

KIMBALL BOARD OF MAYOR AND ALDERMEN

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

PUBLIC HEARING

1. CALL TO ORDER
2. 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
3. CLOSE PUBLIC HEARING

AGENDA

1. Call to Order the Monthly Meeting of the Board of Mayor an Aldermen of the Town of Kimball
2. Prayer
3. Pledge of Allegiance
4. Roll Call
5. Approval of February 4, 2010 Minutes of Regular Meeting
6. Old Business
7. 2nd and Final 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. Revision of Resolution 2010-01 – A Resolution for the Town of Kimball Approving the 2010 Community Development Block Grant Application
9. Open bids for mowing service
10. 1st Reading of Ordinance 207 – An Ordinance of the Town of Kimball, Tennessee, Establishing Peddlers, Solicitors, and Transient Vendors Regulations, Providing for Severability, and Establishing an Effective Date
11. W. Anderton Company Flowmeter for Sewer System
12. Local Government Court Software
13. SBA Lease Agreement
14. Relay for Life Donation
15. 2008 Property Taxes to Attorney for Collection
16. Municipal Equipment Salt Spreader
17. Ordering Trees for Park using TAEP Community Tree Planting Grant
18. Appoint New Park Board Member
19. Police Report
20. Fire Report
21. Park Board Report
22. Planning Commission Report
23. Sewer Report
24. Attorney Report
25. New Business
26. Adjourn

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

A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, March 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 public hearing to order for 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.

NEW BUSINESS


- a) To receive citizen input into 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.

Mayor Jackson stated the ordinance is to bring town into compliance with the updated version of the International Codes. Attorney Gouger explained that the exception of Section P2904 was in reference to the new construction of homes to exempt the requirement of sprinklers only in the residential code.

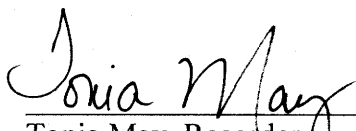
There was no comment by the public.

ADJOURNMENT

As there was nothing further to come before the public hearing, 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

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
KIMBALL, TENNESSEE
TOWNHALL MEETING ROOM
THURSDAY, MARCH 4, 2010 –
AFTER PUBLIC HEARING THAT STARTED AT 6:00 P.M.**

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, March 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 after the public hearing that started at 6:00 p.m.

INVOCATION AND PLEDGE

Mayor Jackson asked Butch Witcher. 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 Payne**, seconded by **Alderman Case** the Minutes of the Regular Monthly Board Meeting for February 4, 2010 were approved unanimously on a board vote.

OLD BUSINESS

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

- The Regional Wastewater Facility is still a work in progress.
- The board had a workshop on Trade Days; however, the board will be having another workshop to review more information on this topic.
- The projects approved during last month's meeting on Kimball Cove Branch have both been completed.

SCHEDULED AGENDA ITEMS

- a.) **2nd and Final 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 Case**, seconded by **Alderman Keef** to approve on 2nd and Final 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. The motion passed unanimously on a board vote.

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

Mayor Jackson explained that the grant local match amount was incorrect. It should be \$143,100 which is 27% of the grant application for sewer line extension.

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to approve the revised 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.) **Open Bids for mowing service**

Mayor Jackson opened the three bids on the mowing service as follows

Bidder	Amount
Vinson's Lawn Service	\$680 per week
Walker's Mowing Service	\$930 per week
Tuder's Lawn Service	\$500 per week

Attorney Gouger reviewed the bid documents and noted that the only bidder with proof of Workman's Compensation Insurance was Vinson's Lawn Service. After much discussion on the issue, Motion was made by **Alderman Case**, seconded by **Alderman Payne** to table the issue until April's regular monthly meeting. The motion passed unanimously on a board vote.

- d.) **Ordinance 207 – An Ordinance of the Town of Kimball, Tennessee, Establishing Peddlers, Solicitors, and Transient Vendors Regulations, Providing for Severability and Establishing an Effective Date**

Mayor Jackson requested all board members to review the ordinance provided by Attorney Gouger. The item will be on the April agenda.

- e.) **W. Anderton Company Flow meter for Sewer System**

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to ratify the purchase of a flow meter from W. Anderton Company for the Sewer System in the amount of \$4,373. The motion passed unanimously on a board vote.

- f.) **Local Government Court Software**

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to approve the town updating the court software through Local Government with an estimated expense of \$4,473.50. The motion passed unanimously on a board vote.

g.) SBA Lease Agreement

Mayor Jackson has been contacted again by the company that has the tower lease on the town's property on Spears Road. The company wanted to see if town would be interested in \$115,000 for a 55 year lease. Currently, the town receives \$3,970 per year for the lease of the property. Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Case** to keep the same yearly lease agreement with SBA. The motion passed unanimously on a board vote.

h.) Relay for Life

Motion was made by **Alderman Payne**, seconded by **Alderman Case** to approve the donation to Relay for Life in the amount of \$1,000. The motion passed unanimously on a board vote.

i.) 2008 Property Tax to Attorney for Collection

Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Pesnell** to authorize the town to submit all unpaid 2008 property taxes to Attorney Gouger to file for collection. The motion passed unanimously on a board vote.

j.) Municipal Equipment Salt Spreader

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to ratify the purchase of a salt spreader from Municipal Equipment in the amount of \$4,790. The motion passed unanimously on a board vote.

k.) Ordering Trees for Park using TAEP Community Tree Planting Grant

Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Pesnell** to approve the purchasing of 75 trees at \$40 each from Stewart Nursery for a grand total of \$3,000. The motion passed unanimously on a board vote.

l.) Appoint New Park Board Member

Mayor Jackson requested to table this issue until the April meeting.

POLICE REPORT

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

Litigation Tax	\$96.25
Court Costs	\$428.75
Fines	\$50.00
Report Fee	\$50.00
Sessions Court	\$588.05
License fee	\$0.00
Total	\$1213.05

The new patrol car has arrived and the department is very pleased with the car.

FIRE REPORT

Vice-Mayor Pesnell gave the fire report for February 2010, the department responded to nine calls for the month. The calls were two fire calls both at 1523 Barker Avenue, one signal nine Lowe's alarm, three mutual aid calls, two other (assist police/auto accident) and

one false alarm call on Boyd Street. Discussion was also made concerning the training requirements of the fire fighters.

PARK AND RECREATION BOARD REPORT

Alderman Keef stated the February 2010 meeting was cancelled. Since the warmer weather, the park is being used a lot more by citizens. The concession stand is still waiting on approval from state for sewer. The Spring Soccer currently has eight teams and about eighty-five soccer players. The next meeting will be March 11, 2010 at 5:00 pm.

PLANNING COMMISSION REPORT

Alderman Case stated the Planning Commission meets the third Tuesday of every month. During the February meeting, the growth plan was discussed. The next meeting will be March 16, 2010 at 6:00 pm. The Board of Zoning Appeals will have a special called meeting on Monday, March 29, 2010 at 5:00 pm.

SEWER REPORT

Alderman Payne gave a sewer report as follows: the town has ordered the flow meter which is necessary to be in compliance with the state regulations. Upon the arrival of the flow meter, the town will have to have the meter installed and some maintenance will be required to complete this installation. The process to install this will cost an estimated \$15,000 for all the necessary items to complete the installation.

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to approve the Sewer Fund to spend up to \$15,000 for installation of the flow meter through April 1, 2010. The motion passed unanimously on a board vote.

Mike Nelson stated everything seems to be working well at this time.

ATTORNEY REPORT

None.

NEW BUSINESS

Alderman Case stated that the town has signed up Mark Reed to attend a class on Sign Reflectivity so the town can be in compliance with our signs. He also stated the department has ordered a set of forks for the tractor since the salt spreader weighs about 850 pounds. The forks will also help with other jobs at the maintenance department.

Vice-Mayor Pesnell stated citizens were concerned about the pot holes forming in the shopping center. Mayor Jackson stated he would contact the manager over this shopping center. He has been receptive to make repairs in the past.

Mayor Jackson had several items under new business as follows:

- The town has received a donation of \$100 for the Spring Soccer Program from Uniroyal. Last Fall, Uniroyal donated a soccer ball to every participant through Church's Tire Center.
- Sales Tax for January 2009 was at \$273,773 with January 2010 at \$281,422 sales tax revenue is up \$7,649.

- The CDBG 2010 Application has been filed.
- Lowe's will be a collection site for Household Hazards on March 27th.
- Home Health Care of East Tennessee Inc. and Hospice will have an open house March 25, 2010 from 12-2 location is at Sequatchie Valley Medical Plaza.
- Finances

General Fund		Drug Fund	
Checking	\$ 213,821	Checking	\$ 2,148
Payroll	\$ 18,685	State Street Aid	
Savings	\$ 350,751	Checking	\$ 12,092
CD	\$ 430,000	Sewer Fund	
Total	\$1,013,257	Checking	\$ 80,056
		CD	\$ 75,561
		Savings	\$ 100,732
		Total	\$ 256,349

Grand Total	\$1,283,846
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Business owner Jim Gentry attended the meeting with several compliments on the police department, maintenance department and 911. He updated those in attendance on how and why he came to Kimball and how much his business helps Kimball. He also stated he did not participate in the state bids on vehicles; however, he would prefer the town to purchase GMC or Chevrolet vehicles so his company could service these vehicles.

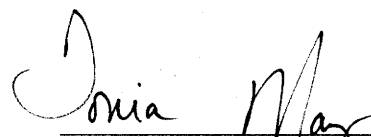
Mike Nelson wanted to see if there were any ideas on how to get buzzards from roosting in his neighborhood. These are protected birds; however, the issue will be examined to see if a solution can be reached for the neighborhood.

The next Kimball Board of Mayor and Aldermen Monthly Meeting will be April 1, 2010.

ADJOURNMENT

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