

# KIMBALL BOARD OF MAYOR AND ALDERMEN

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Monthly Board Meeting  
Thursday, December 3, 2009, 6:00 P.M.  
Town Hall Meeting Room  
675 Main Street  
Kimball, TN 37347  
**AGENDA**

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1. Call to Order the Regular Monthly Board Meeting of the Kimball Mayor and Aldermen
2. Prayer
3. Pledge of Allegiance
4. Roll Call
5. Approval of November 5, 2009 Minutes of Regular Meeting
6. Old Business
7. Beer Application from Jean's Snack Bar and More owned by Debra Jean Powell located at 2013 Main Street
8. 1<sup>st</sup> Reading of Ordinance 205 – An Ordinance to Amend the Zoning Ordinance of the Town of Kimball, Tennessee, so as to Amend the Official Zoning map with Updates and Corrections, said area Being Located Within the Corporate Limits of Kimball, Tennessee
9. Approval of Preliminary Application for 2010 ARC Sewer Line Extension to Marion County Technical and Community College
10. CDBG 2010 Sewer Line Extension Project
11. Ratify Sequachee Valley Electric Cooperative for Electricity to Concessions Stand in the amount of \$9,006.50
12. Ratify Bill from SRC for Computer Monthly Service and General Maintenance for October 2009 in amount of \$1,530.95
13. Request from Raceway for Sewer Reimbursement due to busted water main
14. Dobson Property located adjacent to Park property on Industrial Blvd
15. Car for Police Department
16. Police Report
17. Fire Report
18. Park Board Report
19. Attorney Report
20. New Business
21. Adjourn

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**MINUTES OF THE REGULAR MEETING  
BOARD OF MAYOR AND ALDERMEN  
KIMBALL, TENNESSEE  
TOWNHALL MEETING ROOM  
THURSDAY, December 3, 2009 – 6:00 P.M.**

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A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, December 3, 2009 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 Rex Pesnell, Alderman John Keef, Alderman Jerry Don Case, Alderman Mark Payne and Attorney William Gouger, Jr.

Mayor Jackson called the regular meeting to order at 6:00 p.m.

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**INVOCATION AND PLEDGE**

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

Mayor Jackson led the Pledge of Allegiance.

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**ROLL CALL**

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

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**APPROVAL OF MINUTES**

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On a motion by **Vice-Mayor Pesnell**, seconded by **Alderman Keef** the Minutes of the Regular Monthly Board Meeting for November 5, 2009 were approved unanimously on a board vote.

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**OLD BUSINESS**

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Mayor Jackson had a few items under old business as follows:

- At 5:00 today, the town had a public hearing held by the Southeast Tennessee Development District concerning closing the town's CDBG 2004 Sewer Line Extension Project this project is officially finished with the town paying out the retainage fees to Lofty Construction Company approximately \$26,000 and James C. Hailey Company approximately \$25,000. The town has received \$168,001 in funds from the project with a final pay request of \$66,130 being submitted.
- The LPRF (Park) Grant has been submitted in the amount of \$42,000 with a check written on the concession stand project. The town has submitted a pay request to the state for park funds these funds have not been received yet.
- The concession stand is approximately 40% complete at this time.
- October meeting, Mrs. Jones was in attendance concerning a water line that was on top of the ground. This water line has been buried and was buried about two weeks after that meeting.
- Gary Dixon and Mike Wilson attended the meeting last month concerning a trade day at the park once a month. The town has done some research. The state representatives are currently involved in the conversion of the business license to the

state. The town will contact them after first of year for a complete explanation of what is necessary for this project.

## **SCHEDULED AGENDA ITEMS**

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**a.) Beer Application from Jean's Snack Bar and More owned by Jean Powell located at 2013 Main Street**

Chief Jordan has performed the background check and she has been cleared. Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to approve the Beer Application for Jean's Snack Bar and More by Jean Powell located at 2013 Main Street. The motion passed unanimously on a board vote.

**b.) 1<sup>st</sup> Reading of Ordinance 205 – An Ordinance to Amend the Zoning Ordinance of the Town of Kimball, Tennessee, so as to Amend the Official Zoning map with Updates and Corrections, said area Being Located Within the Corporate Limits of Kimball, Tennessee**

The Kimball Municipal Planning Commission recommends the town board to pass this ordinance. This will be a digital map and was approved during the Kimball Municipal Planning Commission Meeting in November. Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve on 1<sup>st</sup> Reading of Ordinance 205 – An Ordinance to Amend the Zoning Ordinance of the Town of Kimball, Tennessee, so as to Amend the Official Zoning map with Updates and Corrections, said area Being Located Within the Corporate Limits of Kimball, Tennessee. The motion passed unanimously on a board vote.

**c.) Approval of Preliminary Application for 2010 ARC Sewer Line Extension to Marion County Technical and Community College**

The Southeast Tennessee Development District has been working on this project. The estimated cost for this project is \$647,000. The ARC grant is a 50% grant. The other 50% is not necessarily from Kimball Budget it can be from other grants such as Rural Development or other sources. Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to approve the preliminary application for 2010 ARC Sewer Line Extension to Marion County Technical and Community College. The motion passed unanimously on a board vote.

**d.) CDBG 2010 Sewer Line Extension Project**

At 5:30 today, the town had a public hearing with Southeast Tennessee Development District concerning the 2010 CDBG Sewer Line Extension to go further with this project. Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve Southeast Tennessee Development District to prepare a resolution for the town to approve concerning the 2010 CDBG Sewer Line Extension Project. The motion passed unanimously on a board vote.

**e.) Ratify Sequachee Valley Electric Cooperative for Electricity to Concession Stand in the amount of \$9,006.50**

All board members were contacted prior to authorizing SVEC to begin work. If the contractor installs the electricity, there is a 10% increase in the charges. Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Pesnell** to ratify the bill from Sequachee Valley Electric Cooperative in the amount of \$9,006.50 to install electricity to the concession stand. The motion passed unanimously on a board vote.

**f.) Ratify bill from SRC Technology Solutions for Computer Monthly Service and General Maintenance for October 2009 in the amount of \$1,530.95**

Motion was made by **Alderman Case**, seconded by **Alderman Keef** to ratify the computer work done in October 2009 by SRC Technology Solutions in the amount of \$1,530.95. The motion passed unanimously on a board vote.

**g.) Request from Raceway for Sewer Reimbursement due to busted water line**

Motion was made by **Alderman Payne**, seconded by **Alderman Case** to approve the request one time for Raceway reimbursement on sewer charges in the amount of \$199.98 for the busted water line. The motion passed unanimously on a board vote.

**h.) Dobson Property located adjacent to Park property on Industrial Blvd**

Josh Dobson has made an inquiry to see if the town was still interested in the property on Lofty Drive for \$150,000. Mayor Jackson had Recorder May to make an offer of \$100,000 for the property. Dobson declined the \$100,000 offer and stated he had an offer of \$150,000. Mayor Jackson stated he did not have a preference either way on the property but suggested that the town not offer over \$125,000 for the property. The railroad issue was discussed. After much discussion, Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to submit a counteroffer of \$125,000 for the property owned by Dobson located off of Lofty Drive based upon the town's approval of the survey lines. The motion passed unanimously on a board vote. The Board will have a special called meeting next Wednesday, December 9, 2009 at 5:00 pm concerning the offer on the Dobson property.

**a.) Car for Police Department**

Motion was made by **Alderman Keef**, seconded by **Alderman Payne** to approve the purchase of state bid on a Dodge Charger from Alexander Ford unless the town can purchase the car locally with all the options at state bid and in comparison with the added options. If purchase from Alexander Ford, the price is \$25,026 with some options excluding a push bumper and the transition of the existing radio. The motion passed unanimously on a board vote.

**POLICE REPORT**

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Alderman Keef gave an update on the Police Department as follows:

Litigation Tax	\$27.50
Court Costs	\$122.30
Fines	\$30.00
Report Fee	\$110.00
Sessions Court	\$504.92
License fee	\$0.00
<b>Total</b>	<b>\$794.92</b>

Alderman Keef stated the department is short a police officer and the town will be taking applications at this time.

## **FIRE REPORT**

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Vice-Mayor Pesnell gave the fire report for November 2009 the department responded to six calls for the month. The calls were one false alarm, one mutual aid, one signal nine and three others (LZ for Life-force, diesel leak and smoke removal).

## **PARK AND RECREATION BOARD REPORT**

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Alderman Keef stated the meetings have been cancelled until after the holidays. The concession stand is looking good.

## **ATTORNEY REPORT**

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Matt Webb with UT Extension Office has looked at the Walnut Tree on 1021 Main Street. The owner lived in South Carolina and could not be contacted prior to removal during the installation of sewer line extension by the 2004 CDBG Sewer Line Extension Project. Therefore, Matt Webb with UT Extension Office was contacted to give the town a fair price for the tree.

## **NEW BUSINESS**

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Alderman Payne stated the town has continuing sewer problems.

Mayor Jackson had several items under new business as follows:

- There are three Nabco quotes included in the folders the town has issued a purchase order today for the Lowe's quote which was a little over \$1,000.

The one at Kimball Crossing is \$5,636.37 and the one at Battle Creek is \$4,088.79.

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve the repair of the traffic light at Kimball Crossing in the amount of \$5,636.37 and Battle Creek \$4,088.79 by Nabco Electric. The motion passed unanimously on a board vote.

Recorder May will check into adding these to the insurance liability.

- Jim Lofty with Lofty Construction Company decided to use Lodge sand to backfill the sewer line project which saved the town \$240,000 versus using gravel. This also helped Lodge by disposing of sand that has to either be hauled off or taken to Lodge's land fill.
- Sales Tax for October 2008 was at \$270,448 October 2009 \$258,536 down \$9,700.
- Terry Case has resigned from the Park and Recreation Board effective December 1, 2009.
- The Interstate project has not been released due to TVA wanting to do their own environmental study. This bridge being raised holds up the other project in New Hope. A copy of the resolution if approved will be sent to TVA Board Members, and other Representatives to help speed up this process.

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve Resolution 2009-09 – A Resolution Requesting That The Tennessee Valley Authority Expedite the Environmental Study at the SR-27 Interchange @ I-24, PIN Number 102236.00. .

- The town will not have a Planning Commission Meeting for December unless something comes in for review.

- Finances

**General Fund**

Checking	\$ 140,296
Payroll	\$ 65,475
Savings	\$ 377,429
CD	\$ 430,000
Total	\$1,013,200

**Drug Fund**

Checking	\$ 2,109
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**State Street Aid**

Checking	\$ 16,777
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**Sewer Fund**

Checking	\$ 68,532
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CD	\$ 75,561
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Savings	\$ 100,408
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Total	\$ 244,501
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<b>Grand Total</b>	<b>\$1,276,587</b>
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- Replay of the meeting will be tomorrow on WEPG at 10:00 am.
- Wish the South Pittsburg Pirates Luck tomorrow as they go to State for Football Championship game.
- Merry Christmas and Happy New Year.

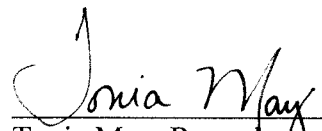
Alderman Case wanted to thank Terry Case for work and time put in on the Park and Recreation Board.

**ADJOURNMENT**

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

  
David Jackson, Mayor

  
Tonia May, Recorder