

KIMBALL BOARD OF MAYOR AND ALDERMEN

Monthly Board Meeting
Thursday, February 4, 2010 6:00 P.M.
Town Hall Meeting Room
675 Main Street
Kimball, TN 37347

AGENDA

1. Call to Order the Regular Monthly Meeting of the Board of Mayor and Aldermen of the Town of Kimball
2. Prayer
3. Pledge of Allegiance
4. Roll Call
5. Approval of January 7, 2010 Minutes of Public Hearing and Regular Meeting
6. Old Business
7. 1st Reading of Ordinance 206 – An Ordinance to Amend Ordinance 172 to Replace the 2003 Editions of the International Building Code with the 2009 Editions of Same, with the exception of section P2904 of the International Residential Code
8. Resolution 2010-01 – A Resolution for the Town of Kimball Approving the 2010 Community Development Block Grant Application
9. Siege of Bridgeport
10. Jere Davis Scholarship
11. Regional Wastewater Facility
12. Ratify Bill from HLP Construction Co.
13. Ratify Bill from Chattanooga Tractor & Equipment for \$3,155.69 for work on tractor
14. Approval of Tennessee Consolidated Retirement Employer Contribution Rate 6.83% effective July 1, 2010
15. Door to Door Salesman
16. Trade Days
17. Heaters for fire hall
18. E.H. Marsh to Install heaters
19. Discuss accepting bids for mowing service
20. Hire engineer for Growth Plan Extension
21. Concession Stand Sewer
22. Appoint New Park Board Member
23. Police Report
24. Fire Report
25. Park Board Report
26. Planning Commission Report
27. Attorney Report
28. New Business
29. Adjourn

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
KIMBALL, TENNESSEE
TOWNHALL MEETING ROOM
THURSDAY, FEBRUARY 4, 2010 – AT 6:00 P.M.**

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, February 4, 2010 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.

INVOCATION AND PLEDGE

Mayor Jackson asked his father George Jackson, Sr. 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 Rex Pesnell, Alderman John Keef, Alderman Jerry Don Case, Alderman Mark Payne and Attorney William Gouger, Jr.

APPROVAL OF MINUTES

On a motion by **Alderman Case**, seconded by **Alderman Payne** the Minutes of the Public Hearing and Regular Monthly Board Meeting for January 7, 2010 were approved unanimously on a board vote.

OLD BUSINESS

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

- Tray Adams started last Wednesday with the Police Department and this will be his fifth day working for the town.
- The CDBG Sewer Grant has sent funds in for the sixth payment in the amount of \$66,138 with the final payment still being outstanding in the amount of \$32,353.
- Southeast Tennessee Development District has been in the area doing surveys in the Kingsberry, Vanhoosier, Walnut and Bennett Subdivision area. The feedback from the citizens has been very positive on the future extension for sewer.

SCHEDULED AGENDA ITEMS

- a.) **1st Reading of Ordinance 206 – An Ordinance to Amend Ordinance 172 to Replace the 2003 Editions of the International Building Code with the 2009 Editions of Same, with the exception of section P2904 of the International Residential Code**

Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Pesnell** to approve on 1st Reading of Ordinance 206 – An Ordinance to Amend Ordinance 172 to replace the 2003 Editions of the International Building Code with the 2009 Editions of Same, with the exception of section P2904 of the International Residential Code. Building Inspector Earl Geary recommends accepting this code with the exemption of section P2904 concerning sprinkler systems in residential homes. Attorney Gouger agrees with the building inspector's recommendation. There were other comments on this issue. The motion passed unanimously on a board vote.

- b.) **Resolution 2010-01 – A Resolution for the Town of Kimball Approving the 2010 Community Development Block Grant Application**

Mayor Jackson explained that the grant will be for \$386,900 federal funds with a local match of \$143,000 which is 27% of the grant application for sewer line extension.

Motion was made by **Alderman Payne**, seconded by **Alderman Case** to approve Resolution 2010-01 – a Resolution for the Town of Kimball Approving the 2010 Community Development Block Grant Application. The motion passed unanimously on a board vote.

- c.) **Siege of Bridgeport**

Motion was made by **Alderman Case**, seconded by **Vice-Mayor Pesnell** to approve the \$250 Donation to the Siege of Bridgeport. The motion passed unanimously on a board vote.

- d.) **Jere Davis Memorial Scholarship**

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to approve the \$1000 Jere Davis Memorial Scholarship for one winner at each high school in the county that will be attending Chattanooga State Technical Community College. The motion passed unanimously on a board vote.

- e.) **Regional Wastewater Facility**

There have been about three meetings involving the town, City of South Pittsburg, Town of Jasper and County Mayor and some commissioners on a Regional Wastewater Facility. At this moment, there is a problem with the grant because the grant will only go 45% with the initial thoughts being the grant would be 75%. The town would look at an estimated \$750,000 - \$800,000 for loan for facility and updates necessary for the towns existing pumps and sewer lines with the 45% grant. If the grant were at the higher rate of 75%, the town's estimate would change to approximately \$350,000 for loan and updates. This is a much needed facility; however, the funding will determine the outcome of the project. Time is of essence for this project. There will be a public hearing concerning this issue on February 22, 2010 before the county commission meeting. The county commission has voted to apply for a grant and if awarded use these funds toward this project.

f.) Ratify Bill from HLP Construction Co.

Mayor Jackson stated Mr. Hughes owner of the Pinecrest Motel property came by concerning problems with the sewer lines. There appeared to be grease in the lines and the shifting of the creek bank was two issues that created a problem at this area. The only company able to come on this Friday evening was HLP Construction Company for the repairs.

Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Pesnell** to ratify the bill from HLP Construction Company in the amount of \$2,300 for sewer line repairs near Pinecrest Motel. The motion passed on a board vote with Alderman Payne abstaining.

g.) Ratify Bill from Chattanooga Tractor and Equipment for \$3,155.69 for work on tractor

Motion was made by **Alderman Payne**, seconded by **Alderman Case** to approve the bill from Chattanooga Tractor & Equipment in the amount of \$3,155.69 for repairs to the tractor. The motion passed unanimously on a board vote.

h.) Approval of Tennessee Consolidated Retirement System Employer Contribution Rate 6.83% effective July 1, 2010

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve the recommended increase for retirement contribution for Tennessee Consolidated Retirement System Employer Contribution Rate to 6.83% effective July 1, 2010. The motion passed unanimously on a board vote.

i.) Door to Door Salesman

The town has been having issues with individuals and/or groups coming into Kimball going door to door after dark trying to sell a variety of items. When the police come into the picture, the individuals and/or groups leave because they do not have proper permits to perform these services. Motion was made by **Alderman Case**, seconded by **Alderman Payne** to authorize Attorney Gouger to draft an ordinance to handle the door to door salespeople in Kimball. The motion passed unanimously on a board vote.

j.) Trade Days

The board has discussed the possibility of having a trade day at the park on Industrial Blvd. The marketing committee was impressed with the idea of the trade day and thought it would bring people to our town. Attorney Gouger stated there are rules and regulations to decide upon if the town wants to proceed with this project. There were lots of items to make decisions on; therefore, the board will have a workshop on this issue inviting Mr. Wilson and Mr. Dixon to participate in this workshop since they were the citizens with the initial idea.

k.) Heaters for Fire Hall

Mayor Jackson stated the heaters at the fire hall have been worked on several times and are currently not all working at this time. He has seen some tube heaters that are in large areas like the fire hall bays which heat up quickly and keep the area warm. The businesses with these heaters stated it has cut down on their energy bills by using these types of heaters. If the town purchased the heaters the town will be able to save the sales tax on the heaters.

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to approve the purchasing of two tube heaters for the fire hall from Carrier Southeast at \$1,733 each. The motion passed unanimously on a board vote. Vice-Mayor Pesnell wanted to know about hooking one of these heaters to the generator.

l.) E.H. Marsh to install Heaters at Fire Hall

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve E.H. Marsh Service to remove the old heaters and install the new tube heaters at the fire hall for \$6,900. The motion passed unanimously on a board vote.

m.) Discuss accepting bids for mowing service

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to accept bids for the mowing service with bids being opened at the next monthly board meeting. The bidders will be required to meet with some of board members to view the area to be included in the mowing bid and time intervals for same with the season starting at first of March and ending in October. Attorney Gouger will prepare the legal notice for the newspaper advertisement to include all the proper documentation. The motion passed unanimously on a board vote.

n.) Hire engineer for Growth Plan Extension

The Kimball Municipal Planning Commission has recommended that the town board hire an engineer to study the growth plan to determine which areas should be included in the town's growth plan.

Mayor Jackson recommended that the board hire Dixie Brackett with Earthworx.

Motion was made by **Alderman Payne**, seconded by **Alderman Case** to approve the hiring of Dixie Brackett with Earthworx to study the future Kimball Growth Plan Extension. The motion passed unanimously on a board vote.

o.) Concession Stand

The architect has submitted plans to Nashville concerning the septic system for the concession stand. The initial plans were denied, the state wants the septic to be a Class 5 Injector System. Mayor Jackson has contacted State Representative Bill Harmon for assistance in this issue. Representative Harmon has talked with the director of TDEC which recommends the town submit plans and their office will work with the town. The concession stand has been built using LPRF funding from the state. The architect has submitted additional plans with an estimated cost of \$5,000 for the installation of the system to include a Class 5 Injection System. The waterline will be connected as soon as the area dries up enough to access the area.

p.) Appoint New Park Board Member

Table until next month.

POLICE REPORT

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

Litigation Tax	\$55.00
Court Costs	\$355.00
Fines	\$90.00
Report Fee	\$60.00
Sessions Court	\$218.50
License fee	\$0.00
Total	\$778.50

The new officer Tray Adams has been doing a fine job and the Chief is pleased with the new hire. The new car is expected at anytime at Moss Motors upon arrival it will be sent to Chattanooga for installation of the the radio and other equipment. The department has ordered five replacement door unlocking devices. Also Lieutenant Greg Rowe is off due to surgery.

FIRE REPORT

Vice-Mayor Pesnell gave the fire report for January 2010 the department responded to four calls for the month. The calls were two rescues, one grass fire and one false alarm.

PARK AND RECREATION BOARD REPORT

Alderman Keef stated the town has a total grant of \$7,450 which is a 50%-50% grant for planting trees which will be planted by the end of April and the money has to be spent by August. The park board will review the soccer uniforms to find more economically priced uniforms. The spring soccer registration will be February 6, 13, and 20 from 9:00 am until 12:00 pm. The next meeting will be February 11, 2010 at 5:00 pm.

PLANNING COMMISSION REPORT

Alderman Case state the Planning Commission meets the third Tuesday of every month. The following is the items discussed in the last meeting: discussion on increasing the urban growth plan and the process has begun to change to a Regional Planning Commission.

ATTORNEY REPORT

None.

SEWER REPORT

Alderman Payne gave a sewer report as follows: the board will need to have workshop to discuss the towns plan to alleviate the storm water issues, mandates from the state to update our ordinances concerning sewer and various programs to incorporate in our plan. Dan Martin will be working with our Certified Sewer Collection Operator Mike Nelson to show him draft ordinances from towns with system similar to our town. The town wants to take a proactive approach to the sewer issue.

Alderman Payne and Mike Nelson have been working together on the sewer and the past experience from Alderman Payne has been well appreciated.

NEW BUSINESS

Vice-Mayor Pesnell wanted everyone to know that Ms. Rhonda Roberts who used to live in Kimball will be on CMT's The Singing Bee on Friday, February 26, 2010.

Mayor Jackson had several items under new business as follows:

- Kimball Cove Branch has been causing water problems especially in two separate areas. One is near Lowe's and the other is behind the Pinecrest Motel. Jim Finley with the state has met with Lofty Construction Company concerning the areas and will fast track permits for these problem areas. The town can under emergency powers hire Lofty Construction Company to alleviate these problems. Lofty Construction Company will write the permits required by the state, deepen the creek near Lowe's and remove the rock and debris washed into the creeks passage and build a retaining wall behind the Pinecrest Motel using the rock from the creek for a total of \$30,000. There will still be a problem near Patty Hill's property on Main Street; however, the solution to this issue will need to be researched further. There was discussion on the water flowing in Kimball.

Motion was made by **Alderman Case**, seconded by **Vice-Mayor Pesnell** under emergency powers to hire Lofty Construction Company to correct the problems on Kimball Cove Branch near Lowe's and behind the Pinecrest Motel not to exceed \$30,000. The motion passed on a board vote with Alderman Payne abstaining.

- Sales Tax for December 2008 was at \$218,783 December 2009 \$221,698 up \$2,900.
- The Marketing Committee has a plan to work on developing a DVD and enhancing the website to promote Kimball. The chamber's video cost approximately \$3,800; therefore, the town would be looking at spending about \$3,500 to \$5,000 for the DVD.
- Kimball Municipal Planning Commission meeting will be February 16, 2010 at 6 pm.
- Kimball Board of Mayor and Aldermen Monthly Meeting will be March 4, 2010.
- Finances

General Fund		Drug Fund	
Checking	\$ 212,908	Checking	\$ 2,148
Payroll	\$ 9,288	State Street Aid	
Savings	\$ 350,402	Checking	\$ 14,725
CD	<u>\$ 430,000</u>	Sewer Fund	
Total	\$1,002,598	Checking	\$ 69,563
		CD	\$ 75,561
		<u>Savings</u>	<u>\$ 100,632</u>
		Total	\$ 245,756

Grand Total	\$1,265,227
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Lamar Manis wanted to know about widening of the roadway from Kimball to Jasper. Dr. Sowter's office has requested that Mr. Manis find out how their sign would be handled once the widening began. The state will or is the process of doing a study to see the most feasible way to widen the roadway and the state would negotiate with the owners of property along project's path as to the fair price for the property taken to widen the roadway.

Louise Powell requested information concerning the work on the interstate bridge. This project is awaiting TVA archeology study on the area around the bridge as it is connected to the redesign of the interstate on and off ramps.

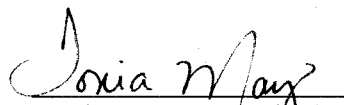
Johnny Sisk wanted to know if the town has looked into a way to spread salt during the winter weather. Mayor Jackson has been on the internet researching these items and has found one that the town may look into purchasing which goes into the back of a pickup truck.

Ryan Lewis wanted to request the usage of the ponds for a final project at South Pittsburg High School which is to build cardboard boats. The board has agreed to allow the school to use the park for this educational project and encourages other educational projects at the park.

ADJOURNMENT

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


David Jackson, Mayor


Tonia May, Recorder