11                                                                                | Regulating Pattern Book, with all required information below                                                                                             |  |
| <b>Preliminary/Final Development Plan: Submit in 24X36 Black and White Format</b> |                                                                                                                                                          |  |
| 1                                                                                 | Sheet 1, Title Sheet, containing:                                                                                                                        |  |
| a                                                                                 | Name of Development                                                                                                                                      |  |
| b                                                                                 | Name and Address of Current Property Owner                                                                                                               |  |
| c                                                                                 | Name and Address of Developer (if different)                                                                                                             |  |
| d                                                                                 | Name, address, email and phone number of professionals who prepared plan                                                                                 |  |
| e                                                                                 | Identifying information for property (Map and Parcel ID, Record Book & Page, Address)                                                                    |  |
| f                                                                                 | Current Zoning                                                                                                                                           |  |
| g                                                                                 | Proposed Zoning                                                                                                                                          |  |
| 2                                                                                 | Sheet 2: Plot plan for overall property, depicting existing conditions                                                                                   |  |
| 3                                                                                 | Sheet 3: Overall layout sheet, with:                                                                                                                     |  |

|                                                                                |                                                                                                                                                                                            |  |
|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| a                                                                              | Proposed street network                                                                                                                                                                    |  |
| b                                                                              | All proposed lots with conceptual building and driveway footprints clearly indicated in relation to proposed setbacks                                                                      |  |
| c                                                                              | All proposed open space and areas proposed for public use (fire station, park etc)                                                                                                         |  |
| 4                                                                              | Sheet 4: Preliminary/Final Utilities plan sheet, showing how water, sewer and gas utilities will be run through the site and how they will be connected to existing utilities in the area. |  |
| 5                                                                              | Sheet 5: Preliminary/Final Landscape plan sheet depicting all open space areas, including buffers                                                                                          |  |
| 6                                                                              | Sheet 6: Preliminary/Final Roadway improvements Plan Sheet if improvements within existing public right of way are to be required.                                                         |  |
| 7                                                                              | Sheet 7: Preliminary/Final Grading and Drainage Plan indicating how surface drainage will be controlled and managed.                                                                       |  |
| 8                                                                              | Sheet 8: Preliminary/Final Amenities Plan Sheet, incorporating the following information at minimum:                                                                                       |  |
| a                                                                              | A description and location of all proposed amenities.                                                                                                                                      |  |
| b                                                                              | A table indicating overall useable and passive open space proposed                                                                                                                         |  |
| c                                                                              | A specific phasing plan for all amenities and open space improvements.                                                                                                                     |  |
| <b>Preliminary/Final Regulating Pattern Book: Submit in Color 11X17 Format</b> |                                                                                                                                                                                            |  |
| 1                                                                              | Title sheet                                                                                                                                                                                |  |
| 2                                                                              | Name and Address of Developer                                                                                                                                                              |  |
| 3                                                                              | Name, address, contact information of applicant and professional architect, planner, or engineer responsible for preparing the Regulating Pattern Book.                                    |  |
| 4                                                                              | Table of Contents                                                                                                                                                                          |  |
| 5                                                                              | Narrative describing the subject property's context, history and existing conditions                                                                                                       |  |
| 6                                                                              | Table of Exceptions from City Zoning and Subdivision Regulations being sought                                                                                                              |  |
| 7                                                                              | Listing of permitted uses within the development                                                                                                                                           |  |
| 8                                                                              | Proposed density/intensity of project                                                                                                                                                      |  |
| 9                                                                              | A tabulation of the number of lots which would be allowed under the existing zoning.                                                                                                       |  |
| 10                                                                             | Typical lot layout(s) and proposed setbacks                                                                                                                                                |  |
| 11                                                                             | Colorized graphic rendering showing all natural features such as topography, soils, woodlands, wetlands, floodplain, and existing drainage patterns which affect the property              |  |
| 12                                                                             | Architectural Renderings/Floorplans/Photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures                                             |  |
| 13                                                                             | Written description of materials to be used                                                                                                                                                |  |
| 14                                                                             | Amenities renderings, photographs and depictions                                                                                                                                           |  |
| 15                                                                             | Signage Plan Sheet containing the following:                                                                                                                                               |  |
| a                                                                              | For Residential Developments, Horizontal depiction of entryway monumentation and associated landscaping                                                                                    |  |
| b                                                                              | For Nonresidential Developments, Horizontal depiction of proposed signage, as well as formal PUD sign policy regarding size, illumination, and materials.                                  |  |

|                          |                                                                                                                                                                                                        |  |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 16                       | Photometric lighting plan of the project location and environs complete with light cut sheets and lighting fixtures examples (Note: for projects that include nonresidential or multifamily uses only) |  |
| 17                       | Overall Phasing Schedule for the development                                                                                                                                                           |  |
| <b>Other Information</b> |                                                                                                                                                                                                        |  |
| 18                       | All sheets must be stamped and sealed by design professionals licensed to do such design work in the State of Tennessee.                                                                               |  |

I do hereby submit the attached application for review and recommendation by the Portland Municipal Planning Commission. The appropriate copies of the plan have been provided. I have reviewed the above checklist and do believe that all the information required has been presented.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Individual Submitting Plan

\*Any items checked Not Applicable by the submitter that are deemed applicable by the City staff will result in the entire submittal being rejected as incomplete. If in doubt about the applicability of a particular item, contact the City Planning Office.

**Please note: No plan will be reviewed until all information required is presented in a full and complete manner.**

**APPENDIX B:**  
**PUD REVIEW/APPROVAL PROCESS SUMMARY**

**Step 1: Preliminary Concept Meeting:** First step of process. May occur any time.

**Step 2: Pre-application Conference:** Must be held within 90 days of Step 1

**Step 3: Neighborhood Meeting:** Must be held within 30 days of Step 2, but before submittal of Preliminary Development Plan.

**Step 4: Optional Conceptual Review by Planning Commission:** Must be conducted after Step 3, but before submittal of Preliminary Development Plan (Step 5).

**Step 5: Preliminary Development Plan and Regulating Pattern Book Application:** Must be submitted within 90 days of Step 2 (pre-application conference).

**Step 6: Planning Commission Review and Recommendation of Preliminary Development Plan and Regulating Pattern Book Application:** Planning Commission recommendation due within 60 days of initial consideration of the application. Applicant may waive this requirement.

**Step 7: City Council Review of Preliminary Development Plan and Regulating Pattern Book Application:** No time limits. Council may make reasonable deferrals to obtain needed information.

**Step 8: Planning Commission Review of Final Development Plan and Regulating Pattern Book Application:** Applicant must obtain Final Development Plan approval within 3 years of Council approval of Preliminary Development Plan.

**Step 9: Site Plan and Subdivision Plat Submittal:** Site Plan and/or Preliminary Plat may be submitted any time following Final Development Plan approval, provided that not more than 5 years has lapsed since the time of Council's approval of the Preliminary Development Plan.

ORDINANCE

City of Portland, Tennessee

No. 24 – 10

First Reading

**AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING 120,126,128 DAVIS STREET, (TAX MAP 020P, GROUP A, PARCEL 001.00) FROM HCD (HEAVY COMMERCIAL DISTRICT) TO IG (INDUSTRIAL GENERAL)**

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

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

**WHEREAS**, the Portland Municipal Planning Commission recommended approval of rezoning 120,126,128 Davis Street HCD (Heavy Commercial District) to IG (Industrial General), by a vote of 9-0 at their January 9th, 2024, meeting.

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

**Section 1.** That the property described herein be, and the same is hereby, rezoned from HCD (Heavy Commercial District) to IG (Industrial General).

Approximately 36.62 +/- acres more or less, located at 120,126,128 Davis Street as shown on the attached map. *See exhibited A*

For reference, see in the Registers of Deeds Office of Sumner County, Tennessee, and being shown as: Record Book 6075, Page 757 in the Register’s Office of Sumner County, Tennessee, and being shown as Map 020, Group A, Parcel 001.00, for Sumner County, Tennessee.

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

---

Mayor Mike Callis

---

Attest: Rachel Slusser, City Recorder

Passed First Reading:

Notice Published: Portland Sun- ; Portland Leader:

Public Hearing

Passed Second Reading:







# CITY OF PORTLAND, TENNESSEE

## Planning Commission Application Rezoning Information and Checklist



Title of Project: DAVIS STREET PROPERTY

Street Location: 120, 126, & 128 DAVIS ST. PORTLAND, TN

County: Sumner County or Robertson County (Circle One)

Tax Map: 020P Group: A Parcel: 001.00 000

Total Acreage: 36.62

Rezoning: From HCD to IG

### Applicant:

Name: JAMES HODGES

Company or Partnership: HODGES GROUP, INC.

Address: 100 MAIN ST, STE 204

City: PORTLAND State: TN Zip: 37148

Telephone: (615) 325-2741 Fax: ( ) Mobile: (615) 478-0309

Email: HG1@HODGES-GROUP.COM

### Owner (If Applicant is not owner):

Name: JOEL SCHLICHTEMIER

Company or Partnership: LONE MAPLE INVESTORS

Address: 90 CHARLES HAWKINS CO 760 MELROSE AVE

City: NASHVILLE State: TN Zip: 37211

Telephone: (615) 345-7252 Fax: ( ) Mobile: (318) 286-2688

Email: JSCHLICHTEMIER@CHARLESHAWKINSCO.COM

### Surveyor/Engineer:

Name: MICHAEL FELDBUSCH

Company or Partnership: U.S. SURVEYOR

Address: 4929 RIVERWIND POINTE DR

City: EVANSVILLE State: IN Zip: 47715

Telephone: (800) 867-8783 EXT 201 Fax: ( ) Mobile: ( )

Email: MJFELDBUSCH@USSURVEYOR.COM



# CITY OF PORTLAND, TENNESSEE

## Planning Commission Application Rezoning Information and Checklist



Title of Project: \_\_\_\_\_

| Provided with Submittal |                                                                                                                                                                                                                                    | For Office Use |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| ×                       | Non-refundable Application Fee (See current fee schedule)                                                                                                                                                                          |                |
| ×                       | Completed Rezoning Application (12 copies)                                                                                                                                                                                         |                |
| ×                       | Completed Agent Authorization Form                                                                                                                                                                                                 |                |
| ×                       | Legal Description of Property being Rezoned (12 copies)                                                                                                                                                                            |                |
| ×                       | Copy of recorded deed. (12 copies)                                                                                                                                                                                                 |                |
| ×                       | 8 1/2" by 11" map with the subject property highlighted (12 copies)                                                                                                                                                                |                |
| ×                       | If applicant is not the property owner one of the following items is required: letter of consent that has been notarized, a copy of the purchase contract with a zoning contingency, or the agent authorization form. (1 original) |                |
| ×                       | Tax Map and Parcel Number Information for Subject Parcel(s)                                                                                                                                                                        |                |
| ×                       | Total Acreage of Parcel(s)                                                                                                                                                                                                         |                |
| ×                       | Current and Requested Zoning of Subject Parcel(s)                                                                                                                                                                                  |                |
| ×                       | Other information as may be Requested by the Planning Commission or Staff                                                                                                                                                          |                |

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

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

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

Signature of Person Completing & Submitting this Application

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



Title of Project: DAVIS STREET PROPERTY

**Agent Acting on the Property Owners Behalf**

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

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

**Agent Authorization Form**

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

Lone Maple Investors  
Printed Name of Owner:

Lewis Agnew general partner of Lone Maple Investors  
Signature of Owner:

STATE OF Tennessee COUNTY OF Davidson

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

Witness my hand, at office this the 11<sup>th</sup> day of December, 2023.

Rob Decamp  
Notary Public

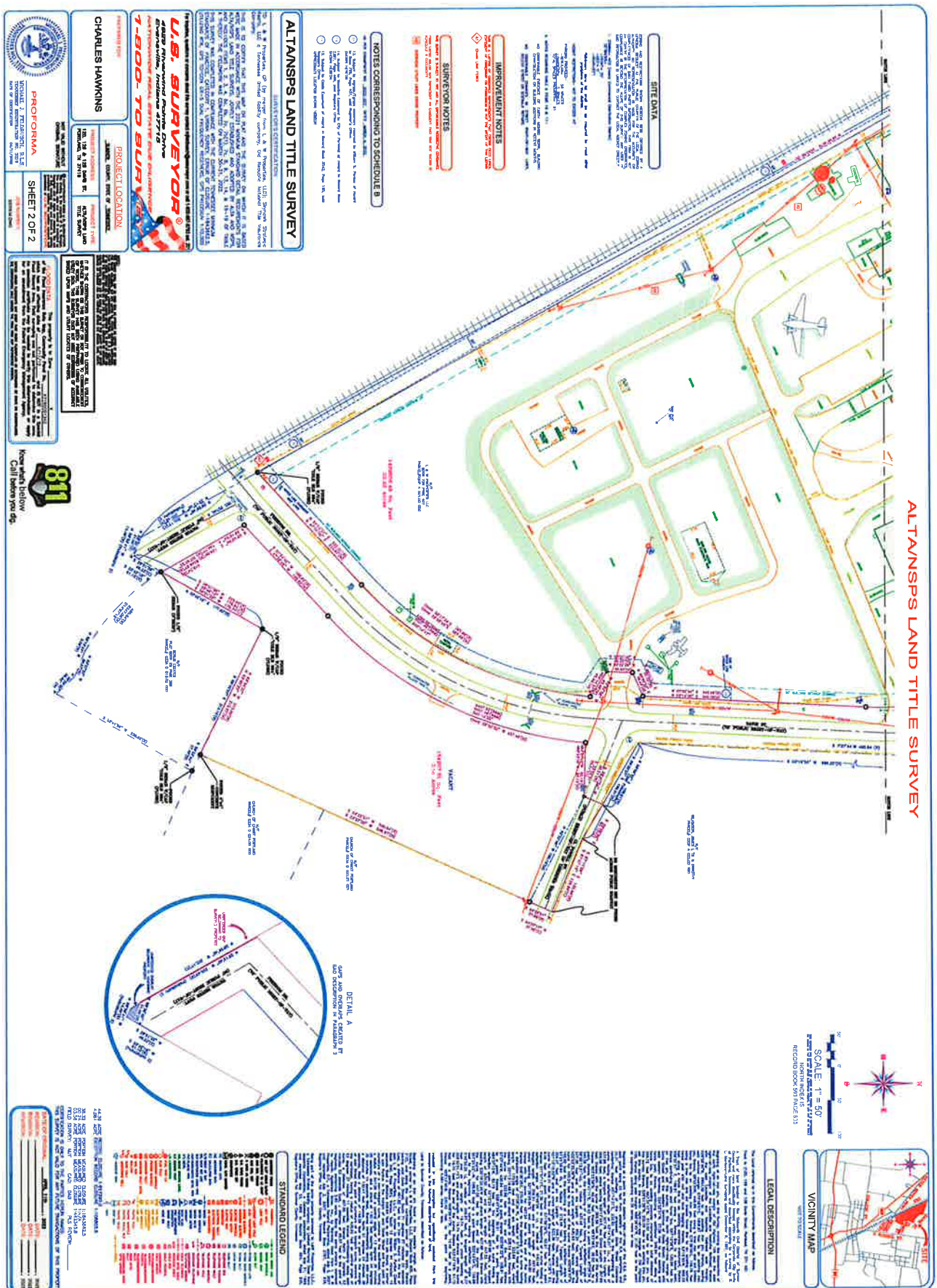
My Commission Expires: 11/02/2026















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



ORDINANCE

City of Portland, Tennessee

No. 24 – 08

First Reading

**AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING 131 DAVIS STREET, (TAX MAP 020P, GROUP A, PARCEL 001.01) FROM HCD (HEAVY COMMERCIAL DISTRICT) TO IG (INDUSTRIAL GENERAL)**

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

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

**WHEREAS**, the Portland Municipal Planning Commission recommended approval of rezoning 131 Davis Street HCD (Heavy Commercial District) to IG (Industrial General), by a vote of 9-0 at their January 9th, 2024, meeting.

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

**Section 1.** That the property described herein be, and the same is hereby, rezoned from HCD (Heavy Commercial District) to IG (Industrial General).

Approximately 4.08 +/- acres more or less, located at 131 Davis Street as shown on the attached map. *See exhibited A*

For reference, see in the Registers of Deeds Office of Sumner County, Tennessee, and being shown as: Record Book 2787, Page 636 in the Register’s Office of Sumner County, Tennessee, and being shown as Map 020, Group A, Parcel 001.01, for Sumner County, Tennessee.

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

---

Mayor Mike Callis

---

Attest: Rachel Slusser, City Recorder

Passed First Reading:

Notice Published: Portland Sun- ; Portland Leader:

Public Hearing

Passed Second Reading:







# CITY OF PORTLAND, TENNESSEE

## Planning Commission Application Rezoning Information and Checklist



Title of Project: HEARTH APPLIANCE SALES

Street Location: 131 DAVIS ST, PORTLAND, TN

County: Sumner County or Robertson County (Circle One)

Tax Map: 020P Group: A Parcel: 001.01

Total Acreage: 3.60

Rezoning: From HCD to IG

### Applicant:

Name: JAMES HODGES

Company or Partnership: HODGES GROUP, INC.

Address: 100 MAIN ST, STE 204

City: PORTLAND State: TN Zip: 37148

Telephone: (615) 325-2741 Fax: ( ) Mobile: (615) 478-0309

Email: HGI@HODGES-GROUP.COM

### Owner (If Applicant is not owner):

Name: ARTHER SEWELL

Company or Partnership: HEARTH APPLIANCE SALES

Address: 131 DAVIS ST

City: PORTLAND State: TN Zip: 37148

Telephone: (615) 323-0191 Fax: ( ) Mobile: (615) 476-2880

Email: ASEWELL@VALOR FIREPLACES.COM

### Surveyor/Engineer:

Name: MICHAEL FELD BUSCH

Company or Partnership: U.S. SURVEYOR

Address: 4929 RIVERWIND POINTE DR

City: EVANSVILLE State: IN Zip: 47715

Telephone: (800) 867-8783 EXT 201 Fax: ( ) Mobile: ( )

Email: MJFELDBUSCH@USSURVEYOR.COM

# CITY OF PORTLAND, TENNESSEE

## Planning Commission Application Rezoning Information and Checklist



Title of Project: HEARTH APPLIANCE SALES

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

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

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

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

Signature of Person Completing & Submitting this Application



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



Title of Project: \_\_\_\_\_

**Agent Acting on the Property Owners Behalf**

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

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

**Agent Authorization Form**

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

ARTHUR J. SEWELL  
Printed Name of Owner:

Arthur J. Sewell  
Signature of Owner:

STATE OF TN COUNTY OF SUMNER

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

Witness my hand, at office this the 11<sup>th</sup> day of December, 2023.

Holly A. Hodges  
Notary Public

My Commission Expires April 26, 2027



**Sumner - 2023 Property Tax Notice**  
**Cindy Williams**



Cindy Williams

**Phone Number**

( )

Please include phone number  
 when making this payment.



| DIST             | MAP | GP | C-MAP | PARCEL | SP-INT     | I        | CITY      |
|------------------|-----|----|-------|--------|------------|----------|-----------|
| 16               | 20P | A  | 20P   | 1.01   | 000        |          | 584       |
| Property Address |     |    |       |        | Tax Bill # | Tax Year | TOTAL DUE |
| 131 DAVIS STREET |     |    |       |        | 36427      | 2023     | \$0.00    |

■ To avoid interest, taxes must be paid by

**February 29th, 2024**

■ Date printed: 12/08/2023

■ Balance due if paid in December: \$0.00

**Amount Paid**

☐ My address has changed,  
 see attached information.



HEARTH APPLIANCE SALES INC  
 P O BOX 604  
 PORTLAND, TN 37148-0604

**Cindy Williams**

CUT OR TEAR ALONG THIS LINE

Please return the top portion along with your check.

**Sumner - 2023 Property Tax Notice**

| DIST | MAP | GP | C-MAP | PARCEL | SP-INT | I | CITY |
|------|-----|----|-------|--------|--------|---|------|
| 16   | 20P | A  | 20P   | 1.01   | 000    |   | 584  |

Phone: (615) 452-1260

To pay your property taxes make checks payable to:  
**Sumner County Trustee**

**Your payment options are:**

■ By mail: 355 Belvedere Dr N, #107, Gallatin, TN 37066

■ On our website: [www.tnpayments.com/sumner](http://www.tnpayments.com/sumner)  
 with an electronic check, credit or debit card (Additional fees will apply).

To avoid interest, taxes must be paid by  
**February 29th, 2024**

Date printed: 12/08/2023

Balance due if paid in December: \$0.00

**Sumner County Office**

Office Hours  
 8:00AM - 4:30PM

|                               |              |              |
|-------------------------------|--------------|--------------|
| <b>Property Address</b>       |              |              |
| 131 DAVIS STREET              |              |              |
| <b>Classification</b>         |              |              |
| <b>Subdivision</b>            |              |              |
| <b>Lot</b>                    | <b>Acres</b> | <b>Block</b> |
|                               | 0.00000      |              |
| <b>Additional Description</b> |              |              |
| Land Value                    | \$           | 133,600.00   |
| Improvement Value             | \$           | 551,500.00   |
| Personal Property             | \$           | 0.00         |
| Appraised Value               | \$           | 685,100.00   |
| Exemption                     |              | No           |
| Equal Factor                  |              | 0.0000       |
| Net Value                     | \$           | 685,100.00   |
| Assessed %                    |              | 0.4000       |
| Assessed Value                | \$           | 274,040.00   |
| Tax Rate                      |              | 2.2520       |
| Tax                           | \$           | 6,171.00     |
| Interest                      | \$           | 0.00         |
| Rollback Tax                  | \$           | 0.00         |
| Balance Due                   | \$           | 0.00         |



**Sumner (083)** **Tax Year 2023 | Reappraisal 2019** **Jan 1 Owner** **Current Owner** **DAVIS STREET 131** **Sl:** **000**  
**HEARTH APPLIANCE SALES INC** **P O BOX 604** **P O BOX 604** **Group:** **Parcel:** **PI:**  
**P O BOX 604** **PORTLAND TN 37148-0604** **020P** **A** **001.01**

**Value Information**

**Land Market Value:** \$133,600  
**Improvement Value:** \$551,500  
**Total Market Appraisal:** \$685,100  
**Assessment Percentage:** 40%  
**Assessment:** \$274,040

**Additional Information**

**General Information**

**Class:** 09 - Industrial  
**City #:** 584  
**Special Service District 1:**  
**District:** 16  
**Number of Buildings:** 1  
**Utilities - Water/Sewer:**  
**Utilities - Gas/Gas Type:** 01 - PUBLIC - NATURAL  
**GAS**  
**City:** PORTLAND  
**Special Service District 2:**  
**Neighborhood:** PCOP  
**Number of Mobile Homes:**  
**Utilities - Electricity:** 01 - PUBLIC  
**Zoning:**

**Outbuildings & Yard Items**

Long OutBuilding & Yard Items list on subsequent pages

**Sale Information**

| Sale Date | Price     | Book | Page | Vacant/Improved | Type Instrument    | Qualification |
|-----------|-----------|------|------|-----------------|--------------------|---------------|
| 7/2/2007  | \$800,000 | 2787 | 636  | I - IMPROVED    | WD - WARRANTY DEED | A - ACCEPTED  |

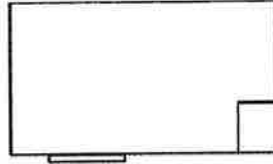
**Land Information**

| <b>Deed Acres:</b> 0 | <b>Calculated Acres:</b> | <b>Total Land Units:</b> 3.6 |
|----------------------|--------------------------|------------------------------|
| Land Code            | Soil Class               | Units                        |
| 15 - INDUSTRIAL      |                          | 3.60                         |

**Commercial Building #: 1**

**Improvement Type:** 40 - WAREHOUSE  
**Quality:** 1 - AVERAGE  
**Foundation:** 03 - SPREAD FOOTING  
**Roof Framing:** 06 - STEEL TRUSS/PURLINS  
**Cabinet/Millwork:** 03 - AVERAGE  
**Interior Finish:** 00 - NONE  
**Bath Tiles:** 00 - NONE  
**Shape:** 01 - UNIT HEATER  
**Heat and AC:**  
**01 - UNIT HEATER**  
**Actual Year Built:** 1997  
**Business Living Area:** 25200  
**Floor System:** 01 - SLAB ON GRADE  
**Roof Cover/Deck:** 13 - PREFIN METAL CRIMPED  
**Floor Finish:** 01 - CONCRETE FINISH  
**Paint/Decor:** 03 - AVERAGE  
**Electrical:** 03 - AVERAGE  
**Structural Frame:** 05 - RIGID FRAME  
**Plumbing Fixtures:** 8  
**Interior/Exterior Areas**

**Building Sketch**



| Type           | Square Feet | Exterior Wall             |
|----------------|-------------|---------------------------|
| 40 - WAREHOUSE | 24,000      | 19 - PREFIN METAL CRIMPED |
| 40 - WAREHOUSE | 1,200       | 19 - PREFIN METAL CRIMPED |

**Commercial Features**

| Type         | Units   |
|--------------|---------|
| CAW - CANOPY | 360 X 1 |







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



# ORDINANCE

## City of Portland, Tennessee

No. 24 – 09

First Reading

**AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING 403 COLLEGE STREET, (TAX MAP 033A, GROUP A, PARCEL 005.01) FROM R-7.5 (RESIDENTIAL) TO R-7.5 PUD (RESIDENTIAL) MUNDAY COLLEGE STREET PUD PRELIMINARY MASTER DEVELOPMENT PLAN**

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

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

**WHEREAS**, the Portland Municipal Planning Commission recommended approval of rezoning R-7.5 (Residential) to R-7.5 (Residential PUD), by a vote of 9-0 at their January 9th, 2024, meeting.

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

**Section 1.** That the property described herein be, and the same is hereby, rezoned from R-7.5 (Residential) to (R-7.5 (Residential PUD).

Approximately 9.08 +/- acres more or less, located at 403 College Street as shown on the attached map. *See exhibited A*

For reference, see in the Registers of Deeds Office of Sumner County, Tennessee, and being shown as: Record Book 5895, Page 847 in the Register's Office of Sumner County, Tennessee, and being shown as Map 033A, Group A, Parcel 005.01, for Sumner County, Tennessee.

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

---

Mayor Mike Callis

---

Attest: Rachel Slusser, City Recorder

Passed First Reading:

Notice Published: Portland Sun- ; Portland Leader:

Public Hearing:

Passed Second Reading:

EXHIBIT A: MUNDAY COLLEGE STREET PUD PRELIMINARY MASTER DEVELOPMENT PLAN



Project Name: Munday College Street RM1 PUD

IDT: 1066863

Current Zoning: R7.5

Total Units: 50

Applicant: Greenlid

Type: Multi Family- Townhomes

Location: College Street

| SITE DATA TABLE   |                                                                       |
|-------------------|-----------------------------------------------------------------------|
| OWNER / DEVELOPER | C & C BUILDING GROUP, INC.<br>915A DOBBINS PIKE<br>GALLATIN, TN 37066 |
| SITE LOCATION     | 403 COLLEGE STREET                                                    |
| TAX MAP           | 033A, GROUP A                                                         |
| PARCEL            | PARCEL 005.01<br>RB. 2762, PG. 22                                     |
| ACREAGE           | ± 9.08 ACRES                                                          |
| CURRENT ZONE      | R-7.5                                                                 |
| REQUESTED ZONE    | R-7.5 PUD                                                             |
| EXISTING USE      | VACANT                                                                |
| PROPOSED USE      | DWELLING, TOWNHOME                                                    |

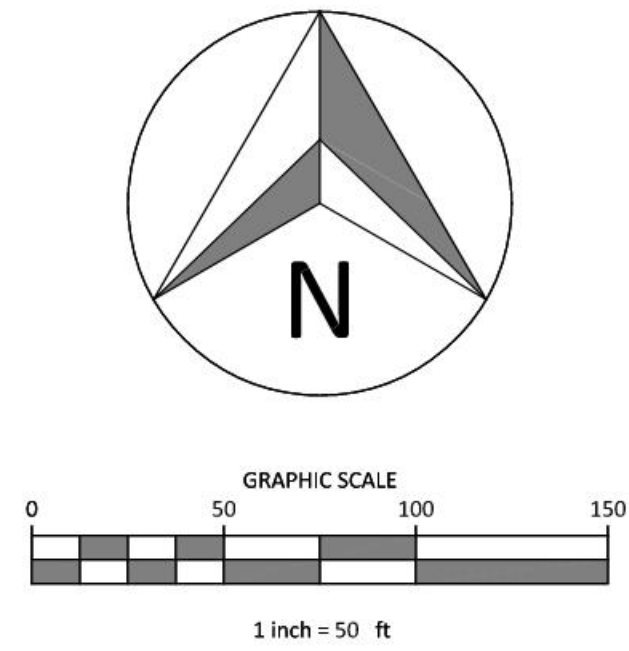
| PARKING REQUIREMENTS        |                                  |                 |
|-----------------------------|----------------------------------|-----------------|
| TYPE                        | REQUIRED SPACES                  | PROPOSED SPACES |
| RESIDENTIAL - SINGLE-FAMILY | (2 SPCS / UNIT) x 50 UNITS = 100 | 119             |
|                             | OVERFLOW SPACES = 19             | TOTAL SPACES    |
|                             |                                  | 119             |







| 20' WIDE UNIT BUILDING DIMENSIONS |        |       |        |
|-----------------------------------|--------|-------|--------|
| BUILDING TYPE                     | LENGTH | WIDTH | HEIGHT |
| 5-UNIT BUILDING                   | 38'    | 100'  | 25'    |
| IND. UNIT                         | 38'    | 20'   | 25'    |



LEGEND

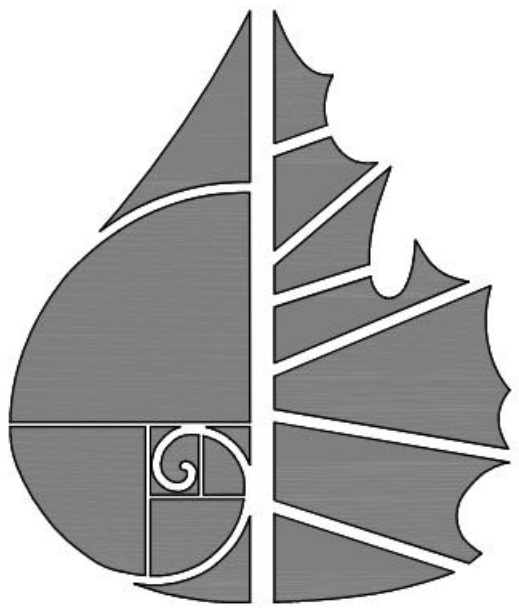
- CONCRETE MONUMENT (OLD)
- CONCRETE MONUMENT (NEW)
- IRON ROD (OLD)
- IRON ROD (NEW)
- BENCHMARK
- BOUNDARY LINE
- BUFFER
- SETBACK / YARD
- PUDE
- EXTRUDED CURB
- SS SANITARY SEWER LINE
- W WATER LINE
- G GAS LINE
- OHE OVERHEAD UTILITY LINE
- UGT UNDERGROUND UTILITY LINE
- FENCE
- TREE LINE
- UTILITY POLE
- UTILITY POLE W/ LIGHT
- GUY ANCHOR
- TELEPHONE MANHOLE
- ELECTRIC JUNCTION BOX
- CABLE PEDESTAL
- SANITARY SEWER MANHOLE
- WATER METER
- WATER VALVE
- BLOW OFF VALVE
- AIR RELEASE ASSEMBLY
- FIRE HYDRANT
- GAS METER
- GAS VALVE
- A/C PAD

NOTES:

- DESIGN SPEED = 20 MPH



IF YOU DIG IN TENNESSEE  
CALL 811 FIRST!  
or (800) 353-1111 or (615) 366-1987  
TENNESSEE ONE CALL IT'S THE LAW



**GreenLID Design**

114 B West Main Street  
Gallatin, TN 37066  
615-230-7269  
andy.leath@greenliddesign.com



MUNDAY - COLLEGE STREET  
PLANNED UNIT DEVELOPMENT  
403 COLLEGE STREET  
CITY OF PORTLAND  
SUMNER COUNTY, TENNESSEE

SITE LAYOUT

| NO. | DATE     | REVISION | PER CITY COMMENTS                     |
|-----|----------|----------|---------------------------------------|
| 1   | 07/17/23 |          | PER CITY COMMENTS                     |
| 2   | 08/31/23 |          | PER CITY COMMENTS                     |
| 3   | 10/05/23 |          | PER CITY COMMENTS                     |
| 4   | 11/01/23 |          | PER CITY COMMENTS/PLANNING COMMISSION |
| 5   | 12/11/23 |          | PER CITY COMMENTS                     |

SHEET NO.  
**C 2.0**

SHEET 3 OF 6

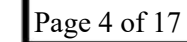
PROJ #21.122G

01 APRIL 2022

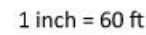
Ordinance No. 24-09

Page 105 of 139





- GENERAL NOTES:
1. THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS OF THE PROPERTY REFERENCED.
2. SUBJECT PROPERTY SHOWN IDENTIFIED AS PARCEL 005.01 ON TAX MAP 033A GROUP A OF THE SUMNER COUNTY TAX ASSESSORS' OFFICE.
3. SUBJECT PROPERTY IS ZONED R-7.5 AS OF THE DATE OF THIS SURVEY. SETBACKS ARE NOT SHOWN ON THIS PLAN.
4. SUBJECT PROPERTY WAS SURVEYED 11-05-2021 UTILIZING RTI GPS TECHNIQUES AND FIELD RUN MEASUREMENTS UTILIZING ROBOTTIC TOTAL STATION.
5. BEARINGS SHOWN ARE REFERENCED TO TENNESSEE STATE PLANE COORDINATE SYSTEM (NAD83 EPOCH 2010.00). THE TDDT GNSS REFERENCE NETWORK WAS USED TO ESTABLISH THESE COORDINATES UTILIZING NETWORK RTI TECHNIQUES.
6. GPS EQUIPMENT USED: CARLSON BRK7 BASE STATION, CARLSON BRK7 ROVER.
7. TYPE OF TRANSIT USED: LEICA GEOSYSTEMS TS16 L3 R500 TOTAL STATION
8. RELATIVE POSITIONAL ACCURACY OF CONTROL POINTS SET IS LESS THAN:  
HRRMS AVG: 0.03  
VRMS AVG: 0.05  
COMBINED GRID FACTOR: 1.00
9. VERIFIED CONTROL POINT BASED ON NAVD1988 (GEOID 2018)
10. THIS SURVEYOR HAS NOT BEEN FURNISHED WITH A TITLE REPORT; THEREFORE SURVEY IS SUBJECT TO THE FINDINGS OF AN ACCURATE TITLE SEARCH. ONLY DOCUMENTS NOTED HEREON WERE SUPPLIED TO THIS SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS THAT WOULD AFFECT THE SUBJECT PROPERTY. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH.
11. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN HEREON WERE TAKEN FROM VISIBLE APPEARANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN HEREON ARE CORRECT. SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED, THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION AS INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF ALL UNDERGROUND UTILITIES SHOULD BE DONE SO WITH THE UNDERSTANDING COMES WITH THIS WARNING. DEPTH OF UTILITIES, LOCATION AND DEPTH SHOULD ALSO BE MADE ORIGIN OR TO ANY DECISION RELATIVE THERE IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY. ALWAYS CALL T881.91 BEFORE YOU DIG.
12. ALL BUILDINGS, SURFACE IMPROVEMENTS, AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO SITE ARE NOT NECESSARILY SHOWN HEREON.
13. SUBSURFACE AND/OR ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY.
14. BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, A REVIEW OF FEMA FLOOD INSURANCE RATE MAPS, COMBINATION OF FEMA FLOOD INSURANCE RATE MAPS AND EFFECTIVE DATE APRIL 17, 2012, SHOWS A PORTION OF THIS PROPERTY TO BE WITHIN THE SPECIAL FLOOD HAZARD AREA.
15. ONLY AN ELEVATION CERTIFICATE CAN DETERMINE THE EXACT DESIGNATION. BASED ON THE INFORMATION ABOVE, THIS PROPERTY IS IN A SPECIAL FLOOD HAZARD AREA.
16. CONTOURS SHOWN WERE GENERATED WITH FIELD RUN MEASUREMENTS IN COMBINATION WITH UTILIZATION OF LIDAR DATA PROVIDED BY THE TENNESSEE BASE MAPPING PROGRAM.



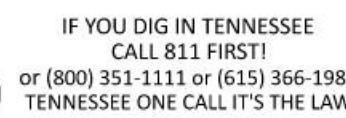
- |  |                                                     |
|--|-----------------------------------------------------|
|  | CONCRETE MONUMENT (FOUND)                           |
|  | CONCRETE MONUMENT (SET)                             |
|  | 1/2" IRON REBAR (FOUND)                             |
|  | 1/2" IRON REBAR WITH RED CAP "2776 WILKINSON" (SET) |
|  | PK NAIL (FOUND)                                     |
|  | PK NAIL (SET)                                       |
|  | BENCHMARK                                           |
|  | BOUNDARY LINE                                       |
|  | BUFFER                                              |
|  | SETBACK / YARD                                      |
|  | P.U.D.E.                                            |
|  | SANITARY SEWER LINE                                 |
|  | WATER LINE                                          |
|  | STORM SEWER                                         |
|  | GAS LINE                                            |
|  | OVERHEAD UTILITY LINE                               |
|  | UNDERGROUND UTILITY LINE                            |
|  | FENCE                                               |
|  | TREE LINE                                           |
|  | UTILITY POLE                                        |
|  | UTILITY POLE W/ LIGHT                               |
|  | GUY ANCHOR                                          |
|  | LIGHT POLE                                          |
|  | ELECTRICAL TRANSFORMER                              |
|  | ELECTRICAL VAULT                                    |
|  | COMMUNICATIONS VAULT                                |
|  | COMMUNICATIONS PEDESTAL                             |
|  | SANITARY SEWER MANHOLE                              |
|  | WATER METER                                         |
|  | WATER VALVE                                         |
|  | BLOW OFF VALVE                                      |
|  | FIRE HYDRANT                                        |
|  | GAS METER                                           |
|  | GAS VALVE                                           |

### SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT STANDARDS OF PRACTICE FOR SURVEYORS IN THE STATE OF TENNESSEE AND THE UNADJUSTED ERROR OF CLOSED ~~SURVEY~~ EXCEEDS 1:10,000.



DATE : 2-15-2022



114 B West Main Street  
Gallatin, TN 37066  
615-230-7269  
andy.leath@greenliddesign.com

**C&C MUNDAY**  
BOUNDARY AND TOPOGRAPHICAL SURVEY  
407 COLLEGE STREET  
PORTLAND  
SUMNER COUNTY, TENNESSEE

## EXISTING CONDITIONS

[illegible]

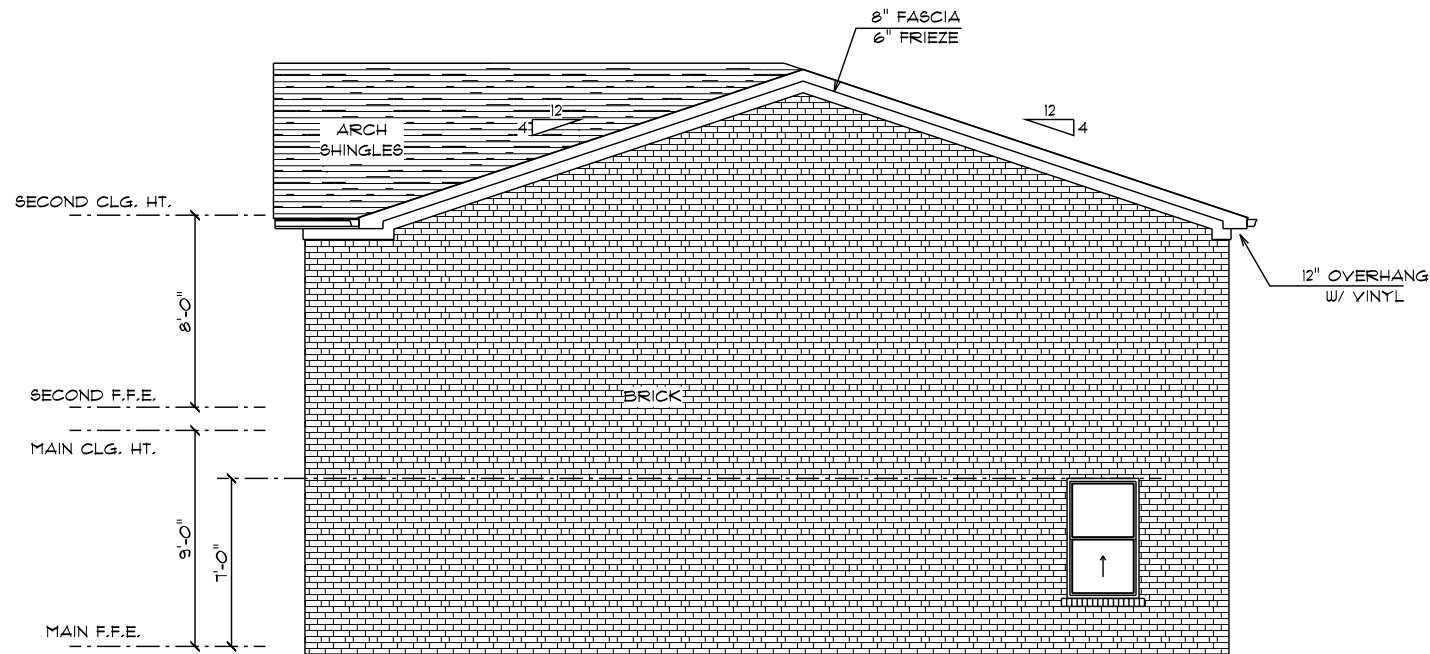
SHEET NO.

1

SHEET 1 OF 1

PROJECT #: 21.122 Ordinance N6, 1240921

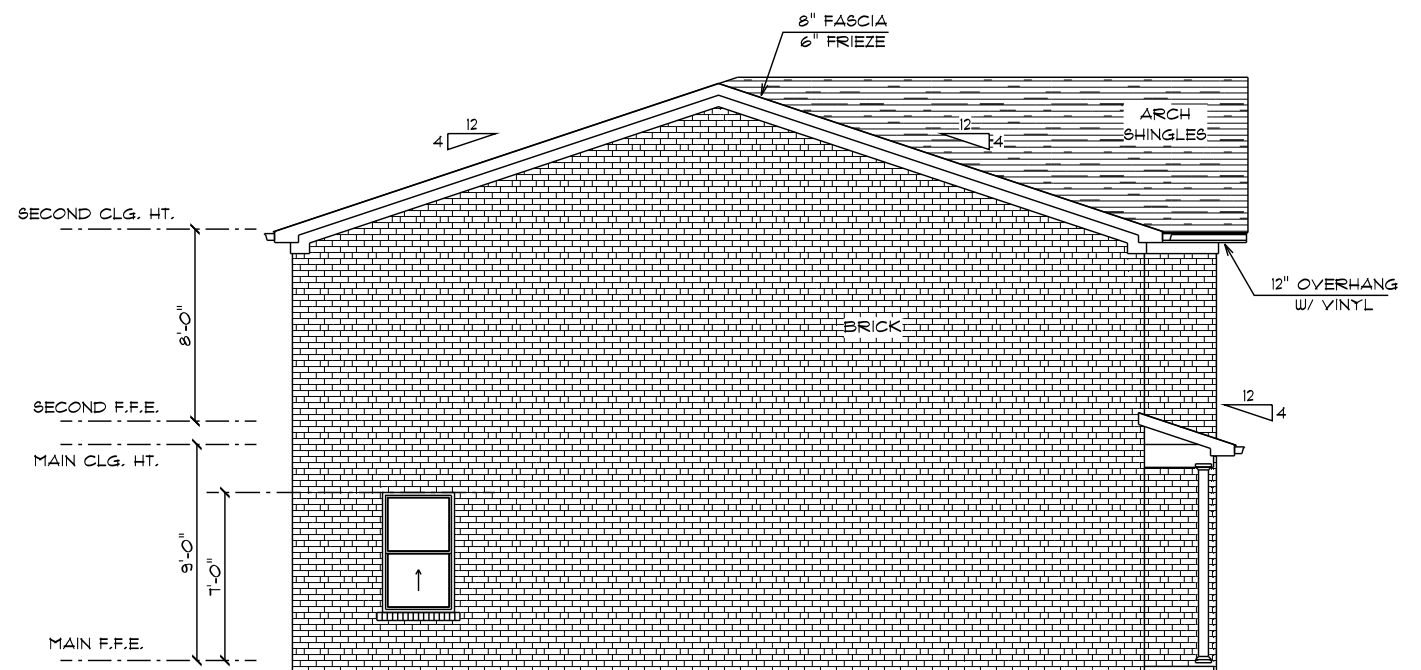




RIGHT ELEVATION

MATERIAL AND TRANSPARENCY TABULATION:

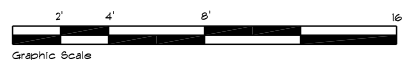
|                               |      |
|-------------------------------|------|
| BRICK FACADE - 798 SQFT ..... | 98%  |
| TRANSPARENCY - 15 SQFT .....  | 2%   |
| TOTAL - 813 SQFT .....        | 100% |



LEFT ELEVATION

MATERIAL AND TRANSPARENCY TABULATION:

|                               |      |
|-------------------------------|------|
| BRICK FACADE - 798 SQFT ..... | 98%  |
| TRANSPARENCY - 15 SQFT .....  | 2%   |
| TOTAL - 813 SQFT .....        | 100% |







**FRONT ELEVATION**

MATERIAL AND TRANSPARENCY TABULATION:

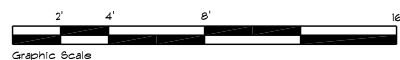
|                                |      |
|--------------------------------|------|
| BRICK FACADE - 1213 SQFT ..... | 73%  |
| TRANSPARENCY - 445 SQFT .....  | 27%  |
| TOTAL - 1658 SQFT .....        | 100% |



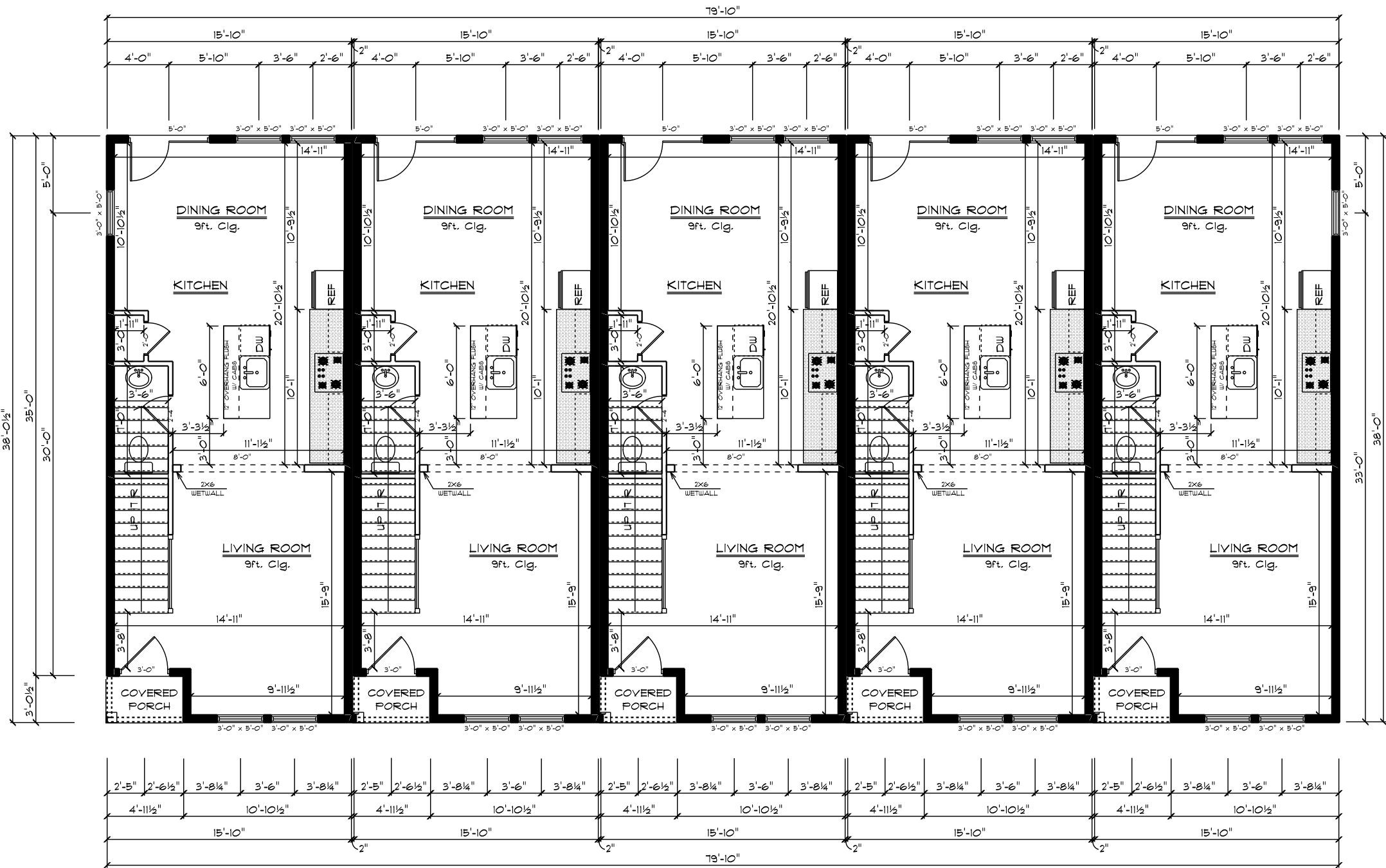
**REAR ELEVATION**

MATERIAL AND TRANSPARENCY TABULATION:

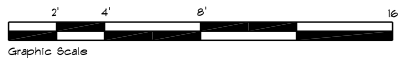
|                                |      |
|--------------------------------|------|
| BRICK FACADE - 1005 SQFT ..... | 72%  |
| TRANSPARENCY - 400 SQFT .....  | 28%  |
| TOTAL - 1405 SQFT .....        | 100% |







MAIN FLOOR PLAN



GENERAL NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES, REGULATIONS AND FHA/VA MFS.
2. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT SITE BEFORE BEGINNING CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE DESIGNER FOR JUSTIFICATION AND/OR CORRECTION BEFORE PROCEEDING WITH WORK. CONTRACTORS SHALL ASSUME ALL RESPONSIBILITY FOR ANY DISCREPANCIES THAT ARE NOT REPORTED.
3. ALL DIMENSIONS SHALL BE READ OR CALCULATED, NEVER SCALED.
4. ALL FOOTINGS TO BE BELOW FROST LINE (SEE LOCAL CODE), AND MUST REST ON UNDISTURBED SOIL, CAPABLE OF HANDLING THE BUILDING. CONSULT WITH LOCAL ENGINEER FOR PROPER FOOTING AND REINFORCEMENT SIZES.
5. CONTRACTOR SHALL INSURE COMPATIBILITY OF THE BUILDING WITH ALL SITE REQUIREMENTS.
6. IF BACKFILL EXCEEDS 4' AGAINST ANY FOUNDATION WALL, REINFORCE AS PER CODE.
7. ALL FOUNDATION AND STRUCTURAL MEMBERS SHOULD BE VERIFIED AND AN ENGINEER IN THE STATE WHERE THE CONSTRUCTION IS OCCURRING.
8. ALL WOOD, CONCRETE, AND STEEL STRUCTURAL MEMBERS SHALL BE OF A GOOD GRADE AND QUALITY AND MEET ALL NATIONAL, STATE, AND LOCAL BUILDING CODES WHERE APPLICABLE.
9. ALL COLUMNS OR SOLID FRAMING SHOULD BE DESIGNED TO CARRY LOADS AND SHOULD EXTEND DOWN THROUGH THE LEVELS BELOW AND TERMINATE AT THE BASEMENT FLOOR OR AT OTHER BEARING POINTS DESIGNED TO CARRY THE LOAD.
10. ALL WINDOW HEADERS FIRST FLOOR ARE TO BE AT 1'-0" UNLESS OTHERWISE NOTED.

OPENING SCHEDULE

| TYPE   | SIZE          | HINGE | COUNT | R.O. HEIGHT | COMMENT |
|--------|---------------|-------|-------|-------------|---------|
| DOOR   | 3'-0"         | L     | 5     | 6'-9 1/2"   |         |
| DOOR   | 5'-0"         | NR    | 5     | 6'-9 1/2"   |         |
| DOOR   | 2'-4"         | L     | 5     | 6'-9"       |         |
| DOOR   | 2'-0"         | R     | 5     | 6'-9"       |         |
| WINDOW | 3'-0" x 5'-0" | U     | 10    | 5'-0"       |         |
| WINDOW | 3'-0" x 5'-0" | U     | 12    | 5'-0"       |         |

AREA PER UNIT:

Ext. Footage Per Unit

Main.....590 SF

Second.....590 SF

Total..... 1180 SF

Front Porch.....35 SF

FRAMING NOTE:

1. ALL DIMENSIONS TO FACE OF FRAMING.
2. EXTERIOR WALLS DIMENSIONED @ 5 1/2".
3. INTERIOR WALLS DIMENSIONED @ 3 1/2".

PLAN NOTES:

IT IS THE RESPONSIBILITY OF THE BUILDER TO VERIFY THE CONSTRUCTION OF THE HOME MEETS ALL LOCAL CODES AND ENERGY TYPES PRIOR TO CONSTRUCTION. BUILDER SHOULD VERIFY SITE CONDITIONS AND ALL DIMENSIONS PRIOR TO CONSTRUCTION.

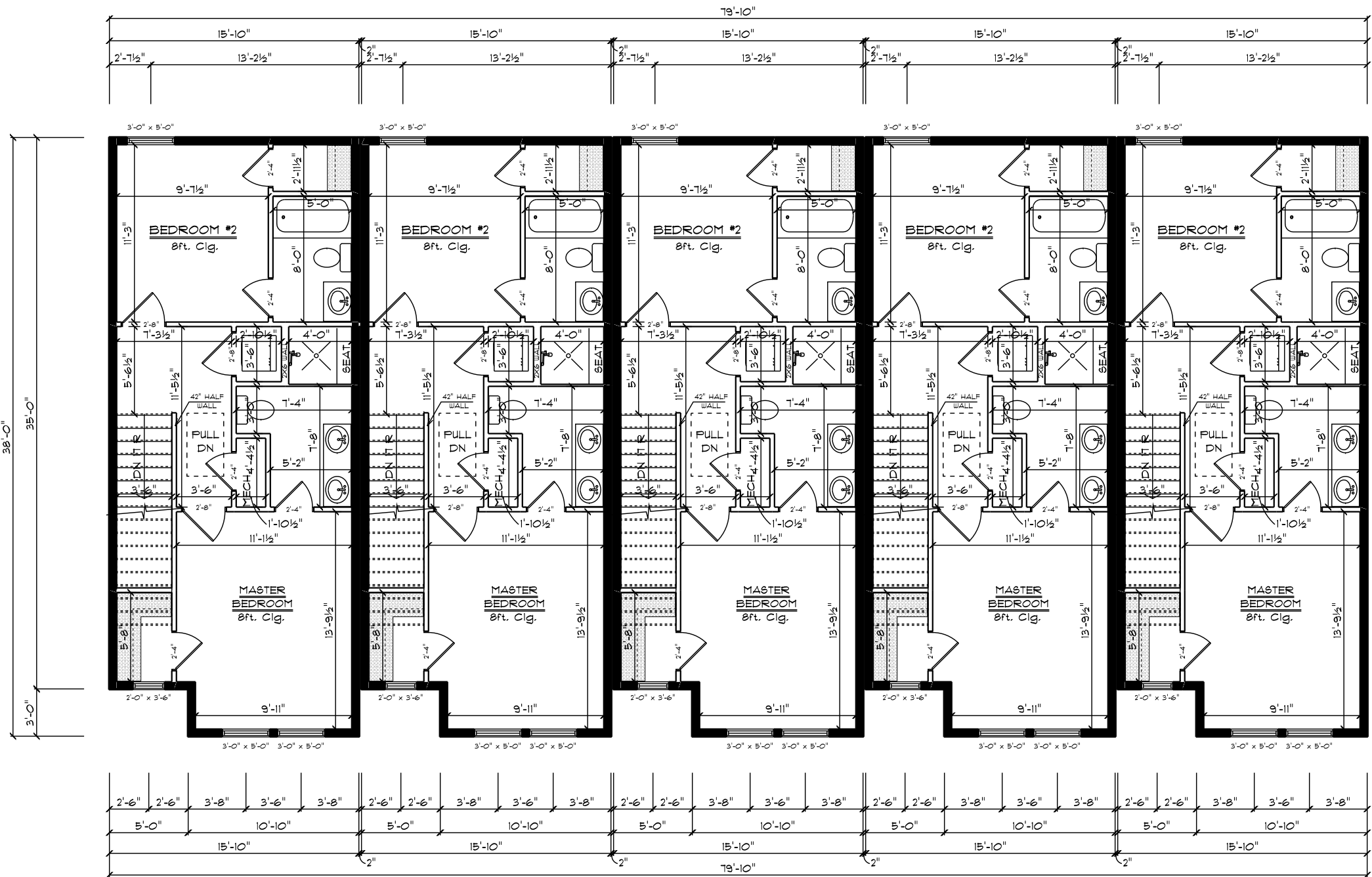
PREMIER  
HOME DESIGNS  
@GMAIL.COM  
615.720.7598

C & C BUILDING GROUP  
405 College St.  
Portland, Tn 37148

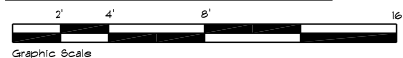
Main Floor Plan  
Scale 1/4" = 1' ON 24"x36" PAPER  
Scale 1/8" = 1' ON 11"x17" PAPER

Date: 6-24-22





SECOND FLOOR PLAN



GENERAL NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES, REGULATIONS AND FHA/VIA MFS.
2. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT SITE BEFORE BEGINNING CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE DESIGNER FOR JUSTIFICATION AND/OR CORRECTION BEFORE PROCEEDING WITH WORK. CONTRACTORS SHALL ASSUME ALL RESPONSIBILITY FOR ANY DISCREPANCIES THAT ARE NOT REPORTED.
3. ALL DIMENSIONS SHALL BE READ OR CALCULATED, NEVER SCALED.
4. ALL FOOTINGS TO BE BELOW FROST LINE (SEE LOCAL CODE), AND MUST REST ON UNDISTURBED SOIL CAPABLE OF HANDLING THE BUILDING. CONSULT WITH LOCAL ENGINEER FOR PROPER FOOTING AND REINFORCEMENT SIZES.
5. CONTRACTOR SHALL INSURE COMPATIBILITY OF THE BUILDING WITH ALL SITE REQUIREMENTS.
6. IF BACKFILL EXCEEDS 4' AGAINST ANY FOUNDATION WALL, REINFORCE AS PER CODE.
7. ALL FOUNDATION AND STRUCTURAL MEMBERS SHOULD BE VERIFIED AND AN ENGINEER IN THE STATE WHERE THE CONSTRUCTION IS OCCURRING.
8. ALL WOOD, CONCRETE, AND STEEL STRUCTURAL MEMBERS SHALL BE OF A GOOD GRADE AND QUALITY AND MEET ALL NATIONAL, STATE, AND LOCAL BUILDING CODES WHERE APPLICABLE.
9. ALL COLUMNS OR SOLID FRAMING SHOULD BE DESIGNED TO CARRY LOADS AND SHOULD EXTEND DOWN THROUGH THE LEVELS BELOW AND TERMINATE AT THE BASEMENT FLOOR OR AT OTHER BEARING POINTS DESIGNED TO CARRY THE LOAD.
10. ALL WINDOW HEADERS FIRST FLOOR ARE TO BE AT 1'-0" UNLESS OTHERWISE NOTED.

OPENING SCHEDULE

| TYPE   | SIZE          | HINGE | COUNT | R.O. HEIGHT | COMMENT |
|--------|---------------|-------|-------|-------------|---------|
| DOOR   | 2'-4"         | L     | 15    | 6'-9"       |         |
| DOOR   | 2'-4"         | R     | 10    | 6'-9"       |         |
| DOOR   | 2'-8"         | L     | 5     | 6'-9"       |         |
| DOOR   | 2'-8"         | R     | 10    | 6'-9"       |         |
| WINDOW | 2'-0" x 3'-6" | N     | 5     | 3'-6"       |         |
| WINDOW | 3'-0" x 5'-0" | N     | 5     | 5'-0"       |         |
| WINDOW | 3'-0" x 5'-0" | N     | 10    | 5'-0"       |         |

AREA PER UNIT:

Ext. Footage Per Unit  
 Main.....590 SF  
 Second.....590 SF  
 Total..... 1180 SF  
 Front Porch.....35 SF

FRAMING NOTE:

1. ALL DIMENSIONS TO FACE OF FRAMING.
2. EXTERIOR WALLS DIMENSIONED @ 5 1/2".
3. INTERIOR WALLS DIMENSIONED @ 3 1/2".

PLAN NOTES:

IT IS THE RESPONSIBILITY OF THE BUILDER TO VERIFY THE CONSTRUCTION OF THE HOME MEETS ALL LOCAL CODES AND ENERGY TYPES PRIOR TO CONSTRUCTION. BUILDER SHOULD VERIFY SITE CONDITIONS AND ALL DIMENSIONS PRIOR TO CONSTRUCTION.

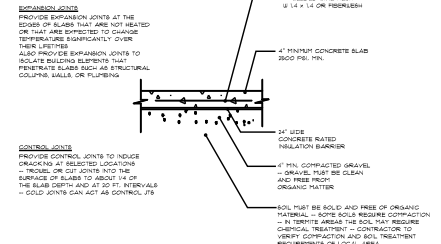
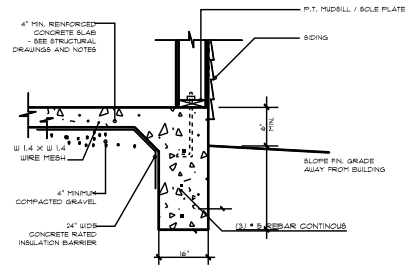
**PREMIER**  
HOME DESIGNS  
@GMAIL.COM  
615.720.7598

**C & C BUILDING GROUP**  
405 College St.  
Portland, Tn 37148

Second Floor Plan  
 Scale 1/4" = 1' ON 24"x36" PAPER  
 Scale 1/8" = 1' ON 11"x17" PAPER

Date: 6-24-22





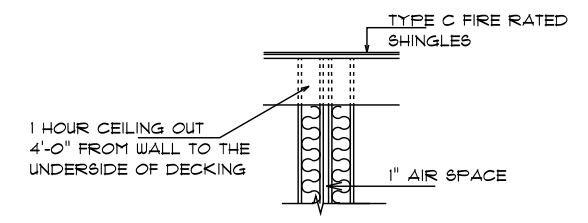
CONCRETE SLAB  
DETAILS / NOTES

**\* NOTE: \***

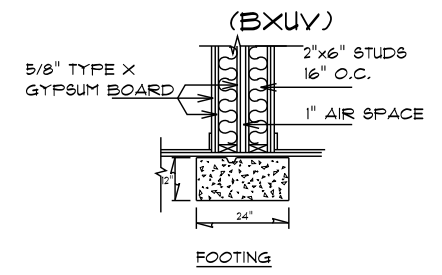
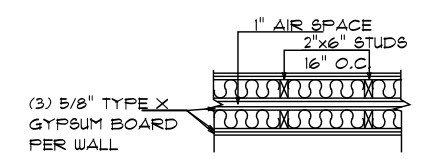
Design No. U342  
Bearing Wall Rating -- 2 Hr.

1. Wood Studs - Nom 2 by 4 in. Cross braced at mid-height and effectively firestopped at top and bottom of wall. Spaced max of 16 in. O.C depending on type of wallboard. See item 2 below.
2. Gypsum Board\* - 5/8 in. thick, 4 ft wide. Applied either horizontally or vertically. Inner layers nailed to studs and bearing plates 6 in. O.C. with 6d cement coated nails, 1 - 7/8 in. long, 0.0915 in. shank diam and 1/4 in. dia. head. Outer layer of double layered side nailed to studs and bearing plates 8 in. O.C. with 8d cement coated nails, 2-3/8 in. long, 0.113 in. shank diam and 9/32 in. diam head. Vertical joints located over studs. As an alternate, No. 6 bugle-head drywall screws, 1-7/8 or 2-3/8 in. long for the inner and outer layers, respectively, may be substituted for the cement coated nails. All joints in outer layer of double layer sides staggered with joints in inner layer. When used in widths other than 48 in., gypsum board to be installed horizontally.
3. Joints and Nailheads - Wallboard joints of outer layer covered with tape and joint compound. Nail heads of outer layer covered with joint compound.
4. Batts and Blankets\* - (Optional) - 3-1/2 in. max thickness glass or mineral fiber batt insulation.

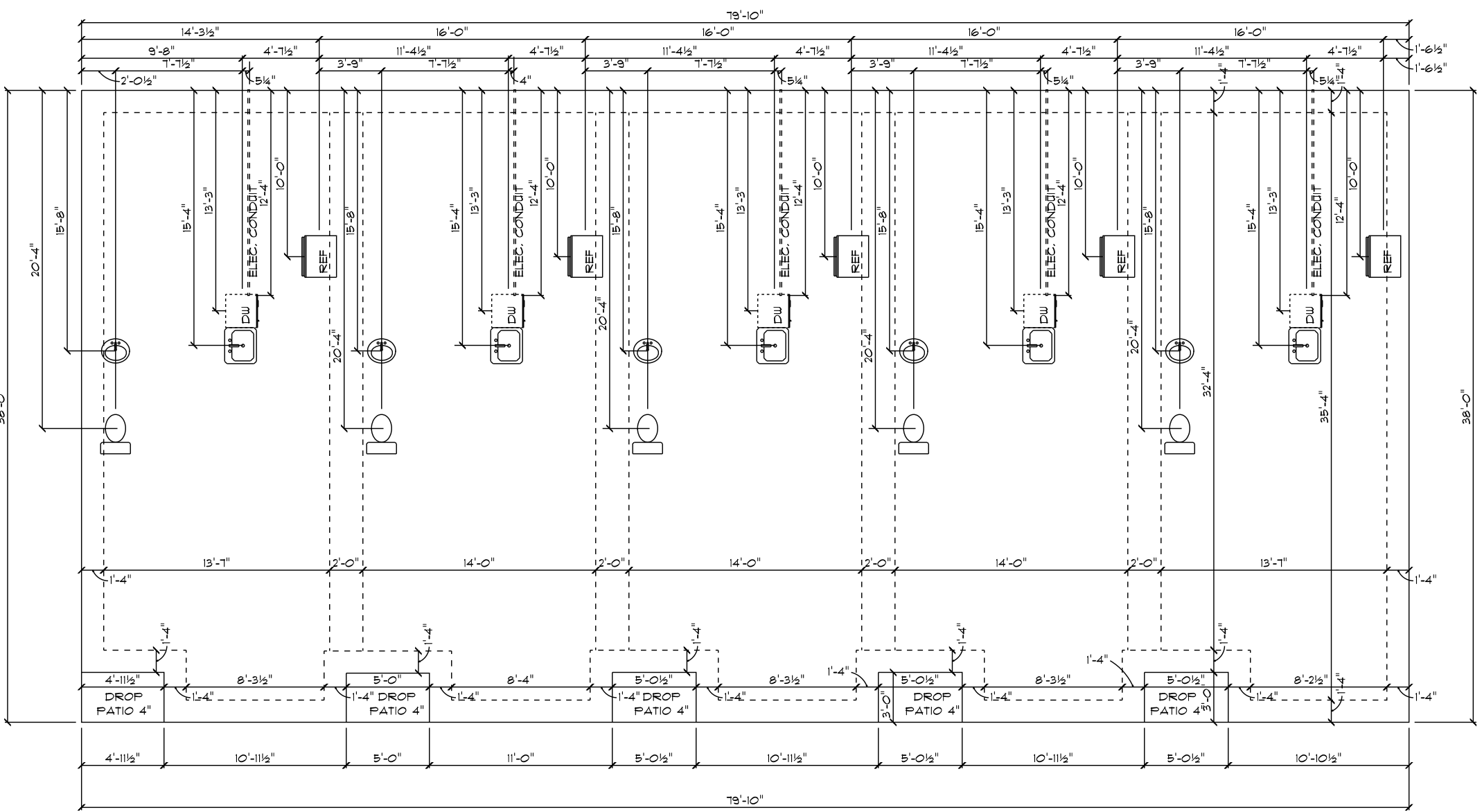
**FIRE RESISTANCE  
RATING - ANSI/UL 263**



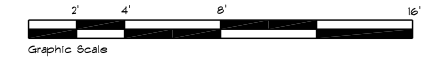
**HORIZONTAL SECTION  
TOP VIEW**



TYPICAL PARTY FIREWALL DETAIL



SLAB PLAN



**PREMIER**  
HOME DESIGN  
@GMAIL.COM  
615.720.7598

**C & C BUILDING GROUP**  
405 College St.  
Portland, Tn 37148

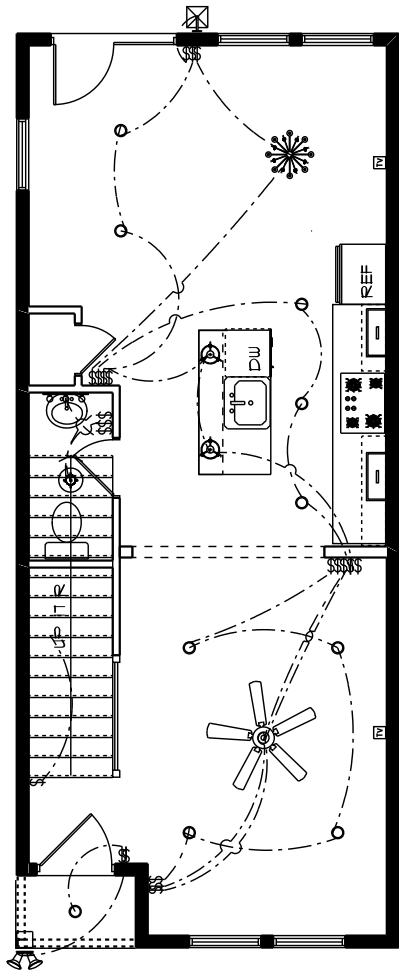
Slab Plan  
Scale 1/4" = 1'  
Scale 1/8" = 1'

ON 24"x36" PAPER  
ON 11"x17" PAPER

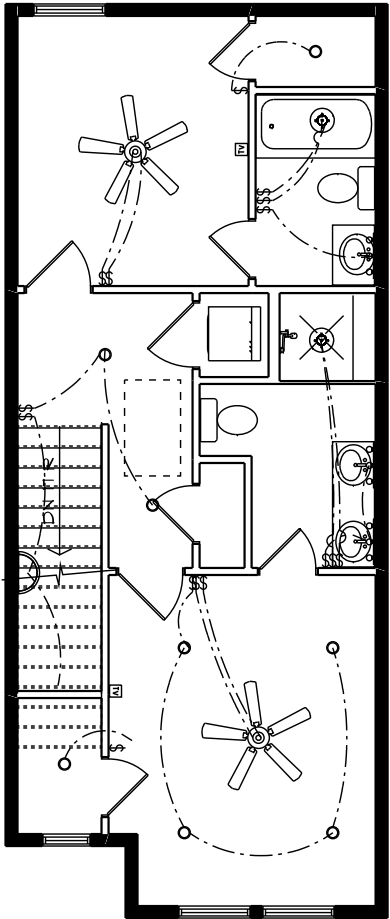
Date: 6-24-22



MAIN FLOOR PLAN



SECOND FLOOR PLAN

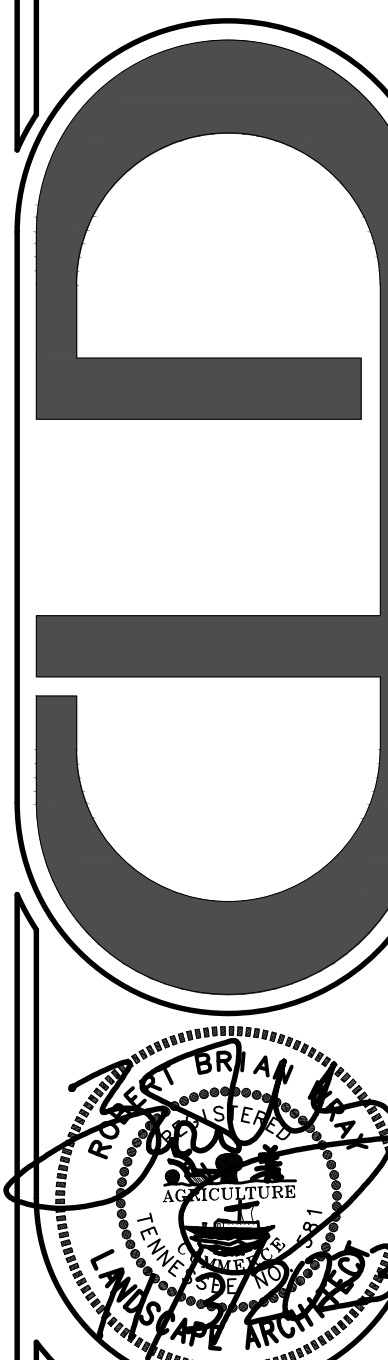


| ELECTRICAL LEGEND PER UNIT |       |        |
|----------------------------|-------|--------|
| ELECTRICAL                 | COUNT | SYMBOL |
| ceiling fan                | 3     |        |
| can light                  | 18    |        |
| chandelier                 | 1     |        |
| cabinet light              | 2     |        |
| pendant                    | 2     |        |
| ceiling light / vent       | 3     |        |
| exterior light             | 1     |        |
| spotlight motion detector  | 1     |        |
| cable tv outlet            | 4     |        |
| switch                     |       |        |
| wall sconce                | 1     |        |
| vanity bar light           | 4     |        |





Preliminary PUD Landscape Plan  
for  
Portland College Street  
Portland, Tennessee



Ordinance No. 24-09  
Page 113 of 139

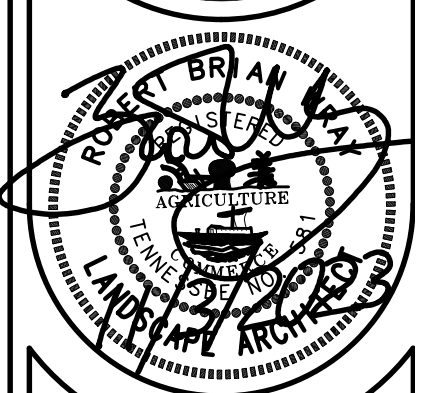
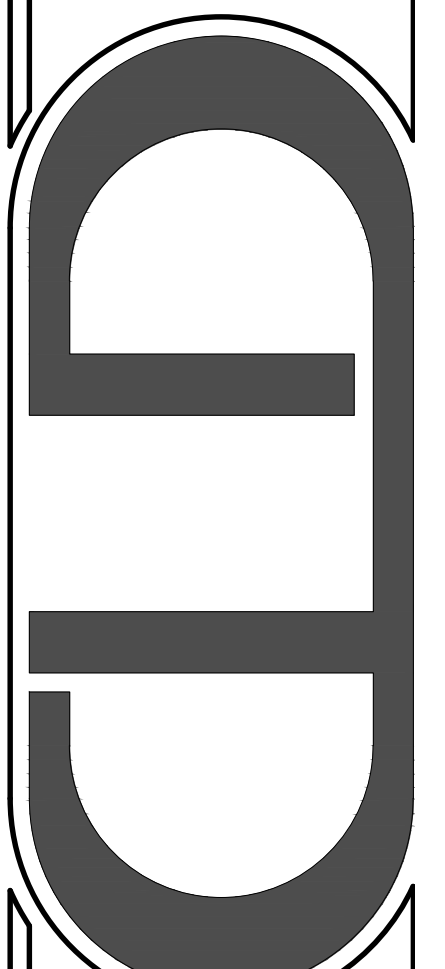


Page 11 of 17





Preliminary PUD Landscape Plan  
for  
Portland College Street  
Portland, Tennessee



Ordinance No. 24-09  
Page 114 of 139



Page 12 of 17





City of Portland

# Rezoning

Planning Commission

This property is subject of an annexation request.  
For more details call 615-325-6776



# TRAFFIC IMPACT STUDY

**COLLEGE STREET TOWNHOMES  
RESIDENTIAL DEVELOPMENT  
PORTLAND, TENNESSEE**

**PREPARED ON BEHALF OF:**



**PREPARED BY:**

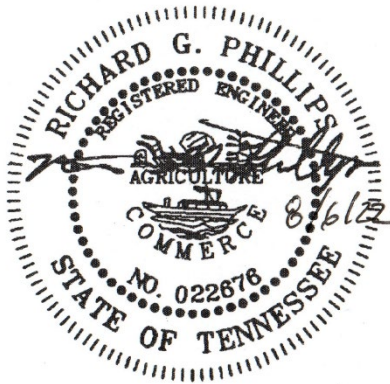


**AUGUST 2022**



**TRAFFIC IMPACT STUDY**

**COLLEGE STREET TOWNHOMES RESIDENTIAL DEVELOPMENT  
PORTLAND, TENNESSEE**



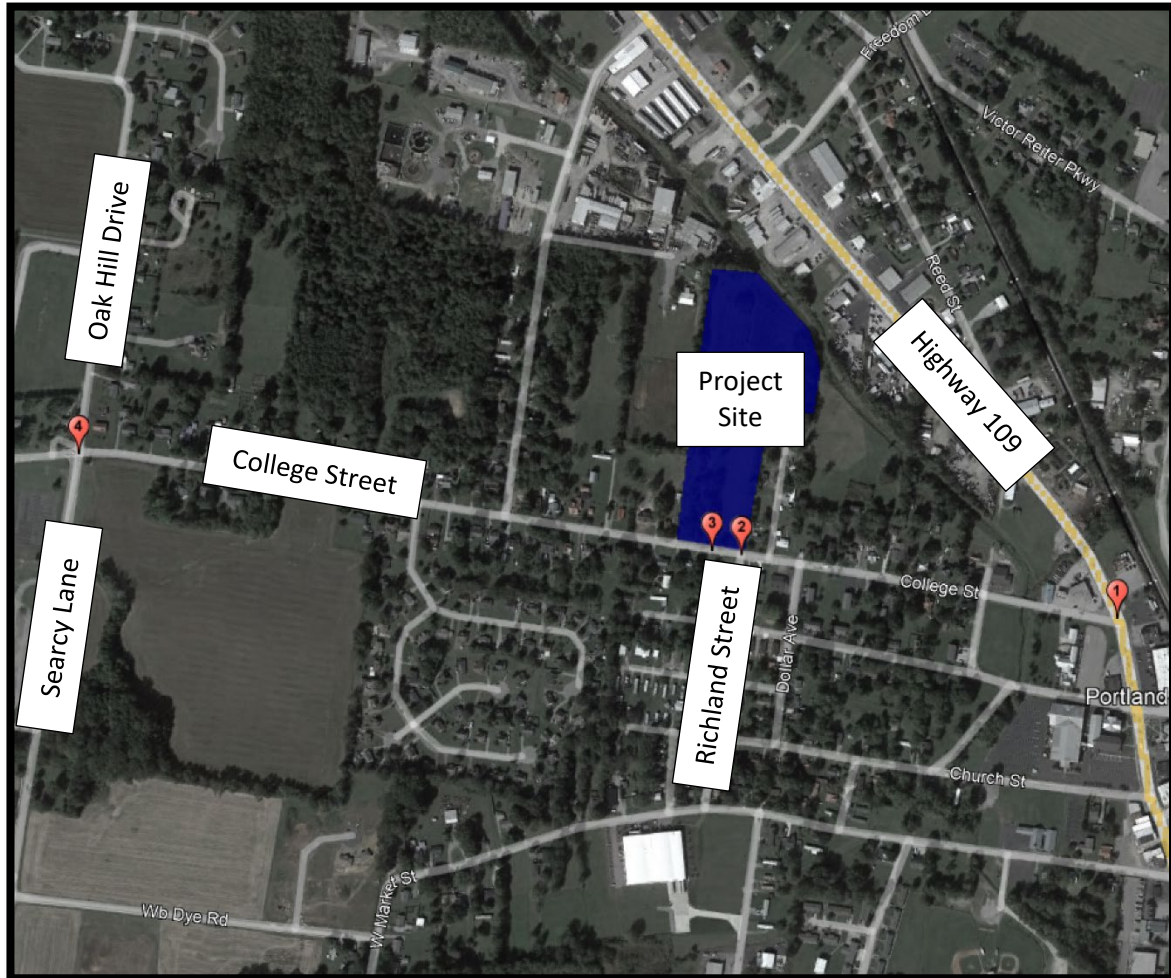
**PREPARED BY:**

**RG Phillips Consulting, LLC**

Richard G. Phillips, P.E.  
106 Mission Court, Suite 301  
Franklin, TN 37067







**Figure 1.**  
**Project Location &  
Study Intersections**



## **6. CONCLUSIONS AND RECOMMENDATIONS**

The analyses presented in this study indicate that the traffic generated by the College Street Townhomes residential development can be supported by the existing roadway network without any offsite improvements. The analyses of the 2025 projected traffic conditions at each intersection included in the scope of the study indicate acceptable levels of service (LOS D or better) during both the AM and PM peak hours of traffic. Additionally, the 2025 projected traffic volumes do not meet the thresholds indicated for the installation of left or right turn lanes at the proposed Project Access.

In conclusion, the proposed College Street Townhomes development is not expected to have a significant impact on the traffic operations in the area.



RESOLUTION

City of Portland, Tennessee

No. 24 - 14

**A RESOLUTION TO RESEND AND REPLACE RESOLUTION 22-54  
AUTHORIZING AN ANIMAL ADOPTION PROGRAM TO BE IMPLEMENTED  
FOR THE CITY OF PORTLAND ANIMAL CONTROL DEPARTMENT**

**WHEREAS**, the Animal Control Department deems it necessary to implement an adoption policy; and

**WHEREAS**, the Animal Control Department is under the direction of the Portland Police Department; and

**WHEREAS**, the Portland Animal Control Adoption Policy is attached; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Board of Aldermen of the City of Portland approve the attached policy for an Animal Adoption Program; and

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

\_\_\_\_\_  
Mike Callis, Mayor

\_\_\_\_\_  
Attest: Rachel Slusser, City Recorder

Approved this      day of



# PORTLAND ANIMAL CONTROL

## ADOPTION POLICY

The adoption fee for dogs is \$120 and for cats is \$80 for all animals spayed / neutered, current on vaccinations and may be microchipped prior to adoption. Adoption fees must be paid through the business office at City Hall.

Hours of Operation for adoption are Monday-Friday 9am-4pm. Hours of operation for intake are Monday-Friday 9am-4pm.

**Dogs and Cats that are already Spayed/Neutered or Vaccinated, when received by the City of Portland** - \$50.00 plus \$25.00 deposit - total \$75.00.

**Dogs and Cats Vaccinated but not Spayed/Neutered-** \$50 plus \$25.00 deposit – total \$75.00 - Must have pet scheduled for Spay/Neuter within 30 days and must have appointment verified before leaving the adoption site.

**Dogs and Cats already Spayed/Neutered and Vaccinated after being received by the City of Portland-** \$120.00-\$145.00.

**All other animals** - \$25.00-\$100.00 – with state required vaccinations due within 10 days of adoption.

The Mayor, Chief of Police, or their designee, has the authority to alter, reduce, or waive these fees for adoption events, to reduce facility population, or any other articulable reason deemed necessary.

### **Portland Animal Control's Adoption Requirements**

1. Bring ID & Submit an application.
2. Some adoptions may require specific requirements such as a fenced yard, indoor only, special medical needs, etc.
3. Adopters must be 21 years of age.
4. Residence: that you have proof that you own your residence or that you have proof of animal acceptance where you are renting.

**State Law requires all dogs and cats to be Spayed/Neutered and Vaccinated**



## RESOLUTION

### City of Portland, Tennessee

No. 24 - 04

**A RESOLUTION TO APPROVE CHANGE ORDER #1 IN THE INCREASED AMOUNT OF \$4,808.11 FOR THE CONTRACT WITH CAMPBELL PARTNERS CONCRETE FOR THE CITY'S SALT SHED PROJECT**

**WHEREAS**, the City of Portland has approved the original contract amount of \$47,700.00 with Campbell Partners Concrete for the City of Portland Salt Shed Concrete work; and

**WHEREAS**, Change Order #1 revises the contract by adding the following items:

- 90 linear feet of 2 x 12 ft footing \$1,665.00
- 70 linear feet of 2 foot tall stem wall \$1,350.00
- 2 days of additional labor \$1,793.11
- ~~90 linear feet of stem wall curbing (removed from invoice)~~
- ~~62 pieces of epoxy coated rebar (removed from invoice)~~

|                                  |                    |
|----------------------------------|--------------------|
| Change Order Increase Amount     | +\$4,808.11        |
| Original Contract Amount         | \$47,700.00        |
| <b>TOTAL NEW CONTRACT AMOUNT</b> | <b>\$52,508.11</b> |

**WHEREAS**, Change Order #1 shall increase the contract amount by \$4,808.11, which shall adjust the contract amount to \$52,508.11, due to additional work required by the City after the original contract was awarded in ordinance number 23-56 ; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Board of Aldermen of the City of Portland to approve Change Order #1 with Campbell Partners Concrete in the increased amount due of \$4,808.11 for the City of Portland Salt Shed Concrete work; and

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

\_\_\_\_\_  
Mike Callis, Mayor

\_\_\_\_\_  
Attest: Rachel Slusser, City Recorder

Approved this      day of



ORDINANCE

City of Portland, Tennessee

No. 24 – 04

Second Reading

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A DEVELOPER’S AGREEMENT WITH STEVE KIRBY ON THE TWIN LAKES SUBDIVISION, WHICH WILL INCLUDE THE INSTALLATION OF WATER AND SEWER IMPROVEMENTS, LOCATED AT 925 NORTH BROADWAY 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 and Sewer Capacity Letter (see Exhibit A), stating the Water and Sewer Systems have capacity for the Twin Lakes Development once improvements are made; and

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

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Board of Aldermen of the City of Portland authorize the Mayor to enter into the attached Developer’s Agreement with Steve Kirby for the Twin Lakes Subdivision, located at 925 North Broadway, Tax Map 016, Parcel 085.03, and Parcel 085.04, 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: January 8, 2024

Passed Second Reading:



# DEVELOPMENT AGREEMENT FOR TWIN LAKES SUBDIVISION

## CITY OF PORTLAND, TENNESSEE

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

**WHEREAS**, the DEVELOPER owns and desires to develop a 55-lot development, located at 925 North Broadway, Tax Map 016, Parcel 085.03 and Parcel 085.04, in Portland, Tennessee (hereinafter called the "PROJECT"); and

**WHEREAS**, DEVELOPER has received a letter stating the existing Water and Sewer Systems does not have capacity for the development and will require fees to be paid for upgrading our System, along with improvements installed by the Developer, from the Portland Department of Utilities on the **17th** day of **August, 2023** (the “LETTER”). A copy of the Letter is attached to this Agreement as Exhibit A; and

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

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

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

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

I. GENERAL CONDITIONS

A. Construction Costs

The DEVELOPER shall be responsible for all design, permitting, construction, and inspections necessary to install and complete approximately 250 linear feet (LF) of six (6) inch water main, 1,000 LF of eight (8) inch water main, 2,750 LF of ten (10) inch



water main, and 2,500 LF of eight (8) inch gravity sewer, and all required appurtenances, the IMPROVEMENTS in accordance with this agreement.

B. City Ordinances, Rules and Regulations

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

C. Agreement Not Assignable

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

D. Revocation and Interpretation

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

E. No Oral Agreement

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

F. Separability

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

G. Transferability

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



he will be in breach of this agreement and that any surety held by the CITY to secure the agreement may be called. The DEVELOPER further agrees that he shall remain liable under the terms of this agreement though a subsequent sale of all or part of said property occurs, unless an Assumption Agreement is entered into between the new owners and the CITY, and a new agreement is issued naming the new owners as Developer.

## II. UTILITIES

### A. Sanitary Sewer Collections System

#### a. Installations:

The DEVELOPER will be required to install approximately 2,500 LF of eight (8) inch gravity sewer main, with all associated appurtenances with said installation.

#### b. Improvements Fees:

The DEVELOPER shall be required to pay **\$12,000** in Sewer Improvement fees, as per the attached Capacity Letter.

#### c. Surety Amount:

The DEVELOPER shall provide to the CITY a Letter of Credit or cash escrow in the amount of **\$789,375** for the surety, prior to PDU signing the Final Plat. Any surety for utilities will be kept and renewed each year until the City has inspected and approved the utility.

For each year of renewal, there shall be an additional 10% increase added to the surety amount. Once the utility is accepted by the City, a 12-month maintenance surety in the amount of **\$118,406.25** will be held. In the case that the utilities are installed prior to the City signing the Final Plat, the utilities must be tested, approved, and accepted by PDU, which the City of Portland will still require a maintenance surety to be held of the amount above 12 months after PDU's acceptance date or the taps will not be issued.

### B. Water Distribution System

#### a. Installations:

The DEVELOPER will be required to install approximately 250 LF of six (6) inch water main, 1,000 LF of eight (8) inch water main, 2,750 LF of ten (10) inch water main, with all associated appurtenances.

#### b. Improvement Fees:

The DEVELOPER shall be required to pay **\$13,500** in Water Improvement fees, a Developer's Fee of **\$48,000** towards the City's Oak Hill Water System Improvements project, and a Developer's Fee of **\$183,630** towards the relocation of utilities for the TDOT SR 109 Bypass project, as per the attached Capacity Letter. All payments must be made prior to PDU signing the Final Plat.



The DEVELOPER will be required to pay a **total of \$245,130** to the CITY towards the WATER IMPROVEMENTS. This payment must be made prior to submitting the Final Plat to the CITY for signatures.

c. **Surety Amount:**

The DEVELOPER shall provide a Letter of Credit or cash escrow to the CITY in the amount of **\$912,812.50** for the Water Distribution System surety for the PROJECT, prior to PDU signing the Final Plat. Any surety for utilities will be kept and renewed each year until the City has inspected and approved the utility. For each year of renewal, there shall be an additional 10% increase added to the surety amount. Once the utility is accepted by the City, a 12-month maintenance surety in the amount of **\$136,921.88** will be held. In the case that the utilities are installed prior to the City signing the Final Plat, the utilities must be tested, approved, and accepted by PDU, which the City of Portland will still require a maintenance surety to be held of the amount above 12 months after PDU's acceptance date or the taps will not be issued.

Developer's payment to the CITY in the amount of (i) **\$245,130** as the PROJECT's share of the cost of WATER IMPROVEMENTS, (ii) a total SURETY amount of **\$1,702,187.50** for the PROJECT's utilities, and (iii) **\$12,000** as the PROJECT's share of the SEWER IMPROVEMENTS, shall satisfy all Developer and Owner obligations with respect to all improvements, including without limitation the WATER IMPROVEMENTS and the SEWER IMPROVEMENTS. The WATER IMPROVEMENTS and the SEWER IMPROVEMENTS are collectively referred to herein as the "IMPROVEMENTS".

IV. **VIOLATIONS AND REMEDIES**

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

V. **BINDING EFFECT**

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

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



\_\_\_\_\_  
OWNER

\_\_\_\_\_  
DEVELOPER

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
TITLE

ATTEST:

ATTEST:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
TITLE

CITY OF PORTLAND (COUNTY OF  
SUMNER), TENNESSEE

BY:

\_\_\_\_\_  
MAYOR  
APPROVED AS TO FORM:

\_\_\_\_\_  
DATE

BY: \_\_\_\_\_  
CITY ATTORNEY

\_\_\_\_\_  
DATE



## EXHIBIT A



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

Steve Kirby  
159 W Harper Rd  
Portland, TN 37148

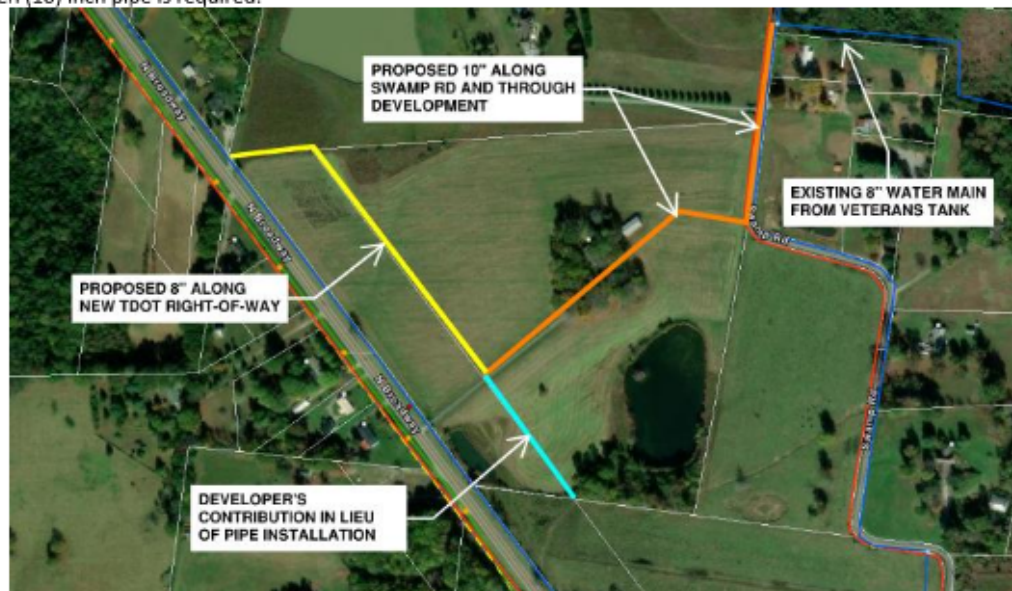
Date: 8/17/2023

**Re: WATER, SEWER, & GAS CAPACITY LETTER**  
**925 N BROADWAY, PORTLAND, TN 37148 (COMMERCIAL & RESIDENTIAL)**  
**SUMNER COUNTY – TAX MAP 016, PARCELS 85.04 & 85.05**

Portland Department of Utilities (PDU) has completed its review of your application for water and sewer for the proposed fifty-five residential units and three commercial buildings development at the above referenced location. Please see below for the capacity details.

### **WATER:**

The system does have capacity for the fifty-five (55) residential units and three (3) commercial buildings once improvements are made. The City's minimum requirement for water main diameter within City Limits is eight (8) inches. Currently, at this location, there is a six (6) inch diameter water main. PDU will require this development to upsize the water main along North Broadway/State Route 109 for the entire length of the property's road frontage to an eight (8) inch diameter water main. Also, the Developer will be required to upsize the water main across a portion of the Swamp Road frontage for this development to an existing eight (8) inch diameter water main from the Veteran's Water Tank. This will entail approximately 1,250 feet of eight (8) inch along N Broadway and 500 feet of ten (10) inch along Swamp Rd of blue C900 DR 14 PVC or Ductile Iron Pipe and all associated appurtenances. Also, a ten (10) inch water main will need to be routed through the development. The eight (8) inch is shown below in yellow and the ten (10) inch is shown in orange. The upgrades are required to ensure fire protection for the commercial subdivision as well as the residential. Commercial subdivisions require 2,000 gpm, thus the larger ten (10) inch pipe is required.





The Developer's Contribution in lieu of the eight (8) inch pipe installation for the wetlands area to the southeast corner of the property will be \$302 per foot, including gate valves, tapping sleeve and valves, abandoning existing main, etc., with a 15% contingency fee. This portion of the project will entail approximately 489 feet of eight (8) inch blue C900 PVC water main. The Developer will be required to pay the City of Portland **\$183,630** towards this TDOT project. Please see the attached Developer's Contribution In-Lieu of Upsizing Calculator for the breakdown on how that total was calculated.

The Developer will be required to pay water improvement fees per equivalent residential unit for the commercial buildings only. Please see below on how the equivalent residential units were calculated for the **commercial buildings** as per Ordinance 23-15:

From Ordinance 23-15

One Equivalent Residential Unit for Water = 350 gallons per day (gpd)

General Commercial Services – 130 gpd per 1,000 square feet (sf) of floor space

$(7,500 \text{ sf} / \text{building}) \times (3 \text{ buildings}) = 22,500 \text{ sf}$

$22,500 \text{ sf} \times (130 \text{ gpd} / 1,000 \text{ sf}) = 2,925 \text{ gpd}$

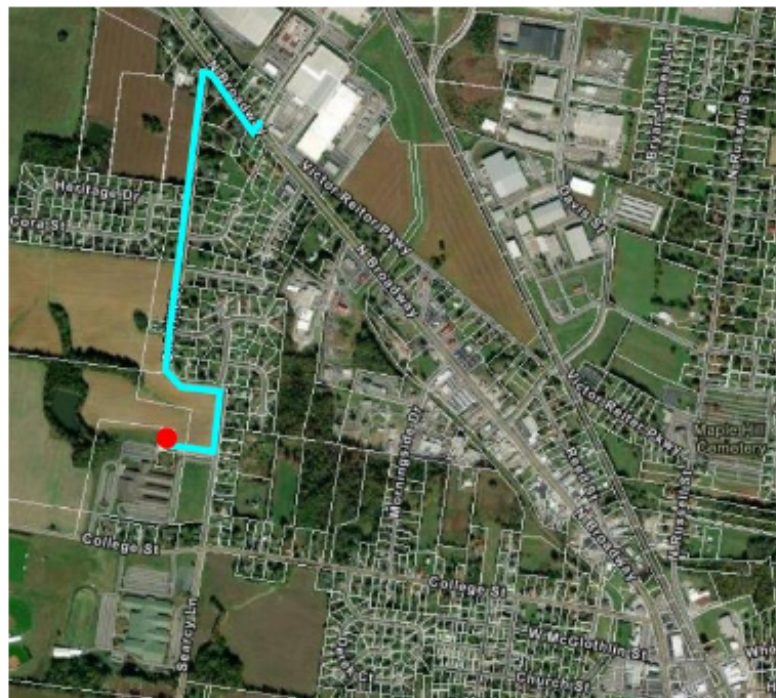
$2,925 \text{ gpd} \times (1 \text{ ERU} / 350 \text{ gpd}) = 8.4 = 9 \text{ units}$

$9 \text{ units} \times (\$1,500 / 1 \text{ unit}) = \$13,500$

This development will be utilizing the Oak Hill Water System Improvements. The 16-inch water main route is shown below in light blue and Oak Hill Tank shown in red. The developer will be required to pay a pro-rata share of the project's water improvements. As with all projects, we are not asking one development to pay for the whole project. The Pro-Rata share was based upon the total number of equivalent residential units within your development. The Developer will be required to pay **\$48,000** to the City of Portland toward the improvements. This payment, along with the water improvement fees, must be made prior to PDU approving Construction Plans and/or signing off on a Final Plat.

The payment was calculated as follows:

$(55 \text{ units} + 9 \text{ units}) \times (\$750 \text{ per unit}) = \$48,000$





Please note that at the August 7, 2023 Council Meeting, the Council verbally agreed in a majority vote to continue issuing water capacity letters beyond known capacity limits recognizing that a letter of available water capacity is based on a snapshot in time when the water model and/or decision is made, and is not a guarantee of water service at a point in the future when the petitioner may or may not choose to purchase their taps. Resolution #23-45 governs the expiration and renewal of capacity letters and at no time is the City of Portland mandated to provide water beyond its ability whether or not a capacity letter has been granted, or whether or not a project has already been started but not all water taps have been purchased.

**SEWER:**

The system does have capacity for the fifty-five (55) residential units and three (3) commercial buildings. The Developer must route an eight (8) sewer main through the development and tie to the manhole in front of the property along Hwy 109. The Developer will be required to pay sewer improvement fees per equivalent residential unit for the commercial buildings only. Please see below on how the equivalent residential units were calculated for the **commercial buildings**:

From Ordinance 23-15

One Equivalent Residential Unit for Sewer = 250 gallons per day (gpd)

General Commercial Services – 130 gpd per 1,000 square feet (sf) of floor space

$(7,500 \text{ sf} / \text{building}) \times (3 \text{ buildings}) = 22,500 \text{ sf}$

$22,500 \text{ sf} \times (130 \text{ gpd} / 1,000 \text{ sf}) = 2,925 \text{ gpd}$

$2,925 \text{ gpd} \times (1 \text{ ERU} / 250 \text{ gpd}) = 11.7 = 12 \text{ units}$

$12 \text{ units} \times (\$1,000 \text{ per unit}) = \$12,000$

The sewer improvement fees must be made prior to PDU approving Construction Plans and/or signing off on a Final Plat.

**GAS:**

Improvements may be required. Gas will be provided as per Title 19-207 of the Municipal Code.

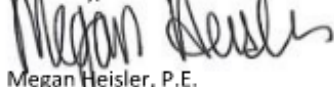
Also, all future parcels must have the utility main along the parcels' road frontage to be approved for service. All services must be located on the property being serviced and not more than twenty (20) feet from the public right-of-way. The City does not allow utility services within a private easement. All of this was approved by Resolution 19-27 (Water), 20-103 (Sewer), and 20-102 (Gas).

**No approval of any services is indicated. Construction plans will be required to be submitted and approved by PDU for the development. An individual Residential Service Availability Request Form must be completed for each lot within this subdivision and the Commercial Industrial Availability Request Form must be completed for each unit of the commercial buildings once the water and sewer main installations are complete and have been accepted by PDU. The fees associated with each lot/unit (i.e. tap, connection, capacity fees, etc.) will be determined once those forms are filled out and submitted to PDU.**

This letter shall expire in twelve (12) months. All fees, rates, and conditions noted in this letter are current as of the date of this letter and are subject to change over time. PDU will hold the fees at the amount stated above for a twelve (12) month period after the date of this letter. After the twelve (12) month period expires, fees are subject to re-calculation and potential increases. You may request an extension of fee status in **writing** prior to expiration of the twelve (12) month period. PDU will review the request and either deny or grant the request in writing.

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

Sincerely,



Megan Heisler, P.E.  
MNHAV001257REV1

cc.

Business Office



ORDINANCE

City of Portland, Tennessee

No. 24 - 11

First Reading

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A DEVELOPER'S AGREEMENT WITH JACKSON-REED PROPERTIES, LLC ON THE NORTH HARRIS LANE SEWER EXTENSION, WHICH WILL INCLUDE THE INSTALLATION OF SEWER IMPROVEMENTS, LOCATED AT NORTH HARRIS LANE IN PORTLAND, TENNESSEE.**

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

**WHEREAS**, the Portland Department of Utilities has approved the Sewer Capacity Letter (see Exhibit A), stating the Sewer Systems have capacity for the N Harris Lane Sewer Extension once improvements are made; and

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

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Board of Aldermen of the City of Portland authorize the Mayor to enter into the attached Developer's Agreement with Jackson-Reed Properties, LLC for the North Harris Lane Sewer Extension, located at North Harris Lane, Tax Map 019, Parcel 050.04, and Parcel 083.00 through Parcel 086.00, and

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

\_\_\_\_\_  
Mike Callis, Mayor

\_\_\_\_\_  
Attest: Rachel Slusser, City Recorder

Passed First Reading:

Passed Second Reading:



**Developer's Agreement:**  
**N Harris Ln Sewer Extension (IDT Project Number: 993467)**

**CITY OF PORTLAND, TENNESSEE**

This Development Agreement ("AGREEMENT") is made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2024 by and between Jackson-Reed Properties, LLC ("DEVELOPER") and the City of Portland, Tennessee, a municipality organized and existing under the laws of the State of Tennessee ("CITY").

**WHEREAS**, the DEVELOPER owns and desires to install 562 liner feet of 8-inch sewer main and three new manholes, located at Tax Map 019, Parcel 050.04, and Parcel 083.00 through Parcel 086.00, in Portland, Tennessee (hereinafter called the "PROJECT"); and

**WHEREAS**, DEVELOPER has received a letter stating the existing Sewer Systems does not have capacity for the development and will require fees to be paid for upgrading our System, along with improvements installed by the Developer, from the Portland Department of Utilities on the **2nd** day of **March, 2023** (the "LETTER"). A copy of the Letter is attached to this Agreement as Exhibit A; and

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

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

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

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

**I. GENERAL CONDITIONS**

**A. Construction Costs**

The DEVELOPER shall be responsible for all design, permitting, construction, and inspections necessary to install and complete approximately 600 linear feet (LF) of green eight (8) inch SDR 26 sewer main, and all required appurtenances, the IMPROVEMENTS in accordance with this agreement.



B. City Ordinances, Rules and Regulations

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

C. Agreement Not Assignable

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

D. Revocation and Interpretation

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

E. No Oral Agreement

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

F. Separability

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

G. Transferability

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



property occurs, unless an Assumption Agreement is entered into between the new owners and the CITY, and a new agreement is issued naming the new owners as Developer.

## II. UTILITIES

### A. Sanitary Sewer Collections System

#### a. Installations:

The DEVELOPER will be required to install approximately 600 LF of green eight (8) inch SDR 26 gravity sewer main, with all associated appurtenances with said installation.

#### b. Surety Amount:

Once the utility is accepted by the City, a 12-month maintenance surety in the amount of **\$22,125.00** will be held. In the case that the utilities are installed prior to the City signing the Final Plat, the utilities must be tested, approved, and accepted by PDU, which the City of Portland will still require a maintenance surety to be held of the amount above 12 months after PDU's acceptance date or the taps will not be issued.

### B. Water Distribution System

#### a. Installations:

Water taps for Lots 2 through 5 will not be available until after the sewer installation has been done as per the approved Constructions Plans and have been accepted by the Portland Department of Utilities (PDU). Property 119 N Harris Lane is unable to obtain a water tap until the water line extension for the Bracken Estates Development has been installed and accepted by the City.

Developer's payment to the CITY in the amount of **\$22,125.00** for the total MAINTENANCE SURETY amount for the PROJECT's utilities, shall satisfy all Developer and Owner obligations with respect to all improvements, including without limitation the SEWER IMPROVEMENTS. The SEWER IMPROVEMENTS are collectively referred to herein as the "IMPROVEMENTS".

## IV. VIOLATIONS AND REMEDIES

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

## V. BINDING EFFECT

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

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



\_\_\_\_\_  
OWNER

\_\_\_\_\_  
DEVELOPER

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
TITLE

ATTEST:  
  
\_\_\_\_\_

ATTEST:  
  
\_\_\_\_\_

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
TITLE

CITY OF PORTLAND (COUNTY OF  
SUMNER), TENNESSEE

BY:

\_\_\_\_\_  
MAYOR  
APPROVED AS TO FORM:

\_\_\_\_\_  
DATE

BY: \_\_\_\_\_  
CITY ATTORNEY

\_\_\_\_\_  
DATE



## EXHIBIT A



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

Jackson-Reed Properties, LLC  
P.O. Box 940  
Portland, Tennessee 37148

Date: 3/2/2023

**Re: UTILITY SERVICES REQUEST  
N HARRIS LN & THACKER DR, PORTLAND, TN 37148  
SUMNER COUNTY, TAX MAP 019, PARCELS 83.00, 84.00, 85.00, 86.00, & 50.04**

Portland Department of Utilities (PDU) has completed its review of your application for utility services for the proposed five (5) lot development. Please see below for availability of services:

### **WATER:**

The system does have the capacity for five (5) water taps. PDU will require the Developer to extend the water main south along N Harris Ln for the southernmost lot to be able to have access to water as per Resolution 19-27. This will entail approximately 125 LF of eight (8) inch blue DR 14 C900 PVC Pipe or Ductile Iron Pipe and all associated appurtenances.

### **SEWER:**

The system does have the capacity for the five (5) sewer taps once improvements are made. Currently, there is no sewer main along this portion of North Harris Lane to Thacker Drive.

PDU will require an eight (8) inch sewer main from the northern-most property to the southernmost property of the development. This proposed sewer main will tie into Thacker Dr's existing manhole and will consist of approximately 600 LF of eight (8) inch green SDR 26 PVC Pipe or Protecto 401 lined Ductile Iron Pipe and all associated appurtenances.

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

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

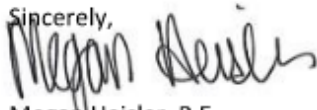


All fees, rates, and conditions noted in this letter are current as of the date of this letter and are subject to change over time. PDU will hold the fees at the amount stated above for a 90-day period past the date of this letter. After the 90-day period expires, fees are subject to re-calculation and potential increases.

You may request an extension of fee status in writing prior to expiration of the 90-day period. PDU will review the request and either deny or grant the request in writing.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Megan Heisler", written over the word "Sincerely,".

Megan Heisler, P.E.  
Utilities Engineer  
MNHAV000694REV1

cc.

PDU Office



## RESOLUTION

### City of Portland, Tennessee

No. 24 – 15

#### **A RESOLUTION RESCINDING AND REVISING RESOLUTION 23-43 TO INCLUDE ALL AREAS OUTSIDE THE CITY LIMITS OF PORTLAND FOR ISSUING ANY NEW WATER CAPACITY REQUEST**

**WHEREAS**, the City placed a moratorium for any new water taps (capacity) in an area known as the Oak Grove Zone in May 2022, and reaffirmed that moratorium in April 17, 2023 with Resolution 23-43 due to insufficient capacity in accordance with the Tennessee Board of Utility Regulation (TBOUR) who recognizes that services can be denied for the following reasons: 1. Insufficient capacity to serve customers, 2. Service to the customer is not economically feasible, 3. Service is not in the best interest of the utility and its existing customers; and

**WHEREAS**, the Caldwell, Caterpillar, Mason, Oak Grove, and Oak Hill water tanks continue to remain vulnerable due to limited pressure and volume within the system making servicing outside the city limits challenging. In an effort to protect current fire flow and capacity within the city proper, the Department of Utilities recommends to not approve any new water capacity request (taps) for areas outside the city limits of Portland for both Sumner and Robertson County until such a time that system improvements can be made; and

**WHEREAS**, any capacity (water taps) that has been requested prior to approval of this service pause shall be issued if the requestee has received an approved capacity letter and continues to meet the requirements of Resolution 23-45 (Guidelines for Capacity Letters). New water capacity requests made for areas outside the city limits after February 5, 2024, will be denied until sufficient capacity is available; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Board of Aldermen of the City of Portland hereby approve a pause in issuing new water capacity request (water taps) for areas outside the city limits of Portland for both Sumner and Robertson County due to insufficient capacity until needed improvements are completed; and

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

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Mike Callis, Mayor

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Attest: Rachel Slusser, City Recorder