

## TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Public Hearing Meeting Date Thursday, October 2, 2008

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A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, October 2, 2008 at 6:00 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor David Jackson, Vice-Mayor Rance Castle, Alderman John Keef, Alderman Rex Pesnell, Alderman Mark Payne and Attorney William Gouger, Jr.

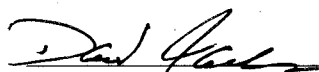
Mayor Jackson called the public hearing to order for Ordinance 198 – An Ordinance to Amend the Official Zoning Ordinance to Maintain Eligibility in the National Flood Insurance Program for the Town of Kimball, Tennessee

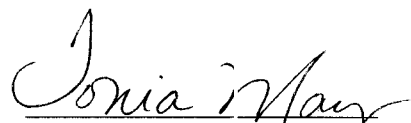
### NEW BUSINESS

- a) **To receive citizen input into Ordinance 198 – An Ordinance to Amend the Official Zoning Ordinance to Maintain Eligibility in the National Flood Insurance Program for the Town of Kimball, Tennessee.**

Mayor Jackson stated that this is necessary to accept the new flood maps which will be effective February 4, 2009.

As there was nothing further to come before the public hearing, motion was made by **Alderman Payne** to adjourn. The motion was seconded by **Vice-Mayor Castle**. The motion passed unanimously on a board vote.

  
David Jackson, Mayor

  
Tonia May, Recorder

# TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Regular Meeting

Date October 2, 2008

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A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, October 2, 2008 at 6:00 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor David Jackson, Vice-Mayor Rance Castle, Alderman John Keef, Alderman Rex Pesnell, Alderman Mark Payne and Attorney William Gouger, Jr.

Mayor Jackson called the regular meeting to order after the public hearing at 6:03 p.m.

## INVOCATION AND PLEDGE

Mayor Jackson asked Ronnie Case to say the invocation over the meeting.

Mayor Jackson led the Pledge of Allegiance.

## ROLL CALL

Mayor Jackson asked Recorder May to call roll those present were: Mayor David Jackson, Vice-Mayor Rance Castle, Alderman John Keef, Alderman Rex Pesnell, Alderman Mark Payne and Attorney William Gouger, Jr.

## APPROVAL OF MINUTES

On a motion by **Alderman Pesnell**, seconded by **Alderman Payne** the minutes of the Regular Monthly Board Meeting for September 4, 2008 were approved unanimously on a board vote.

## OLD BUSINESS

Mayor Jackson gave updates on a couple of issues as follows:

- Walking Track at the park on Industrial is complete and the lights have been installed. There is several ways to walk one mile. Bobby Smith has determined that the loop is 0.2 which will take five laps to make a mile or to walk the whole track is 0.6.
- The drainage system on View Street has been completed there was one change on where to install the catch basin; however, there was no additional charges.
- The work to the ditch on North Kingsberry has been completed.

## SCHEDULED AGENDA ITEMS

- a.) **Jan Webb, Nancy Sutherland and Mary Cookston with Rural Transit Transportation concerning Bus Stops in Kimball**

The Southeast Tennessee Human Resource Agency operates rural transportation in Marion County. They are in the process of running a defined route from South Pittsburg to Jasper. They are requesting the town to install the signs that they will provide on the town's right of way. The stops will be Sequatchie Valley Primary Care, Dr. Sowter's Office, Wal-Mart,

Goody's and at Chattanooga State Technical Community College. The agency will get all the releases.

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Castle** to approve the town to install the bus stop signs for the Southeast Tennessee Human Resource Agency. The motion passed unanimously on a board vote.

**b.) 2<sup>nd</sup> and Final Reading of Ordinance 198 – An Ordinance to Amend the Official Zoning Ordinance to Maintain Eligibility in the National Flood Insurance Program for the Town of Kimball, Tennessee**

Motion was made by **Alderman Keef**, seconded by **Alderman Pesnell** to approve on 2<sup>nd</sup> and Final Reading Ordinance 198 – An Ordinance to Amend the Official Zoning Ordinance to Maintain Eligibility in the National Flood Insurance Program for the Town of Kimball, Tennessee. The new flood maps will take effect February 4, 2009. The motion passed unanimously on a board vote.

**c.) Resolution 2008-04 – A Resolution Adopting an Identity Theft Policy for the Town of Kimball, Tennessee**

All fulltime employees and Mayor will be attending a class on this information. Attorney Gouger stated that he has provided the town with a modified policy to fit our town. There is a requirement that states each municipality will need to have a policy in effect by November 1, 2008. The board members nominated the Mayor to be over the Identity Theft Policy. Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Castle** to approve the Mayor to be the overseer to the Identity Theft Policy and to approve Resolution 2008-04 -- A Resolution Adopting an Identity Theft Policy for the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

**d.) America's Best Value Inn – Sewer Bill for July 2008**

Kenny Patel with America's Best Value Inn brought by a copy of their July water and sewer bill showing an increase in the sewer bill and to request an adjustment on the overage on the sewer bill due to a water leak. According to the South Pittsburg Water, Sewer and Gas Company's sewer information, July 2008 billed amount was \$3,566.50 August 2008 billed amount was \$1,845.00. The town's portion of the excess usage is \$809.11. After some discussion and review of previous adjustments, no motion was made.

**e.) Old Christmas Lights**

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to donate the old Christmas Lights to the Town of New Hope. The motion passed unanimously on a board vote.

**f.) Temporary Building Inspector**

Ronnie Blevins was involved in an auto accident and will be unable to inspect for a few weeks. Motion was made by **Alderman Keef**, seconded by **Alderman Pesnell** to hire Jarvis Wooten as a temporary building inspector and prorate Ronnie Blevins pay rate while Jarvis Wooten fills in for this position. The motion passed unanimously on a board vote.

**g.) Donation to the Family Violence Center**

Motion was made by **Vice-Mayor Castle**, seconded by **Alderman Payne** to donate \$2,500 to the Marion County Family Violence Center. The motion passed unanimously on a board vote.

**h.) Ratify the concrete at the barn from Danny Hibbs Construction Co. in the amount of \$3,487**

Mayor Jackson asked Alderman Keef to get an estimate from Danny Hibbs Construction on pouring concrete in the back hallway of the barn at Industrial Blvd. After receiving the estimate from Hibbs Construction Company, Alderman Keef contacted all board members for approval to proceed with this project.

Motion was made by **Vice-Mayor Castle**, seconded by **Alderman Payne** to ratify the payment to Danny Hibbs Construction Co in the amount of \$3,487 for concrete poured in the back hallway of the barn on Industrial Blvd. The motion passed unanimously on a board vote.

**i.) Health Insurance Rates Effective January 1, 2009**

Recorder May explained that there was only a 4% increase in each of the plans.

Motion was made by **Vice-Mayor Castle**, seconded by **Alderman Payne** to continue to pay 100% of employee's health insurance and 70% of the family portion for the 2009 year. The motion passed unanimously on a board vote.

**j.) New Building 649 Main Street**

The bid specifications for the New Building have been advertised in the local paper with Bids to be opened on October 16, 2008 at 2:00 p.m. Bids will be considered for awarding at a Special Called Meeting on October 21, 2008 at 5:00 p.m.

**k.) CPI Telemetry System for Wal-Mart Lift Station**

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Castle** to accept bids on a telemetry system for the Wal-Mart Lift Station with bids to be opened at the next monthly meeting. The motion passed unanimously on a board vote.

**l.) Ratify Authorizing Sgt. Chris Webb signing the Governor's Highway Safety High Visibility for \$5,000 for the 2009 Grant**

Motion was made by **Alderman Keef**, seconded by **Alderman Pesnell** to approve Sgt. Chris Webb to sign the Governor's Highway Safety High Visibility Grant for 2009. The motion passed unanimously on a board vote.

**m.) Pontiac Bonneville Seized by Police Department**

Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Castle** to auction the seized Pontiac Bonneville on Saturday, November 8, 2008 at 10:00 am. The motion passed unanimously on a board vote.

**POLICE REPORT**

Alderman Keef gave the Police Report as Follows:

Litigation Tax	\$55.00
Court Costs	\$245.00
Fines	\$30.00
Report Fee	\$30.00
Sessions Court	\$1396.97
License fee	\$25.00
<b>Total</b>	<b>\$1781.97</b>

Two of the Police officers are out for a while. Both officers have had surgery one expected back during the middle of this month and the other is still on worker's comp. The department will be working together to cover these shifts.

**FIRE REPORT**

Alderman Pesnell gave the fire report for September 2008 the department responded to seven calls for the month. The calls were two rescues, three mutual aids, one chemical spill and one false alarm at Cracker Barrel it was the belt on the A/C caused the burnt smell.

**PARK AND RECREATION BOARD REPORT**

Alderman Keef stated the Park Board met September 9, 2008 at 5:00 at the park. The park board has requested to have the concessions plans drawn up and start making steps toward getting the soccer items purchased once the grant money is available. Tonia May, Sharon Case and I will be attending a class on the grant funds on Monday, October 6, 2008. Rance Castle and I have put out spawning mats in the ponds and fertilized both ponds. We also transferred about 100 fish to the number 2 pond. The walking track has been complete with lights. The park board wanted to request some park benches and trees. The park is opened daily from 5:00 am until 10:00 pm. The gutter project is still in the works. The concrete in the back hallway looks good. The next meeting will be held on October 14, 2008 at 5:30 at the barn.

**ATTORNEY REPORT**

Attorney Gouger had two issues for the board as follows:

- o Land purchase is still in progress.
- o Utility easement on the McConnell property for the work done on View Street will be completed soon.

**NEW BUSINESS**

Alderman Payne questioned the effect of liquor by the drink if it passes during the November 4, 2008 election. Attorney Gouger will find the state laws governing this act and provide a copy to the board.

Mayor Jackson had several items under new business as follows:

- Sheriff Bo Burnett and the board have a few changes to be made to the SRT agreement before approval.
- The SRT has requested that the town consider donating money to the program to pay some on overtime for training. It costs an estimate of \$3,000 per year for training. Any calls for situations where the officers are needed the Marion County SRT Program will refund these costs.

Motion was made by **Alderman Keef**, seconded by **Alderman Payne** to approve a donation to the SRT program in the amount of \$3,000 for this year budget to be used for training of the Marion County SRT Program. The motion passed unanimously on a board vote.


- Sales Tax for August 2008 229,560 which is down about \$700 from last year. The town did request a situs report to check that all businesses in Kimball's sales taxes were coming to our town and the only one found was the Kimball Goodwill Store.
- The town has been working with TDOT for the interchange project to include a flap gate type flood control device. The federal funds can not be used to pay for this type of project. TDOT has submitted some estimates for the project to check and see if the town wanted to fund this project during the construction. The board will review the flood device project at the special called meeting on October 21, 2008.
- Finances

General Fund		Drug Fund	
Checking	\$ 70,411	Checking	\$ 10,814
Savings	\$ 531,453		
CD	\$ 418,000	Sewer Fund	
Tctal	\$1,019,864	Checking	\$ 115,187
State Street Aid		CD	\$ 70,650
Checking	\$ 24,342	Total	\$ 185,837
	<b>Grand Total</b>		<b>\$1,240,857</b>

- The next monthly meeting will be November 6, 2008 at 6 pm.
- Planning Coramission will meet October 21, 2008 at 6 pm if have any business.
- The Special Called Meeting will be October 21, 2008 at 5 pm.

**ADJOURNMENT**

As there was nothing further to come before the board, motion was made by **Alderman Keef** to adjourn. The motion was seconded by **Alderman Payne**. The motion passed unanimously on a board vote.

  
David Jackson, Mayor

  
Tonia May, Recorder

# AGENDA

**October 21, 2008**  
**Special Called Meeting at 5:00 p.m.**

1. Call to Order Special Called Meeting of Kimball Board of Mayor and Aldermen to discuss bids on Municipal Building, Flood Control Devices at I-24 interchange redesign, AT&T relocate facilities for New Municipal Building and any other pertinent business that may come before the board.
2. Roll Call

Mayor Jackson	Vice-Mayor Castle	Alderman Payne
Alderman Pesnell	Alderman Keef	Attorney Gouger
3. Bids on Municipal Building
  - Bid Package 2A - Site
  - Bid Package 2B - Utilities
  - Bid Package 2C - Paving
  - Bid Package 3A - Concrete
  - Bid Package 3B - ReSteel
  - Bid Package 4 – Masonry
  - Bid Package 5 – Steel
  - Bid Package 6A – Carpentry
  - Bid Package 6B – Millwork
  - Bid Package 7A – Roofing
  - Bid Package 7B – Insulation
  - Bid Package 7C – Aluminum & Vinyl
  - Bid Package 8A – HM doors and Hardware
  - Bid Package 8B – Roll up Doors
  - Bid Package 8C – Windows
  - Bid Package 8D – Storefront Glass
  - Bid Package 9A – Drywall
  - Bid Package 9B – EIFS
  - Bid Package 9C – Carpet and Tile
  - Bid Package 9D – Acoustical
  - Bid Package 9E – Painting
  - Bid Package 10A – Building Special
  - Bid Package 10B – RR Part and Accessories
  - Bid Package 15A – Plumbing
  - Bid Package 15B – HVAC
  - Bid Package 16A – Electrical
4. Flood Control Devices at I-24 interchange
5. AT&T relocate facilities for New Municipal Building
6. Any other properly presented business
7. Adjourn

## TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Special Called Meeting

Meeting Date October 21, 2008

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A special called meeting of the Kimball Board of Mayor and Aldermen was held on Tuesday, October 21, 2008 at 5:00 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor David Jackson, Vice-Mayor Rance Castle, Alderman Rex Pesnell, Alderman Mark Payne, Alderman John Keef and Attorney William Gouger, Jr.

Mayor Jackson called the special called meeting to order at 5:00 p.m. to review the bids on the Municipal/Activity Building, Flood Control Devices at I-24 interchange redesign, AT&T relocate facilities for New Municipal/Activity Building and any other pertinent business that may come before the board

Mayor Jackson asked Recorder May to call roll those present were: Mayor David Jackson, Vice-Mayor Rance Castle, Alderman Mark Payne, Alderman John Keef, Alderman Rex Pesnell and Attorney William Gouger, Jr.

### SCHEDULED AGENDA ITEMS

#### a.) **Bids on Municipal/Activity Building**

Scott Hawkins, STH and Associates, presented the board with a letter of "Recommend Contracts" which included the bidders for each of the bid packages. The board was also presented an Estimate from STH & Associates, Inc. Summary Sheet Project: Kimball Municipal Building (Kimball, TN) Job# 0815. The bidders were the lowest in each category except paving. The lowest paver bid did not include the addendums specify heavy duty paving. So he recommends the next to lowest bidder. There was much discussion on this project.

Alderman Payne abstains from the project due to relationships with bidders on the project. Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Castle** to accept the letter of "Recommended Contracts" on each bid package by STH and Associates which is attachment "A". The motion passed on a board vote with Alderman Payne abstaining. Paving was rejected see Any Other Properly Presented Business for motion.

#### b.) **Flood Control Devices at I-24 Interchange**

Mayor Jackson has a letter and also spoke with Scott Medlin with TDOT concerning the flood control devices. The state is putting all the responsibility on the town to provide the following: a request in writing to add these devices, source of funding to pay for the devices, design costs, cost estimate, materials required to complete the project, installation of devices, maintenance agreement, a 50% deposit for the total project and a contract between TDOT and the Town of Kimball. The estimated for all cost associated with the flood control devices are estimated at \$250,000-\$300,000. Based on all the information required to start this project, Mayor Jackson suggested waiting until a later date to consider the project.



c.) **AT&T relocating facilities for New Municipal Building**

Mayor Jackson explained that the phone lines will need to be moved to build the new Municipal Building since the building will be extended beyond the previous building.

Motion was made by **Alderman Payne**, seconded by **Alderman Pesnell** to approve the Mayor to sign the contract and pay AT&T \$4,094.12 to relocate the phone lines. The motion passed on a board vote.

d.) **Other properly presented business**

- Scott Hawkins presented the board with a cost estimate to repaint the New Maintenance Building which is leaking when it rains. Greg Bradford Painting will apply one coat of gray Sherlastic Sherwin Williams paint to the building for \$3,145. This is the same painter that painted the Maintenance Building. There was much discussion on this issue.

Motion was made by **Alderman Payne**, seconded by **Alderman Pesnell** to approve Greg Bradford Painting to apply one coat of paint to new Maintenance Building in the amount of \$3,145. The motion passed on a board vote.

- Scott Hawkins addressed the board concerning the 1" overlay of asphalt on the entire area from the maintenance building down to Main Street. After much discussion, it was decided to reject the original bid.

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Castle** to reject all bids on Bid Package 2C - Paving and rebid at a later date. The motion passed on a board vote.

- Mayor Jackson wanted to address the contract with STH & Associates, Inc. for the Municipal/ Activity Building. Attorney Gouger stated that the contract needs to be have the construction manager's contract bonded.

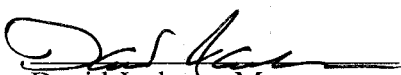
Alderman Payne abstained from voting.

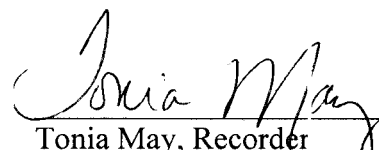
Motion was made by **Alderman Keef**, seconded by **Alderman Pesnell** to approve Mayor Jackson to sign the contract with STH & Associates, Inc. to be the contract manager over the Municipal/Activity Building contingent upon the contract reflecting the changes Attorney Gouger suggested. The motion passed on a board vote with Alderman Payne abstaining.

- Scott Hawkins with STH & Associates, Inc. requested that the board review the paving area and the thickness of the asphalt. Mr. Hawkins will request that the demolition crew to place a temporary stone base to keep mud from forming on the building site lot.

**ADJOURNMENT**

As there was nothing further to come before the board, motion was made by **Vice-Mayor Castle** to adjourn. The motion was seconded by **Alderman Payne**. The motion passed unanimously on a board vote.

  
David Jackson, Mayor

  
Tonia May, Recorder