



**CITY OF PORTLAND
BOARD OF MAYOR AND ALDERMEN
AGENDA for March 4, 2024**

1. Call to Order

2. Prayer and Pledge

3. Roll Call

4. Approval of Agenda

5. 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. 24-10 – 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.

7. Communications from Council Members

8. Mayor's Report

9. Consent Calendar

- A.** Minutes from February 5, 2024 - Work Study Meeting
- B.** Minutes from February 5, 2024 - City Council Meeting
- C.** Resolution No. 24-17 - A Resolution to re-appoint Portland's City Historian, Nathan Shadowens.
- D.** Resolution No. 24-18 - A Resolution to re-appoint one existing member, Gail Gentry, to the Portland Municipal Board of Appeals.
- E.** Ordinance No. 24-11 – Second 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.

10. Community Development – Alderwoman Megann Thompson

11. Finance – Alderwoman Penny Barnes

- A.** Resolution No. 24-19 - A Resolution pursuant to authority granted by Section 6-54-111 of the Tennessee Code Annotated and in accordance with Section 0380-3-7-02 of the Official Compilation Rules and regulations of the State

of Tennessee which authorizes appropriations for financial aid for Nonprofit Charitable Organizations whose services benefit the general welfare of the residents of this municipality.

12. Fire Department – Vice Mayor Jody McDowell

- A.** Ordinance No. 24-13 – First Reading - An Ordinance to amend Ordinance Number 21-03 authorized positions for the City of Portland.

13. Human Resources – Alderwoman Penny Barnes

- A.** Discussion - Wage Study

14. Legislative – Mayor Mike Callis

15. Municipal Airport – Alderman Mike Hall

16. Parks & Recreation – Alderman Brian Woodall

17. Planning & Codes – Alderwoman Megann Thompson

- A.** Ordinance No. 24-10 – Second 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.
- B.** Ordinance No. 24-12 - First Reading - An Ordinance to amend the City of Portland, Tennessee zoning map by rezoning 523 West Market Street, from RS-20 (single family residential) to R-15 (low density residential).

18. Police Department – Alderman Drew Jennings

19. Public Works – Alderwoman LaToya Holcomb

20. Utility Infrastructure – Alderman Brian Woodall

- A.** Ordinance No. 24-14 – First Reading - An Ordinance to enter an agreement with Bobby Luttrell and Sons, LLC for the 12-inch waterline improvements along Highway 52W from Searcy Ln to Sandye Ave and along S Broadway (SR-109) from East Knight St to Village Dr.
- B.** Ordinance No. 24-15 – First Reading - An Ordinance to authorize the Mayor to enter into a Developer’s Agreement with Brimstone Builds, LLC on the Ricky Hartley Estates, located at 341 Woods Road in Portland, Tennessee, which will include the installation of an eight (8) inch water main along Woods Rd.
- C.** Ordinance No. 24-16 – First Reading – An Ordinance to authorize the Mayor to enter into a Developer’s Agreement with Stratton-Taylor Builders on the Harbin Sandye Avenue Development, which will include the installation of an eight (8) inch water main along West Market St and Sandye Avenue in Portland, Tennessee.
- D.** Resolution No. 24-20 –A Resolution to approve final adjusting change order #1 for the Underground Storage Tank Closure Project with EnSafe, Inc. at the Water Treatment Plant.

E. Discussion - Water Treatment Plant Production

F. Discussion - City Lake by OHM

G. Discussion - Wastewater Treatment Plant by Hethcoat Davis

Adjournment

ORDINANCE

City of Portland, Tennessee

No. 24 – 10

Second 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: February 5, 2024

Notice Published: Portland Sun- 2/20/24; Portland Leader: 2/21/24

Public Hearing: March 4, 2024

Passed Second Reading:



Work Study Minutes

Monday, February 5, 2024 at 4:00 PM

1. Call to Order

Mayor Mike Callis called the meeting to order at 4:01 PM.

2. Roll Call

Present: Alderman Jennings, Alderman Woodall, Alderwoman Thompson, Vice-Mayor McDowell(4:34PM), Alderwoman Holcomb, Alderwoman Barnes

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

Absent: Alderman Hall, Attorney Bradley

3. Approval of Agenda

Motion to approve Alderwoman Thompson; Second None; Motion: Passed

4. Items for Discussion

A. Budget Items - Mayor Callis turned over to Hazel Johnson to review the findings of the committee.

- Ms. Johnson distributed a spreadsheet showing Portland's pay rates compared to other cities.
- Alderwoman Barnes reported the review process showed several positions' starting pay was much lower.
- Alderman Woodall suggested looking at a step-plan for all employees. Council members wanted to add performance review as a part of determining the salary increase in the step-plan.
- Alderwoman Barnes suggested a complete wage study take place that would include a step-plan for all positions and reviewing the Fire and Police step-plans reducing the number of steps.
- Alderwoman Thompson reminded everyone that the study may show we are behind in some position wages by a large amount.
- The salary study committee recommends giving an increase of seventy cents to ninety-five cents per hour for all other employees besides the Police.
- Rachel Slusser distributed budget information that showed the FY 2023-2024 general fund could handle an increase of seventy cents, ninety-five cents or one dollar per hour, including TCRS and Social Security.
- It was agreed to release a request for proposal(RFP) for wage study that would include what cities are to be reviewed, a step plan for all employees and updating the Fire and Police step plans.
- There was a concern about the pay study being completed before the budget is adopted by the end of May.

Motion to: Give \$1. per hour raise to all city employees, except for the Police Department.

By: Alderwoman Thompson

Second: Alderwoman Barnes

Discussion: Alderwoman Thompson advised that her husband does work at the Fire Department.

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

Absent: Alderman Hall

Motion Passed(voice vote)

Rachel Slusser distributed a packet of what department heads are requesting for next years budget.

Adjournment

Motion to Adjourn by Alderwoman Thompson; Second by Alderman Woodall;

Motion passed by voice vote to **adjourn at 4:44.**



BOARD OF MAYOR AND ALDERMEN MINUTES

February 5, 2024 at 5:00 PM

1. Call to Order

Mayor Mike Callis called the meeting to order at 5:03 pm.

2. Prayer and Pledge

City Attorney John Bradley led the prayer and pledge.

3. Roll Call

Present: Alderwoman Barnes, Alderwoman Holcomb, 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

4. Approval of Agenda

Motion to: Amend the following:

Add to 17. Parks - Item B. Discussion - Trees at Richland Gym;

Add to 12. Finance - Item B. Resolution 24-16 - across board pay increase;

Move Resolution 24-15 from 21. Utilities to after Consent Agenda

By: Alderman Woodall

Second: Alderman Jennings

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

Absent: Alderman Hall

Motion Passed(voice vote)

5. Public Recognition

1. Brian Harbin - Against Resolution No. 24-15
2. Wally Gilliam - Against Resolution No. 24-15
3. John McCloud - Against Resolution No. 24-15

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.

- No one spoke.

7. Communications from Council Members

- No comments

8. Mayor's Report

- Update on hiring Emergency Communications Center Director.
- Beech High School recently had bomb threats, and it is not unusual for other local schools to have similar unfounded threats.
- Mayor Callis wanted to make the Council aware the City received a request from a developer to provide sewer into Kentucky. The staff has determined it would not be feasible because employees would be required to follow Kentucky regulation.
- SAVE training will take place on February 23 at City Hall. The plan is to organize a vets town hall to help those in the area and finding a place to host.
- Congrats to Police Chief Jason Williams & Carlton Cobb for becoming certified managers.

- One of Portland's water tanks was vandalized, and you may see a story on local TV media. The City will make an effort to find individuals by offering a reward and will prosecute.
 - Vice-mayor McDowell reported the Sumner County schools have now installed a panic button system in all the schools that notifies all county and city police .

9. Alcohol Beverage Board

Chair Jody McDowell called the Alcohol Beverage Board Meeting to order at 5:24 pm.

- A.** Lucky Fuel Inc.- Girish A Panchal - Off Premises Beer Permit at 5989 US-31-W, Portland, TN. An application from Guish A. Panchal was presented for ownership and name change to Lucky Fuel, Inc. at 5989 Highway 31-W.

Motion to: Approve

By: Alderman Woodall

Second: Alderwoman Thompson

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

Absent: Alderman HallNone

Motion Passed(voice vote)

The Alcohol Beverage Meeting adjourned at 5:25 pm.

10. Consent Calendar

Motion to: Approve

By: Vice-Mayor McDowell

Second: Alderwoman Holcomb

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

Absent: Alderman Hall

Motion Passed(voice vote)

- 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. (Brent Ausbrooks and John Brown)

- E.** Resolution No. 24-13 A Resolution to re-appoint a member to the Portland Health and Educational Facilities Board. (Nathan Shadowens)

11. Utility Infrastructure - Alderman Brian Woodall

- A.** 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.Moved from Utilities

Motion to: Discuss

By: Alderman Woodall

Second: Vice-Mayor McDowell

Discussion: Brian Price advised that the City is already approving water taps above the capacity. Discussion was held about capacity letters and grandfathering in certain situations. Resolution 23-45 explains the guidelines for capacity letters. Discussion about deposits for water taps.

Motion to: Defer to first or second meeting in March.

By: Alderwoman Thompson

Second: Alderman Woodall
Yes: Alderwoman Barnes, Alderwoman Holcomb, Alderman Jennings, Vice-Mayor McDowell, Alderwoman Thompson, Alderman Woodall
Absent: Alderman Hall
Motion to Defer to March meeting Passed (voice vote)

12. Community Development – Alderwoman Megann Thompson

No Items

13. 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.

Motion to: Approve

By: Alderwoman Barnes

Second: Vice-Mayor McDowell

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

Absent: Alderman Hall

Motion Passed(voice vote)

- B.** Resolution No. 24-16 - A Resolution authorizing the approval of an increase of \$ 1.00 per hour for employees, excluding police personnel that are paid according to the police pay scale, effective for hours worked starting Monday, February 12, 2024.

Motion to: Approve

By: Alderwoman Barnes

Second: Alderman Woodall

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

Abstain Alderwoman Thompson

Absent: Alderman Hall

Motion Passed(voice vote)

14. 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.

Motion to: Approve

By: Vice-Mayor McDowell

Second: Alderwoman Holcomb

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

Absent: Alderman Hall

Motion Passed(voice vote)

15. Human Resources – Alderwoman Penny Barnes

- A.** Discussion - Wage Study

- Alderwoman Barnes thanked Hazel Johnson and Rachel Slusser for pulling the information together for the salary information.
- A Request for Proposal was distributed for a wage study. The council agreed a wage study should be completed.
- It was agreed the following changes be made in the RFP;
 - compress Police and Fire step plans;

- add step plans to include all employees;
- include 40 mile radius for comparison.
- comparison of benefits and wages.
- The RFP will be released to known companies and posted.

16. Legislative – Mayor Mike Callis

No Items

17. Municipal Airport – Alderman Mike Hall

- No Items

18. Parks & Recreation – Alderman Brian Woodall

- A.** Discussion - Trees at Richland Gym - Jamie White wanted to make the Council aware of some changes happening at Richland Gym. The Veteran's Memorial Garden trees that were planted over 29 years ago have grown, and the roots are pushing against the gym foundation. Because it is a Memorial Garden, he wants to make sure everyone is aware and that a replacement plan is in place. All the plants around the Memorial Garden and around the flag pole will be replaced. Jim Donoho has been working with him to provide a design and layout for the Veteran's Memorial Garden. The memorial bricks will be on sale and worked into the new design. Funding for the changes will come from the Food Truck fees.

Mayor Callis noted the following:

- The agenda was posted on Thursday and an email was sent out to Council members on Friday.
- On February 1st the Food Truck Ordinance changes started. Night shift officers will check the status of trucks not moved and start sending citations to appear in City Court for those not in compliance.

19. 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.

Motion to: Approve

By: Alderwoman Thompson

Second: Alderwoman Holcomb

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

Absent: Alderman Hall

Motion Passed(voice vote)

Mayor Callis thanked everyone involved in the building of this Ordinance. Alderwoman Thompson, Nate Heisler, the Planning Commission, and City Council for funding outside help.

- 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.

Motion to: Approve

By: Alderwoman Thompson

Second: Alderman Woodall

Discussion: Location is where Days Gone By Museum was.

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

Absent: Alderman Hall

Motion Passed(voice vote)

- 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.

- Mr. James Hodges, applicant for Hearth Appliance Sales, requested Ordinance No. 24-08 be pulled from the agenda.

- 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 for the Munday College Street Preliminary Master Development Plan.

Motion to: Approve

By: Alderwoman Thompson

Second: Alderman Woodall

- Nate Heisler provided photos of the proposed layout requesting 50 unit town-homes and apartments on College St. Alderwoman Thompson advised the Planning Committee wanted it to go before Council, because of the zoning 7.5, it could have duplexes put on it, bringing it down to 30 units.

Motion to: Suspend the Rules, so the Developer can address the Council.

By: Alderman Jennings

Second: Alderwoman Thompson

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

Absent: Alderman Hall

Concerns expressed during discussion:

- Extra parking area
- School buses pick-up/drop-off area location.
- Concern from planning because was zoned 7.5 could be duplexes.
- May not best location for this type units
- Traffic coming onto College St. of 100 plus vehicles on daily basis.
- Would it remain private drive or become public street?
- How trash trucks will pickup on private drive. Should sanitation be handled through HOA

Andy Leath addressed the Council representing the Developer. His responses included:

- They would prefer it be a public street and not private. The private drive will meet City street standards.
- There will be HOA for the complex and ran by management company.
- They did not want to add a playground because of the liability.
- They included a multi use court and 30x30 dog park.

Vote for Original Motion

Yes: Alderman Jennings, Vice-Mayor McDowell

No: Alderwoman Barnes, Alderwoman Holcomb, Alderwoman Thompson, Alderman Woodall

Absent: Alderman Hall

Motion Failed(roll call vote)

20. 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.

Motion to: Approve

By: Alderman Jennings

Second: Alderman Woodall

Discussion: Chief Williams explained a stipulation is being added so that in certain events the Chief of Police or Mayor may alter certain fees for purposes of adoption.

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

Absent: Alderman Hall

Motion Passed(voice vote)

21. 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.

Motion to: Approve

By: Alderwoman Holcomb

Second: Alderman Woodall

Discussion: Carlton Cobb advised the extra rebar was removed from the bill and the increase is the additional footings the City added.

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

Absent: Alderman Hall

Motion Passed(voice vote)

Alderwoman Holcomb reported that the Convenience Center has expanded the width of the driveway from 12 feet to 30 feet, electricity, security cameras and streetlights have been installed.

22. 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.

Motion to: Approve

By: Alderman Woodall

Second: Alderwoman Barnes

Discussion: Bryan Price advised the difference between first and second reading is the site plan for commercial property has been taken out.

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

Absent: Alderman Hall

Motion Passed(voice vote)

- 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.

Motion to: Approve

By: Alderman Woodall

Second: Alderwoman Barnes

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

Absent: Alderman Hall

Motion Passed(voice vote)

- 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.
Moved to after the Consent Calendar.

- D.** Discussion - Water meters damaged on Woods Rd.
Warren Garrett reported that 11 out of 12 water meter boxes were damaged at the development on Woods Road. Utilities is going to require that concrete boxes be installed and require the cost to be paid by the developer. The area has been turned into a parking area, causing all the damage.

- E.** Discussion - OHM cost list of 2023 projects.
Bryan Price distributed OHM Project listing for 2022-2024. He explained the OHM projects.
Alderwoman Thompson questioned if a team could not be built in the City and not spend the 1.2 million contacting them.
Mr. Price explained that some projects require several engineers and different types of engineers are needed for the project and time constraints.

- F.** Discussion - Professional Services Candidate Selection

- Bryan Price invited the Council to be included in the selection process. He also advised that this Council has seen more projects come through than any other.
- Drew Jennings does not think the Council should be involved, but just wants information about the process.

- Alderman Woodall wants to make sure developers' proposals and projects move through the City process faster.
- Mayor Callis advised that any time a Council member has a question about a project, to please go to someone in the City to see what the issue is. Nate can show a timeline and what issues there may be.
- Alderwoman Thompson would like the City to continue to evaluate and realistically look if it would be cheaper to have our own engineering staff.

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?

- Brian Price introduced Greg from OHM to review the current projects.
- Greg discussed the projects and grants currently being worked on with the Water Plant and distribution in the City. He covered short-term and long-term goals and what things needed to happen to meet those. He advised that it would take several different improvements to reach the water capacity needed.
- The long term goal is to reach 134 million gallons per day and reach that with the current grant process and time frame.
- A discussion was held about the land ownership of property around the lake and current water intake.

Adjournment

Motion to Adjourn by Vice-Mayor McDowell; Second by Alderwoman Thompson;

Motion passed by voice vote to **adjourn at 8:00pm.**

RESOLUTION

City of Portland, Tennessee

No. 24 – 17

A RESOLUTION TO RE-APPOINT PORTLAND’S CITY HISTORIAN

WHEREAS, the City of Portland recognizes the importance of preserving local history and having someone in place who is knowledgeable of our local history and willing to take leadership in helping to preserve it; and

WHEREAS, Nathan Shadowens’ term as City Historian will expire April 15, 2024, and he has consented to serve another term; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Portland that Nathan Shadowens is hereby re-appointed to another 5-year term as City Historian that will expire on April 15, 2029; 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

RESOLUTION

City of Portland, Tennessee

No. 24 - 18

A RESOLUTION TO RE-APPOINT ONE EXISTING MEMBER, GAIL GENTRY TO THE PORTLAND MUNICIPAL BOARD OF APPEALS

WHEREAS, The Portland Municipal Board of Appeals is governed by the TCA and provides that the Mayor may appoint members and the City Council confirm the appointment; and

WHEREAS, Gail Gentry has expressed an interest in serving on the Portland Board of Zoning Appeals and as a resident of the City of Portland is qualified to serve on said board; and

NOW, THEREFORE BE IT RESOLVED, By the Mayor and Board of Aldermen that Gail Gentry is hereby re-appointed to fill the (5) year term that will expire March 4, 2029 effective immediately; 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 - 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: February 5, 2024

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

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.

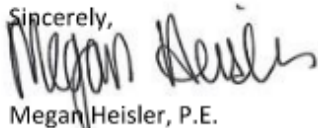
Also, all future parcels must have the utility main along the parcels' road frontage to be approved for service. All services must be located on the property being serviced and not more than twenty (20) feet from the Public right-of-way. The City does not allow utility services within a private easement.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

A RESOLUTION PURSUANT TO AUTHORITY GRANTED BY SECTION 6-54-111 OF THE TENNESSEE CODE ANNOTATED AND IN ACCORDANCE WITH SECTION 0380-3-7-02 OF THE OFFICIAL COMPILATION RULES AND REGULATIONS OF THE STATE OF TENNESSEE WHICH AUTHORIZES APPROPRIATIONS FOR FINANCIAL AID FOR NONPROFIT CHARITABLE ORGANIZATIONS WHOSE SERVICES BENEFIT THE GENERAL WELFARE OF THE RESIDENTS OF THIS MUNICIPALITY

WHEREAS, the following are nonprofit charitable organizations whose year-round services benefit the general welfare of the residents of this municipality; and

WHEREAS, section 6-54-111 of the Tennessee Code Annotated authorizes appropriation of funds for financial aid of such nonprofit charitable organizations; and

WHEREAS, section 0380-3-7-02 of the Official Compilation Rules and Regulations of the State of Tennessee requires that a special resolution be adopted for each such nonprofit organization which is to receive such funds; and

WHEREAS, such funds appropriated by the municipality the following organizations shall spend such funds to promote the general welfare of the residents of this municipality; and

WHEREAS, the following organizations shall comply with all requirements of section 6-54-111 of the Tennessee Code Annotated and chapter 0380-3-7 of the Official Compilation Rules and Regulations of the State of Tennessee, particularly with regard to submission of an annual report of its business affairs and transactions and the proposed use of the appropriated funds; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Portland that the following organizations will receive the amounts indicated for the fiscal year ended June 30, 2023:

<u>ORGANIZATION</u>	<u>AMOUNT</u>	
Portland C.A.R.E.S.	\$ 6,000.00	
Portland Senior Center	\$ 8,000.00	
SC Vietnam Veterans Chapter 240	\$ 925.00	
Mid-Cumberland Agency	\$ 5,900.00	
Portland Chamber of Commerce	\$20,000.00	
Portland Library	\$27,500.00	
Sumner County CASA	\$ 1,000.00	
Highland Rim Historical Society	\$ 1,000.00	
American Legion Post 75	\$ 875.00	
Salvus Center	\$ 1,500.00	
Sumner Spay Neuter Alliance	\$ 1,000.00	
Ashley's Place	\$ 2,500.00	
Home Safe	\$ 3,000.00	
Portland Pay It Forward	\$ 1,000.00	
Hands of Hope	\$ 1,000.00	
Temple Theater	\$ 1,000.00	
HATS (Habilitation and Training Services)	\$ 1,000.00	
Total		\$83,200.00

BE IT FURTHER RESOLVED this resolution shall take effect 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 - 13

First Reading

AN ORDINANCE TO AMEND ORDINANCE NUMBER 21-03 AUTHORIZED POSITIONS FOR THE CITY OF PORTLAND.

WHEREAS, the City of Portland Fire Department has identified a need to update job position titles based on industry standards; and

WHEREAS, this is not the creation of new positions nor does this affect the Fire Department Pay Step Plan except for title only; and

WHEREAS, the following title changes are recommended

- Lieutenant will forthwith be Captain
- Captain will forthwith be Battalion Chief
- Lieutenant will be deleted in its entirety; and

WHEREAS, the position of Captain will be defined as the officer in charge of an engine, ladder, or rescue company; and

WHEREAS, the position of Battalion Chief will be defined as the shift supervisor with direct oversight of the captains assigned to their respective shift and in charge of the daily operation of their respective shift.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Board of Alderman of the City of Portland, Tennessee that The City of Portland Authorized Positions list adopted by Ordinance 21-03 is hereby amended to include the updated positions within the fire department as mentioned above and is reflected in the attached be adopted with passage of this Ordinance; 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:

Fire Department Approved Positions List

Fire

Chief

Assistant Chief – Safety Officer/Inspector

Admin 1

Battalion Chief

Captain

Engineer

Firefighter 2 w/medical

Firefighter 1 w/medical

Firefighter 2

Firefighter 1

Firefighter Basic

Part-Time Firefighter

ORDINANCE

City of Portland, Tennessee

No. 24 – 10

Second 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: February 5, 2024

Notice Published: Portland Sun- 2/20/24; Portland Leader: 2/21/24

Public Hearing: March 4, 2024

Passed Second Reading:

ORDINANCE

City of Portland, Tennessee

No. 24 – 12

First Reading

AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING 523 WEST MARKET STREET, (TAX MAP 034E, GROUP C, PARCEL 005.00) FROM RS-20 (SINGLE FAMILY RESIDENTIAL) TO R-15 (LOW DENSITY RESIDENTIAL)

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

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

WHEREAS, the Portland Municipal Planning Commission recommended approval of rezoning 523 West Market Street from RS-20 (Single Family Residential) to R-15 (Low Density Residential), by a vote of 8-1 at their February 13, 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 RS-20 (Single Family Residential) to R-15 (Low Density Residential).

Approximately 0.83 +/- acres, located at 523 West Market 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 1755, Page 114 in the Register's Office of Sumner County, Tennessee, and being shown as Map 034E, Group C, Parcel 005.00, 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:

EXHIBIT A:





CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown hereon as evidenced in Book 151, Page 34, R.O.S.C., and that I (we) hereby adopt this plan with my (our) free consent, establish the minimum building restriction line, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

DATE: 11-29-97 J.R. Jernigan
OWNER

CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Portland Planning Commission and that the monuments shown have been or will be placed to the specifications of the city or county engineer or his authorized representative, and that this is a Category "1" Land Survey as defined in Title 62, Chapter 18, Tennessee Code Annotated.

DATE: 11-29-97 Jan J. Willis
REGISTERED LAND SURVEYOR

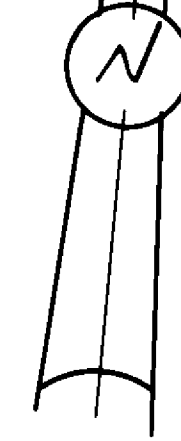


TOTAL AREA = 2.62 ACRES

INDEXED

FILED FOR RECORD
3:30 P.M.

Dec 31 1997
Registered in Plat
Book 17 Page 15
GIVEN BY Brown Ray



CERTIFICATE OF APPROVAL OF UTILITY SYSTEMS

I hereby certify (1) that the following utility systems outlined or indicated on the final subdivision plat entitled R. JERNIGAN & J.H. HARRIS have been installed in accordance with current local and/or state government requirements, or (2) a surety bond has been posted with the Planning Commission to assure completion of the following improvements in case of default.

WATER SYSTEM: Brian J. Jernigan
SUPERINTENDENT OF PUBLIC WORKS

DATE: 12-29-97

SEWER SYSTEM: Brian J. Jernigan
SUPERINTENDENT OF PUBLIC WORKS

DATE: 12-29-97

CERTIFICATE OF APPROVAL OF STREETS

I hereby certify (1) that all streets designated on the final subdivision plat entitled R. JERNIGAN & J.H. HARRIS have been constructed in accordance with local and/or state government requirements, or (2) a surety bond has been posted with the Planning Commission to assure completion of street improvements in case of default.

DATE: 12-29-97 Brian J. Jernigan
COUNTY ROAD OR PUBLIC WORKS
SUPERINTENDENT

CERTIFICATE OF GENERAL APPROVAL
FOR INSTALLATION OF SUBSURFACE SEWAGE
DISPOSAL SYSTEMS

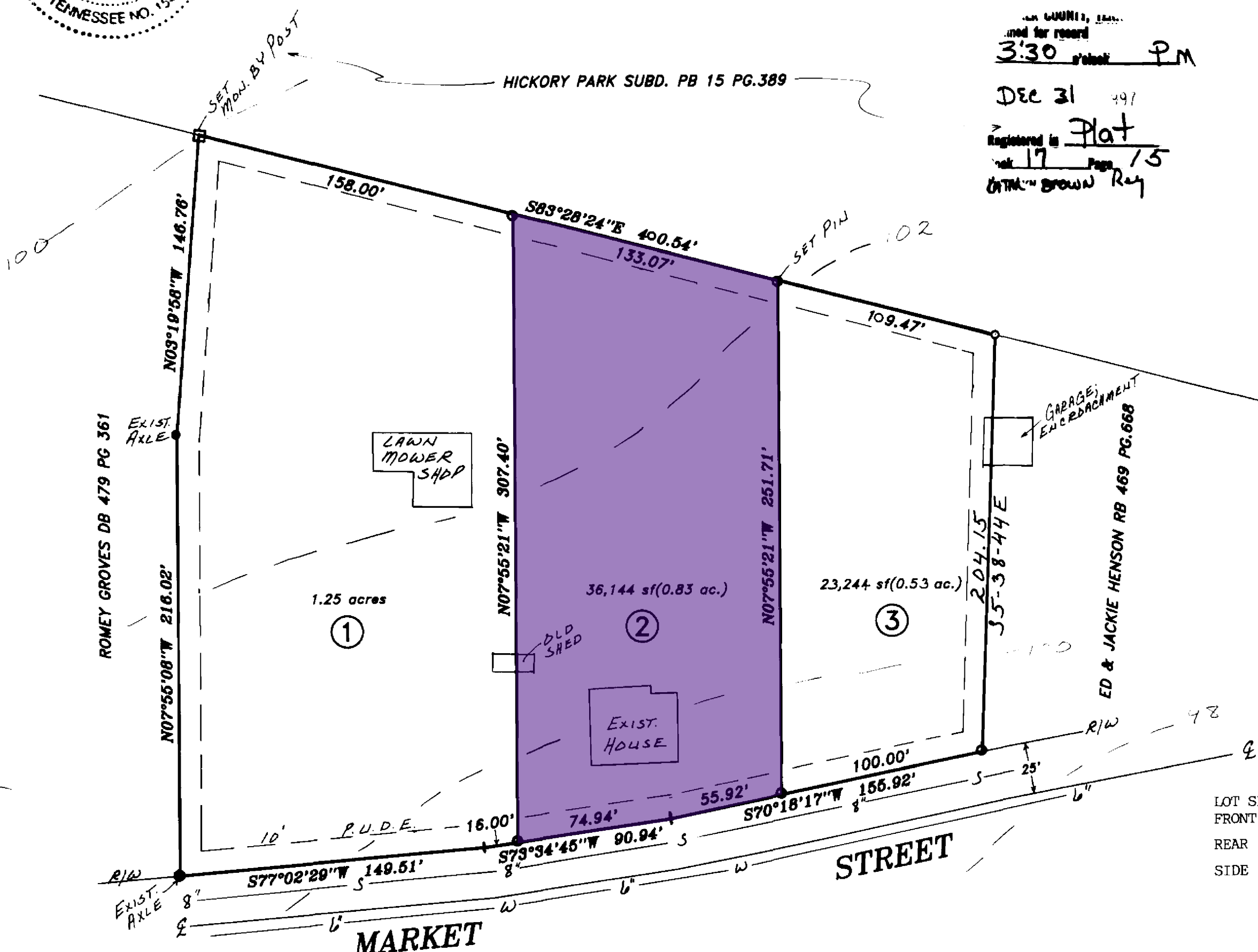
General approval is hereby granted for the lots proposed hereon as being suitable for subsurface sewage disposal, with such restrictions, if any, as noted. Before the initiation of construction, the location of the house or other structures and plans for the subsurface sewage disposal system shall be approved by the local health authority.

DATE: _____
ENVIRONMENTALIST

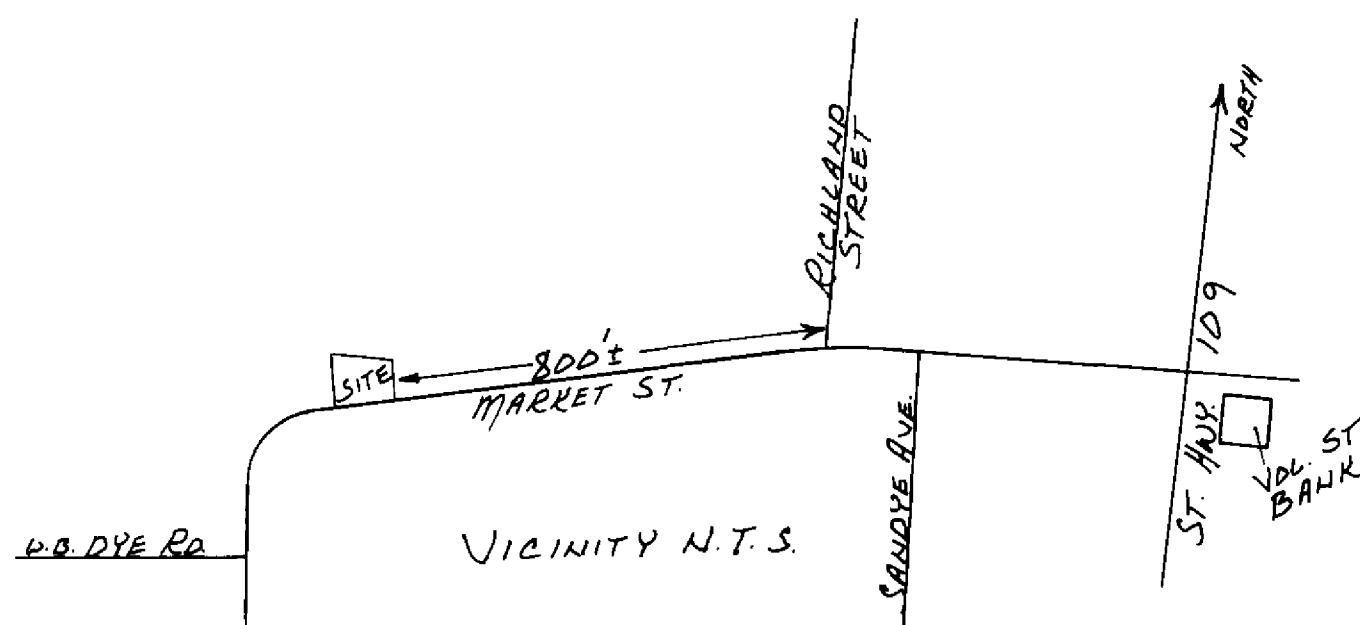
CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision standards for Portland, Tennessee, with the exception of such variances, if any, as noted in the minutes of the Planning Commission and that it has been approved for recording in the Office of the County Register.

DATE: 29 DEC 97 Brian J. Jernigan
SECRETARY PLANNING COMMISSION



LOT SETBACK REQUIREMENTS:	
FRONT -	40' MINIMUM
REAR -	30' MINIMUM
SIDE -	15' MINIMUM

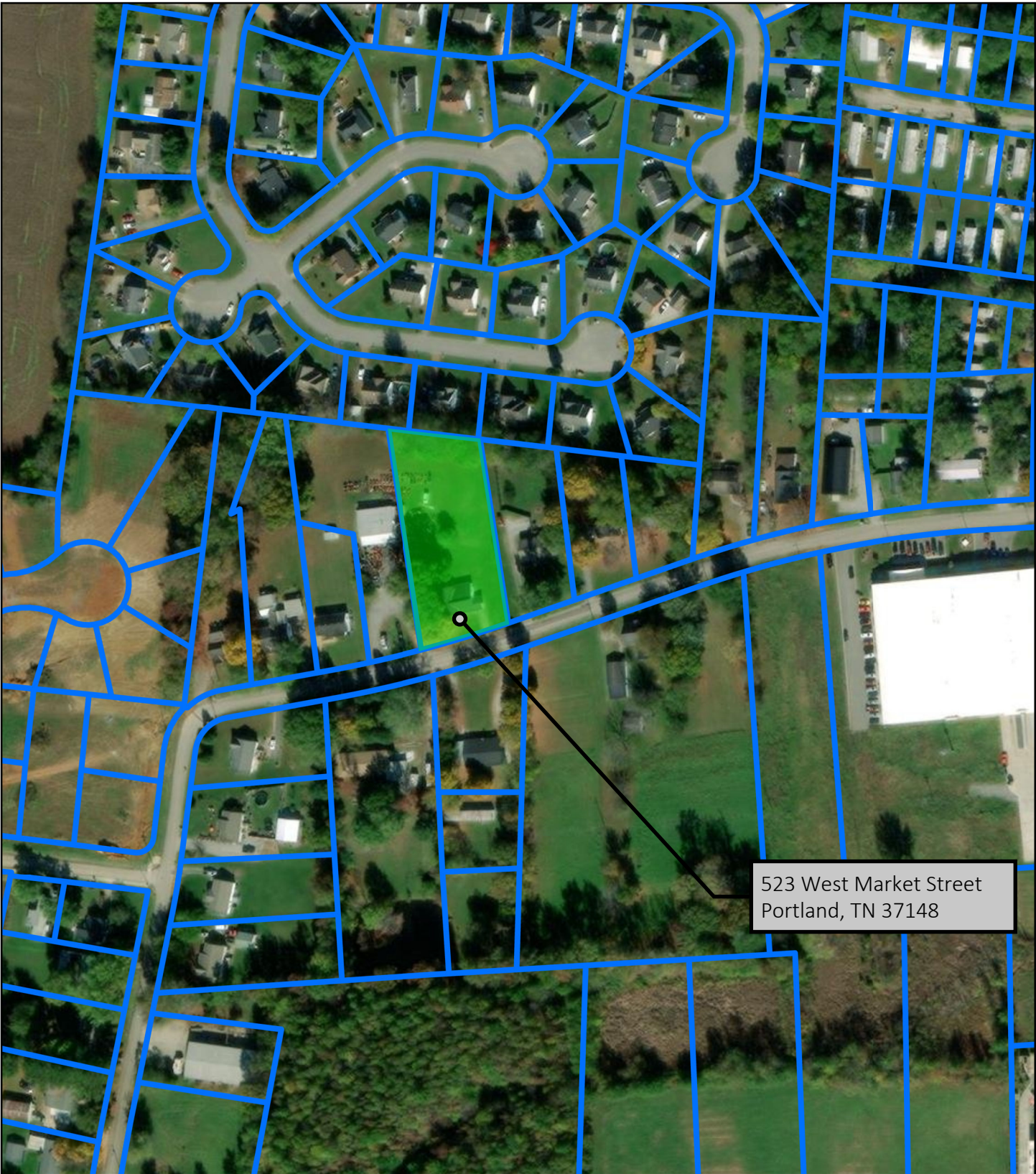


PREPARED BY:
WILLIS LAND SURVEYING
345 N. CENTER POINT RD.
PORTLAND TN. 325-2690

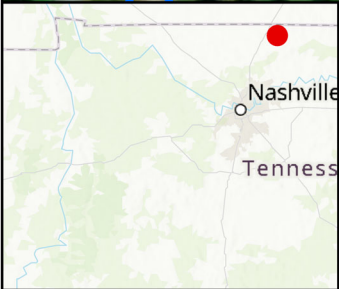
FINAL PLAT
THE RUTH JERNIGAN & J.H. HARRIS SUBD.
16TH CIVIL DIST. SUMNER CO. TN. CITY OF PORTLAND
DATE: JULY 12, 1997 SCALE: 1"=50'
OWNER: RUTH JERNIGAN & H. HARRIS 523 W. MARKET ST.
RECORD: DB 151 PG. 34 & DB 131 PG 30
TAX MAP# 34E (34D"B") PAR. 12 & 12.01
CURRENT ZONING: R-520

FOR: J.R. JERNIGAN

ENTERED
PLANNING COMMISSION
12/29/97



523 West Market Street
Portland, TN 37148

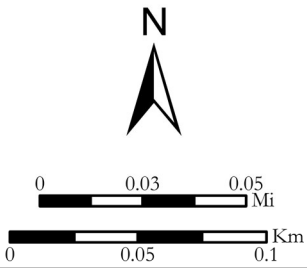


523 West Market Street Rezoning Application

Maxar, Microsoft, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, Esri, USGS

2023

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere



CITY OF PORTLAND, TENNESSEE

Planning Commission Application Rezoning Information and Checklist



Title of Project: 523 WEST MARKET ST. REZONING

Street Location: 523 WEST MARKET ST.

County: Sumner County or Robertson County (Circle One)

Tax Map: 034E Group: C Parcel: 005.00

Total Acreage: 0.83

Rezoning: From RS-20 to R-15

Applicant:

Name: STEVE LAUGHTER

Company or Partnership: _____

Address: 105 LIBERTY COVE

City: HENDERSONVILLE State: TN Zip: 37075

Telephone: (615) 480-8269 Fax: () Mobile: ()

Email: STEVE LAUGHTER 1 @ I CLOUD . COM

Owner (If Applicant is not owner):

Name: _____

Company or Partnership: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: () Fax: () Mobile: ()

Email: _____

Surveyor/Engineer:

Name: MARSHALL BOYD

Company or Partnership: EVENTIDE CONSULTING LLC

Address: 110 EVENTIDE DR

City: HENDERSONVILLE State: TN Zip: 37075

Telephone: (615) 788-1010 Fax: () Mobile: ()

Email: MARSHALLBOYD 21 @ GMAIL . COM

CITY OF PORTLAND, TENNESSEE

Planning Commission Application Rezoning Information and Checklist



Title of Project: 533 WEST MARKET ST. REZONING

Provided with Submittal		For Office Use
✓	Non-refundable Application Fee (See current fee schedule)	
✓	Completed Rezoning Application	
✓	Completed Agent Authorization Form	
✓ (PLAT)	Legal Description of Property being Rezoned	
✓	Copy of recorded deed.	
✓	8 1/2" by 11" map with the subject property highlighted	
N/A	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.	
✓	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: 523 WEST MARKET ST. REZONING

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.

STEVE LAUGHTER

Printed Name of Owner:

Steve Laughter

Signature of Owner:

STATE OF TENNESSEE COUNTY OF SUMNER

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, TISHA WILLIAMS, 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 5 day of JANUARY, 2024.

Tisha Williams
Notary Public

My Commission Expires: 07/21/2026



My Commission Expires July 21, 2026

Pamela L. Whitaker, Register
Sumner County Tennessee
Rec #: 544194 Instrument 655882
Rec'd: 10.00 NBK: 95 Pg 444
State: 259.00 Recorded
Clerk: 1.00 6/11/2003 at 8:00 am
EDP: 2.00 in Record Book
Total: 272.00
1755 Pg 114

Ret
This instrument prepared by:
DAVID M. AMONETTE
Attorney at Law
554 West Main Street
Gallatin, TN 37066

ADDRESS NEW OWNER:
Stephen F. Laughter and wife,
Angelica D. Laughter

105 Liberty Cove
Hendersonville, TN 37075

SEND TAX BILLS:

Same **ENTERED**
Phillip G. Simpson
PROPERTY ASSESSOR

Map 34E, Group B, CTL Map 34D, Parcel 12.00

16th JUN 11 2003
34E-B-34D-



FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00), cash in hand paid by the hereinafter named Grantees and other good and valuable considerations, the receipt of which is hereby acknowledged, **SHERMAN D. WILLIAMS, unmarried person**, hereinafter called the Grantor, has bargained and sold the following described property, and by these presents does transfer and convey the following described property unto **STEPHEN F. LAUGHTER and wife, ANGELIC D. LAUGHTER, as Tenants by the Entireties**, the following described property to wit:

Situated in the 16th civil District of Sumner County, Tennessee, and described as follows:

Being Lot #2 on the final plat of the Ruth Jernigan & J.H. Harris Subdivision to the City of Portland, a plat of which is of record in Plat Book 17, Page 15, Register's Office of Sumner County, Tennessee, to which reference is made for a more complete description.

Being the same property conveyed to **Sherman D. Williams, unmarried person** by Deed from **Bobby Lassiter** of record in Book 1482, Page 14, Register's Office for Sumner County, Tennessee.

THIS CONVEYANCE is made subject to plan of record in Plat Book 17, Page 15, Register's Office for Sumner County, Tennessee and any visible and unrecorded easements, building regulations and zoning regulations.

Taxes for 2003 are to be paid by the Grantees named herein.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantees, their heirs and assigns forever; and the Grantor does covenant with the said Grantees that he is lawfully seized and possessed of said land in fee simple, that he has a good right to convey it, and the same is unencumbered, except for the matters as herein set forth, and the Grantor does further

covenant and bind himself, his heirs and/or assigns, to warrant and forever defend the title to the said land to the said Grantees, their heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the party hereto has duly executed the foregoing on this the 16 day of May, 2003.

Sherman D. Williams
SHERMAN D. WILLIAMS

**STATE OF TENNESSEE
COUNTY OF SUMNER**

Personally appeared before me, the undersigned, a Notary Public for said County and State, **SHERMAN D. WILLIAMS** with whom I am personally acquainted and who, upon oath, acknowledged that he executed the foregoing instrument for the purposes therein contained.

Witness my hand and seal at office on this the 16 day of May, 2003.

[Signature]
NOTARY PUBLIC

My Commission Expires: 2/19/2007

**STATE OF TENNESSEE
COUNTY OF SUMNER**

The actual consideration or value, whichever is greater, for this transfer is \$ 70,000⁰⁰.

Stephen L. Laughter
AFFIANT

Subscribed and sworn to before me this the 16 day of May, 2003.

[Signature]
NOTARY PUBLIC

My Commission Expires: 2/19/2007
d:/laughter.wd

T.T.'s
LAWN MOWER REPAIR
615-584-6412
BUY-SELL-TRADE
9:00-5:00 MON-FRI.
SAT. 9-12
CLOSED SUNDAY

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 - 14

First Reading

AN ORDINANCE TO ENTER AN AGREEMENT WITH BOBBY LUTTRELL AND SONS, LLC FOR THE 12-INCH WATERLINE IMPROVEMENTS ALONG HIGHWAY 52W FROM SEARCY LN TO SANDYE AVE AND ALONG S BROADWAY (SR-109) FROM EAST KNIGHT ST TO VILLAGE DR

WHEREAS, the City of Portland deems it necessary to install a twelve (12) inch water main along Highway 52 West from Sandye Avenue to Searcy Lane and along S Broadway (SR-109) from E Knight St to Village Drive to improve capacity and operational integrity of the water system; and

WHEREAS, funding for this project will be partially from the \$5,000,000 loan the City received on March 6, 2023 as per Resolution 23-24; and

WHEREAS, the City of Portland received and opened bids on February 7, 2024 from the following contractors; and

<u>CONTACTORS</u>	<u>BASE BID</u>
Bobby Luttrell and Sons, LLC	\$686,851.25
Infinity Pipeline, LLC	\$688,800.00
Cumberland Pipeline, LLC	\$715,184.00
Long Branch Construction, LLC	\$836,050.22
Norris Bros Excavating, LLC	\$971,250.00
REV Construction, LLC	\$1,428,340.00

WHEREAS, after careful consideration, the bid from Bobby Luttrell and Sons, LLC has been recommended as best bid for the 12-Inch Waterline Improvements along Highway 52W and S Broadway (SR-109); and

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Portland to enter in an agreement with Bobby Luttrell and Sons, LLC in the amount of \$686,851.25 as best bid for the 12-Inch Waterline Improvements along Highway 52W and S Broadway (SR-109); 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:

BID TABULATION				Bobby Luttrell and Sons, LLC		Infinity Pipeline, Inc.		Cumberland Pipeline, LLC		Long Branch Construction, LLC		Norris Brothers Excavating, LLC		REV Construction, Inc.	
City of Portland Hwy 52 & S Broadway (SR 109) 12" Waterline Improvements				190 Bank Circle Dr		181 Dillard Road		2909 Cane Valley Mill Road		6518 Long Branch Drive		22 Northside Lane		5801 Grover Burchfield Dr	
PDU No: 0101-211				Dundee, KY 42338		Bowling Green, KY 42104		Columbia, KY 42728		Greenbrier, TN 37073		Crossville, TN 38571		Tuscaloosa, AL 35401	
Bid Date/Time: Wednesday, February 7, 2024 at 11:30 a.m. (CST)															
Item	Description	EST QTY	UNIT	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	12" DIP CL 350 Water Line, Open Cut	3,000	LF	\$ 106.75	\$ 320,250.00	\$ 121.50	\$ 364,500.00	\$ 109.00	\$ 327,000.00	\$ 148.95	\$ 446,850.00	\$ 175.00	\$ 525,000.00	\$ 220.00	\$ 660,000.00
2	12" DIP CL 350 Water Line, Open Cut, Remove & Replace in Same Trench (Sheet CU-105)	560	LF	\$ 137.50	\$ 77,000.00	\$ 165.00	\$ 92,400.00	\$ 132.00	\$ 73,920.00	\$ 191.42	\$ 107,195.20	\$ 180.00	\$ 100,800.00	\$ 399.00	\$ 223,440.00
3	12" DIP w/ 20" Steel Casing Pipe, Open Cut at W Market St	50	LF	\$ 476.00	\$ 23,800.00	\$ 425.00	\$ 21,250.00	\$ 340.00	\$ 17,000.00	\$ 499.68	\$ 24,984.00	\$ 320.00	\$ 16,000.00	\$ 650.00	\$ 32,500.00
4	6" DIP CL 350 Water Line, Open Cut	40	LF	\$ 109.50	\$ 4,380.00	\$ 98.00	\$ 3,920.00	\$ 76.00	\$ 3,040.00	\$ 109.20	\$ 4,368.00	\$ 80.00	\$ 3,200.00	\$ 250.00	\$ 10,000.00
5	12" Gate Valve	3	EA	\$ 5,100.00	\$ 15,300.00	\$ 5,200.00	\$ 15,600.00	\$ 5,874.00	\$ 17,622.00	\$ 5,882.45	\$ 17,647.35	\$ 4,000.00	\$ 12,000.00	\$ 9,000.00	\$ 27,000.00
6	6" Gate Valve	1	EA	\$ 2,150.00	\$ 2,150.00	\$ 2,100.00	\$ 2,100.00	\$ 2,169.00	\$ 2,169.00	\$ 2,309.91	\$ 2,309.91	\$ 2,200.00	\$ 2,200.00	\$ 4,000.00	\$ 4,000.00
7	Remove 6" Gate Valve, 12" x 6" Reducer (Sta. 0+11 Sheet CU-105)	1	EA	\$ 2,000.00	\$ 2,000.00	\$ 1,100.00	\$ 1,100.00	\$ 2,760.00	\$ 2,760.00	\$ 1,500.06	\$ 1,500.06	\$ 3,500.00	\$ 3,500.00	\$ 1,000.00	\$ 1,000.00
8	Remove & Replace Type A Asphalt Pavement	200	SY	\$ 315.00	\$ 63,000.00	\$ 95.00	\$ 19,000.00	\$ 250.00	\$ 50,000.00	\$ 265.40	\$ 53,080.00	\$ 80.00	\$ 16,000.00	\$ 365.00	\$ 73,000.00
9	Remove & Replace Concrete Sidewalk	185	SY	\$ 155.25	\$ 28,721.25	\$ 106.00	\$ 19,610.00	\$ 167.00	\$ 30,895.00	\$ 162.00	\$ 29,970.00	\$ 80.00	\$ 14,800.00	\$ 280.00	\$ 51,800.00
10	Remove & Replace Concrete Curb	160	LF	\$ 40.25	\$ 6,440.00	\$ 85.00	\$ 13,600.00	\$ 67.00	\$ 10,720.00	\$ 42.00	\$ 6,720.00	\$ 45.00	\$ 7,200.00	\$ 185.00	\$ 29,600.00
11	6" x 6" Tapping Sleeve and Valve	2	EA	\$ 3,950.00	\$ 7,900.00	\$ 6,400.00	\$ 12,800.00	\$ 6,364.00	\$ 12,728.00	\$ 7,154.98	\$ 14,309.96	\$ 6,800.00	\$ 13,600.00	\$ 13,000.00	\$ 26,000.00
12	Connect to Existing 12" WL or Gate Valve	2	EA	\$ 2,500.00	\$ 5,000.00	\$ 2,025.00	\$ 4,050.00	\$ 6,239.00	\$ 12,478.00	\$ 4,501.03	\$ 9,002.06	\$ 9,000.00	\$ 18,000.00	\$ 8,000.00	\$ 16,000.00
13	Fire Hydrant Assembly	7	EA	\$ 7,830.00	\$ 54,810.00	\$ 9,400.00	\$ 65,800.00	\$ 9,230.00	\$ 64,610.00	\$ 8,463.01	\$ 59,241.07	\$ 4,950.00	\$ 34,650.00	\$ 15,000.00	\$ 105,000.00
14	Reconnect Water Services	4	EA	\$ 1,250.00	\$ 5,000.00	\$ 1,500.00	\$ 6,000.00	\$ 2,323.00	\$ 9,292.00	\$ 1,227.52	\$ 4,910.08	\$ 1,200.00	\$ 4,800.00	\$ 5,000.00	\$ 20,000.00
15	Erosion Control	1	LS	\$ 25,000.00	\$ 25,000.00	\$ 15,000.00	\$ 15,000.00	\$ 25,300.00	\$ 25,300.00	\$ 9,802.50	\$ 9,802.50	\$ 140,000.00	\$ 140,000.00	\$ 75,000.00	\$ 75,000.00
16	Temporary Water Services (See Sheet CU105)	1	LS	\$ 14,600.00	\$ 14,600.00	\$ 900.00	\$ 900.00	\$ 6,900.00	\$ 6,900.00	\$ 4,000.00	\$ 4,000.00	\$ 4,500.00	\$ 4,500.00	\$ 20,000.00	\$ 20,000.00
17	Clearing and Grubbing (Sta. 5+50 to 12+50 Sheets CU-101 and 102)	1	LS	\$ 11,500.00	\$ 11,500.00	\$ 11,170.00	\$ 11,170.00	\$ 28,750.00	\$ 28,750.00	\$ 20,160.03	\$ 20,160.03	\$ 35,000.00	\$ 35,000.00	\$ 34,000.00	\$ 34,000.00
18	Project Allowance	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
TOTAL BASE BID				\$ 686,851.25		\$ 688,800.00		\$ 715,184.00		\$ 836,050.22*		\$ 971,250.00		\$ 1,428,340.00	

Alternate Item				Bobby Luttrell and Sons, LLC		Infinity Pipeline, Inc.		Cumberland Pipeline, LLC		Long Branch Construction, LLC		Norris Brothers Excavating, LLC		REV Construction, Inc.	
Item	Description	EST QTY	UNIT												
A1	Material Substitution on Pay Items 1-3 to Include 12" PVC DR 14 C-900 instead of DIP CL 350	3,610	LF	\$ 4.50	\$ 16,245.00	\$ 3.40	\$ 12,274.00	\$ 104.00	\$ 375,440.00	\$ 180.40	\$ 651,244.00	\$ 142.00	\$ 512,620.00	\$ -	\$ -

\$ 703,096.25	\$ 701,074.00	\$ 1,090,624.00	\$ 1,487,294.22	\$ 1,483,870.00	\$ 1,428,340.00
---------------	---------------	-----------------	-----------------	-----------------	-----------------

*Highlighted amounts depict the corrected cost, different from the Contractor's Original Bid Form (due to miscalculation)





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

February 23, 2024

Mr. Bryan Price, Director of Utilities
City of Portland
100 S Russell Street
Portland, TN 37148

RE: RECOMMENDATION OF AWARD
CITY OF PORTLAND, TENNESSEE
HIGHWAY 52 AND S BROADWAY (SR-109) 12" WATERLINE IMPROVEMENTS

Mr. Price:

On Wednesday, February 7, 2024, at 11:30 a.m. CST, six (6) separate sealed bids were received for the subject project referenced above. Bobby Luttrell and Sons, LLC was the apparent low bidder with a total bid amount of \$686,851.25.

The certified bid tabulation is attached for your use and a summary of the six (6) bids are shown below for your reference. The Contractor has met and delivered all required documentation as prescribed in the approved bid documents. Based on our findings, it is recommended that the Board of Mayor and Aldermen (BOMA) consider awarding this contract in the amount of \$686,851.25 to Bobby Luttrell and Sons, LLC, as the successful, responsive, low bidder.

Bidder	Bid Amount
Bobby Luttrell and Sons, LLC	\$686,851.25
Infinity Pipeline, LLC	\$688,800.00
Cumberland Pipeline, LLC	\$715,184.00
Long Branch Construction, LLC	\$836,050.22
Norris Brothers Excavating, LLC	\$971,250.00
REV Construction, LLC	\$1,428,340.00

If you have any questions or require additional information, please, feel free to contact me.

Sincerely,

Megan Heisler, P.E.
Utilities Engineer



ORDINANCE

City of Portland, Tennessee

No. 24 - 15

First Reading

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A DEVELOPER'S AGREEMENT WITH BRIMSTONE BUILDS, LLC ON THE RICKY HARTLEY ESTATES, LOCATED AT 341 WOODS ROAD IN PORTLAND, TENNESSEE, WHICH WILL INCLUDE THE INSTALLATION OF AN EIGHT (8) INCH WATER MAIN ALONG WOODS RD.

WHEREAS, the City of Portland, Tennessee has determined that improvements need to be made to City infrastructure, including the water system, 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 Systems have capacity for the proposed 18-unit development, Ricky Hartley Estates, 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 system, 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 Brimstone Builds, LLC for the Ricky Hartley Estates, located at 341 Woods Road, Tax Map 016, Parcel 026.00, 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:

DEVELOPMENT AGREEMENT FOR RICKY HARTLEY ESTATES

CITY OF PORTLAND, TENNESSEE

This Development Agreement (“AGREEMENT”) is made and entered into on this ____ day of _____, 2024 by and between Brimstone Builds, 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 develop an 18-unit development, located at 341 Wood Rd, Tax Map 016, Parcel 026.00, in Portland, Tennessee (hereinafter called the "PROJECT"); and

WHEREAS, DEVELOPER has received a letter stating the existing Water System 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 27th day of **April, 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 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 470 linear feet (LF) of eight (8) inch water 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. Water Distribution System

a. Installations:

The DEVELOPER will be required to install approximately 470 LF of eight (8) inch water main with all associated appurtenances.

b. Improvement Fees:

The DEVELOPER shall be required to pay **\$25,500** in Water Improvement fees, (One existing tap on the property for water). All payments must be made prior to PDU signing the Final Plat.

c. Surety Amount:

The DEVELOPER shall provide a Letter of Credit or cash escrow to the CITY in the amount of **\$95,625.00** 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 **\$14,343.75** 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. Sewer Collections System

a. Improvement Fees:

The Developer will be required to pay **\$17,000** in Sewer Improvement fees and \$29,750 in Sewer Capacity Fees for all 17 units. (One existing tap on the property for sewer)

Developer's payment to the CITY in the amount of (i) **\$42,500** as the PROJECT's share of the cost for both WATER and SEWER IMPROVEMENT fees, (ii) a total SURETY amount of **\$95,625.00** for the PROJECT's utilities, and (iii) **\$29,750** for SEWER CAPACITY fees, and shall satisfy all Developer and Owner obligations with respect to all improvements, including without limitation the WATER IMPROVEMENTS. The WATER IMPROVEMENTS are 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

Brimstone Builds LLC
P.O. Box 391
Portland, TN 37148

Date: 4/27/2023

Re: WATER & SEWER CAPACITY LETTER
341 WOODS RD, PORTLAND, TN 37148
SUMNER COUNTY – TAX MAP 018, PARCEL 5.00

Portland Department of Utilities (PDU) has completed its review of your application for water services for the proposed eighteen (18) unit development. The above referenced location has one (1) existing water tap and one (1) existing sewer tap, equating to the Developer needing services for seventeen (17) units. Please see below for the capacity details.

WATER:

The system does have capacity for the seventeen (17) proposed units once improvements are made. To be able to serve this development, PDU will require the Developer to upsize the existing four (4) inch waterline to an eight (8) inch water main from the soon to be installed 8-inch main along the Jennings Estate development (361 Woods Road) to the existing water main along Hwy 259. This will entail approximately 500 feet of eight (8) inch blue C900 DR 14 PVC or class 250 ductile iron pipe and all associated appurtenances. The Developer will be required to pay water improvement fees per unit.



Picture 1: Woods Rd Upsizing Route (Yellow)

SEWER:

The Developer will need to get with the City of Mitchellville to determine whether any sewer taps are available. PDU will not approve any sewer taps until seventeen (17) sewer taps are available from the City of Mitchellville for this development. The Developer will need to provide PDU with a letter from the City of Mitchellville stating that seventeen (17) sewer taps have been allocated to this development. Once the Developer submits the item stated above to PDU, we will review and, if approved, will issue a revised Capacity Letter.

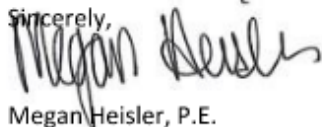
No approval of any services is indicated. Construction plans will be required to be submitted and approved by PDU for the water main being upsized as stated above. An individual Residential Service Availability Request Form must be completed for each lot within this subdivision once the water line installation is complete and has been accepted by PDU. The fees associated with each lot (i.e. tap, connection fees, etc.) will be determined once that 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).

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 12-month period past the date of this letter. After the 12-month period expires, fees are subject to re-calculation and potential increases. You may request an extension of the fee status in writing prior to expiration of the 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.

MNHAV001254

cc.

PDU Office

City of Mitchellville

1003 N. Church St
P.O. Box 13
Mitchellville, Tn 37119
(615) 325-6020

June 8, 2023

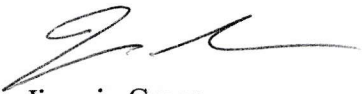
Attn: Brimstone Builds, LLC

The City of Mitchellville requested a sewer capacity increase from the City of Portland, and we have secured eight (8) sewer taps to issue to your future properties on your project on Woods Rd.

Portland does require that any taps released must be installed with two (2) years of their approval. This puts an expiration date of these tap approvals on June 5, 2025.

Feel free to contact me if you have any further questions.

Thank you for your support in building up our community,



Jimmie Green
Mayor of Mitchellville
mayor@cityofmitchellville.com
615-438-3089

Resolution

City of Portland, Tennessee

No. 23 - 70

A RESOLUTION TO AUTHORIZE THE CITY OF PORTLAND TO ALLOW TEN ADDITIONAL SEWER TAPS FOR THE CITY OF MITCHELLVILLE

WHEREAS, in a letter dated May 8, 2023 the City of Mitchellville, TN requested that the City of Portland, TN release ten (10) residential sewer taps to be used within the city limits of Mitchellville in addition to the thirty-seven (37) sewer taps granted in Resolution No. 22-53; and

WHEREAS, in discussion at the City of Portland Council meeting on June 5, 2023 the Council agreed to the release of ten (10) more residential sewer taps noting that any further release of taps would be based on projection of needs by the City of Portland Utility department; and

WHEREAS, the availability of these ten (10) residential-only sewer taps are subject to review and expiration based on Resolution No. 23-45; and

WHEREAS, it is incumbent upon the City of Mitchellville, TN to maintain accurate records to track all sewer taps and submit copies of these records to the City of Portland within 30 days for each tap that is released; and

WHEREAS, all current City of Portland fees per sewer tap release are owed to the City of Portland and those fees are separate from any fees that the City of Mitchellville may charge; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Alderman of the City of Portland, TN that an additional ten (10) residential-only sewer taps be approved to be used within the city limits of the City of Mitchellville, TN as agreed upon at the June 5, 2023 Portland Council meeting; 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 10th day of July 2023.

ORDINANCE

City of Portland, Tennessee

No. 24 - 16

First Reading

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A DEVELOPER'S AGREEMENT WITH STRATTON-TAYLOR BUILDERS ON THE HARBIN SANDYE AVENUE DEVELOPMENT, WHICH WILL INCLUDE THE INSTALLATION OF AN EIGHT (8) INCH WATER MAIN ALONG WEST MARKET ST AND SANDYE AVENUE IN PORTLAND, TENNESSEE.

WHEREAS, the City of Portland, Tennessee has determined that improvements need to be made to City infrastructure, including the water system, 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 Systems have capacity for the Harbin Sandye Avenue 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 system, 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 Stratton-Taylor Builders for the Harbin Sandye Avenue Development, located at the intersection of W Market St and Sandye Ave, Tax Map 034E, Group B, Parcel 014.02, 014.03, 014.04, & 014.05; 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:

DEVELOPMENT AGREEMENT FOR HARBIN SANDYE AVENUE

CITY OF PORTLAND, TENNESSEE

This Development Agreement (“AGREEMENT”) is made and entered into on this ____ day of _____, 2024 by and between Stratton-Taylor Builders (“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 8-lot development, located at the intersection of W Market St and Sandye Ave, Tax Map 034E, Group B, Parcel 014.02, 014.03, 014.04, & 014.05, in Portland, Tennessee (hereinafter called the "PROJECT"); and

WHEREAS, DEVELOPER has received a letter stating the existing Water System 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 **4th** day of **April, 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 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 811 linear feet (LF) of eight (8) inch water main with all required appurtenances. The DEVELOPER shall be responsible for all design and permitting for 433 linear feet (LF) of eight (8) inch

sewer main and all the 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. Water Distribution System

a. Installations:

The DEVELOPER will be required to install approximately 811 LF of eight (8) inch water main with all associated appurtenances.

b. Improvement Fees:

The DEVELOPER shall be required to pay **\$12,000** in Water Improvement fees for 8 units as per the approved Construction Plans. All payments must be made prior to PDU signing the Final Plat.

c. Surety Amount:

The DEVELOPER shall provide a Letter of Credit or cash escrow to the CITY in the amount of **\$174,562.50** 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 **\$26,184.38** 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. Sanitary Sewer Collections System

a. Installations:

The CITY will be required to install approximately 433 LF of eight (8) inch gravity sewer main, with all associated appurtenances with said installation. The CITY is required to install the sewer main as per Plat Book 20 Page 72.

b. Improvements Fees:

The DEVELOPER shall be required to pay **\$8,000** in Sewer Improvement fees, as per the attached Capacity Letter. All payments must be made prior to PDU signing the Final Plat.

Developer's payment to the CITY in the amount of (i) **\$20,000** as the PROJECT's share of the cost of WATER and SEWER IMPROVEMENT fees and (ii) a total SURETY amount of **\$174,562.50** for the PROJECT's utilities, and shall satisfy all Developer and Owner obligations

with respect to all improvements, including without limitation the WATER IMPROVEMENTS. The WATER IMPROVEMENTS are 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

Brian Harbin
Stratton – Taylor Builders
4015 Calista Rd
Cross Plains, TN 37049

Date: 4/4/2023

Re: WATER & SEWER CAPACITY LETTER
W MARKET ST & SANDYE AVE, PORTLAND, TN 37148
SUMNER COUNTY – TAX MAP 034E, GROUP B, PARCELS 14.02, 14.03, 14.04, 14.05

Portland Department of Utilities (PDU) has completed its review of your application for water and sewer services for the proposed nine (9) unit development at the above referenced location. Please see below for the capacity details.

WATER:

The system does have capacity for the nine (9) proposed units 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 from the intersection of W Market St and Richland St, along the entire properties' road frontage to an eight (8) inch diameter water main. This will entail approximately 650 feet of eight (8) inch blue C900 DR 14 PVC or class 250 ductile iron pipe and all associated appurtenances. The Developer will be required to pay water improvement fees per unit.

SEWER:

Sewer is available for the nine (9) units. The Developer will be required to pay sewer improvement fees per unit.

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).

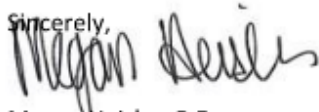
No approval of any services is indicated. Construction plans will be required to be submitted and approved by PDU for the water main being extended as stated above. Also, a legal document (i.e. recorded metes & bounds or recorded Plat) will need to be provided for each lot for PDU to verify that each lot has road frontage, as per Resolution 19-27.

An individual Residential Service Availability Request Form must be completed for each unit within this subdivision once the water line installation is complete and has been accepted by PDU. The fees associated with each unit (i.e. tap, connection, capacity fees, etc.) will be determined once that form is filled out and submitted to PDU.

This letter shall expire in 90 days. 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 after 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". The signature is written in a cursive, flowing style.

Megan Heisler, P.E.

MNHAV001218

cc.

Bryan Price

Kim White

Darlene Baker

RESOLUTION

City of Portland, Tennessee

No. 24 – 20

A RESOLUTION TO APPROVE FINAL ADJUSTING CHANGE ORDER #1 FOR THE UNDERGROUND STORAGE TANK CLOSURE PROJECT WITH ENSAFE, INC. AT THE WATER TREATMENT PLANT

WHEREAS, the City of Portland has approved the original contract in the amount of \$34,400 with EnSafe, Inc. for the Underground Storage Tank Closure Project; and

WHEREAS, this Final Adjusting Change Order closes out the project at no additional cost to the City and finalizes all invoices for the project; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Portland to approve the Final Adjusting Change Order #1 for the Underground Storage Tank Closure Project with EnSafe, Inc for the final project amount of \$34,400; 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

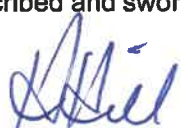
FINAL AFFIDAVIT AND WAIVER OF LIEN BY CONTRACTOR

This will acknowledge that the undersigned, EnSafe Inc.
Known as the Contractor, has furnished labor and materials for the following work: 2023 UST Closure located at 298 Portland Lake Rd., Portland TN. UST ID 05-5830333 for the City of Portland, Tennessee, and whereas, the Contractor has personally appeared before a duly sworn notary and states on oath that:

1. Contractor has paid in full all debts, obligations, and liabilities due, or to become due by the Contractor to all parties (including, without limitations, all debts, obligations, and liabilities for labor, materials, equipment or services and for all local, state, or federal taxes or charges, and for any damages to others) which have been incurred by Contractor, and/or materials furnished by Contractor with:
ACH Direct Deposit
2. This Affidavit and Waiver is made and given upon and in exchange for final payment for all sums due the Contractor by the City of Portland, the Owner, under the terms of said contract and in considerations therefore, Contractor waives and releases all claims and any and all liens or rights to liens against the City of Portland, for amounts due and owing to Contractor by virtue of performance by Contractor of said Contractor, of the furnishings of Contractor of the labor and/or materials described above, or for any other reason.

The above statements made to the Owner, by the undersigned on behalf of the Contractor, and stated as accurate and true, are;

Subscribed and sworn to before me this 20th day of February, 2024.



Notary Public

My Commission Expires: 11-29-27

Company Name (Contractor) EnSafe Inc.





Signature & Title
VP Contracts & Risk Management