

KIMBALL BOARD OF MAYOR AND ALDERMEN

Monthly Board Meeting
Thursday, April 1, 2010 6:00 P.M.
Town Hall Meeting Room
675 Main Street
Kimball, TN 37347

AGENDA

1. Call to Order the 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 March 4, 2010 Minutes of Public Hearing and Regular Meeting
6. Old Business
7. Beth Jones with Southeast Tennessee Development District concerning Regional Wastewater Facility
8. Resolution 2010-02 – A Resolution to Exempt the Town of Kimball, Tennessee from the Application of the State Fire Marshall's Minimum Statewide Building Construction Safety Standards to One-Family and Two-Family Dwellings
9. 1st Reading of Ordinance 207 – An Ordinance of the Town of Kimball, Tennessee, Establishing Peddlers and Solicitors Regulations, Providing for Severability, and Establishing an Effective Date
10. Kimball Crossing Drive
11. Ratify bill from Nabco for work on High Mast Pole in amount of \$1,997.04
12. Ratify Bill from Nabco for work on High Mast Pole in amount of \$1,700.22
13. Mowing Service
14. Optical Source Benefit
15. Auction Old Police Car and Heater from Fire Hall
16. GHSO High Visibility Grant
17. Approve Soccer Coaches
18. Ratify Bill from Maximum Sports for Soccer Uniforms in Amount of \$2,213
19. New Pavilion
20. Appoint New Park Board Member
21. Trade Days
22. Ordinance 208 – An Ordinance to Amend Ordinance No. 75 Regarding the Number of Ground Signs Allowed in the Highway Commercial District (C-2) of the Town of Kimball, Tennessee
23. Police Report
24. Fire Report
25. Park Board Report
26. Planning Commission Report
27. Sewer Report
28. Attorney Report
29. New Business
30. Adjourn

MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
KIMBALL, TENNESSEE
TOWNHALL MEETING ROOM
THURSDAY, APRIL 1, 2010 – AT 6:00 P.M.

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, April 1, 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 David Hoschar 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 Keef** the Minutes of the Public Hearing and Regular Monthly Board Meeting for March 4, 2010 were approved unanimously on a board vote.

OLD BUSINESS

Mayor Jackson had an item under old business as follows:

- The town has 75 trees through a grant. Most of the trees have been planted by Jason Collins Construction Company. The town purchased Tulip Popular, Bald Cypress, and Sugar Maple. The town is going to be looking at purchasing 25 more trees through the grant.

SCHEDULED AGENDA ITEMS

a.) Beth Jones with Southeast Tennessee Development District concerning Regional Wastewater Facility

The board has been provided with a couple of resolutions concerning this project. The town will not be acting on these resolutions tonight. Rural Development has agreed to fund all three towns with grants and loans for the project. The project is a new 2.5 MGD Regional Wastewater Treatment Plant to be built on the site of Jasper's existing wastewater facility acreage. The estimated cost is approximately \$10 million. The town will be purchasing 12% which will be 300,000 gallons per day, Jasper would own 34% and South Pittsburg would own 54%. The financial scenario for funding for Kimball is as follows: Loan \$627,000 at 3.25% for 38 years for an annual payment of \$28,974 and a monthly payment of \$2,401 and a Grant at 45% for \$513,000. There will be a Regional Wastewater Treatment Authority set up with By-Laws and a board to operate the facility after it is built. The Town of Jasper and South Pittsburg have both given verbal agreements to participate. Since the Regional Wastewater

Treatment Authority is a new entity that the county will have to create, Rural Development will not be allowed to fund the project at the higher level for South Pittsburg if they were to take the lead on the project. With this new board, there will have to be a town step forward to be the overseer of the project; however, South Pittsburg cannot be the lead or their grant funding percentage will be decreased. Therefore, this leaves the lead to the Town of Jasper or Kimball. There will be additional auditing cost for the town that takes the lead on the project. The loan can be paid off early with no penalty. The loan is the match for the grant. The board will have a workshop on April 22, 2010 at 5:00 pm to meet with Rural Development, Southeast Tennessee Development District, the board and the town's auditor. Other information concerning this issue was discussed.

The town had applied for an ARC grant to fund the sewer extension project to the new College Facility on Main Street; however, the town was denied the grant. EDA funding in the amount of \$1.5 Million has been applied for to cover the entire public infrastructure for the new College Facility. The application will be done through Marion County and all the funds and overseeing of the project would be done through the county. The board will review this issue and decide the best interest for the town.

b.) Resolution 2010-02 – A Resolution to Exempt the Town of Kimball, Tennessee from the Application of the State Fire Marshall's Minimum Statewide Building Construction Safety Standards to One-Family and Two-Family Dwellings

Attorney Gouger said the law allows counties and municipalities to exempt one and two family dwellings from the requirement from sprinkler systems. In order to exempt the town, a resolution must be passed for the exemption to be effective. Mr. Earl Geary, Jr. has requested the town wait on this resolution until he attends a conference at end of month. The board has decided to table this resolution until May.

c.) 1st Reading of Ordinance 207 – An Ordinance of the Town of Kimball, Tennessee Establishing Peddlers and Solicitors Regulations, Providing for Severability, and Establishing an Effective Date

Mayor Jackson gave the highlights of the ordinances which included the fee, length of permit and hours allowed.

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to approve on 1st Reading of Ordinance 207 – An Ordinance of the Town of Kimball, Tennessee Establishing Peddlers and Solicitors Regulations, Providing for Severability, and Establishing an Effective Date. The motion passed unanimously on a board vote.

d.) Kimball Crossing Drive

Mayor Jackson has made contact with Lance with Centro the company over the shopping center concerning the condition of the roads in this establishment; however, no action has been taken to improve these roads and there have been complaints made about the roadway not being striped.

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to authorize Attorney Gouger to send a letter to the property owners concerning the conditions of the Kimball Crossing Drive and the entrance and exit in front of Shoney's Restaurant. The motion passed unanimously on a board vote.

e.) Ratify bill from Nabco for work on High Mast Pole in amount of \$1,997.04

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to ratify the bill from Nabco for work on High Mast Pole in amount of \$1,997.04. The motion passed unanimously on a board vote.

f.) Ratify bill from Nabco for work on High Mast Pole in amount of \$1,700.22

Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Pesnell** to ratify the bill from Nabco for work on High Mast Pole in amount of \$1,700.22. The motion passed unanimously on a board vote.

g.) Mowing Service

After some discussion on the Mowing Service, Motion was made by **Alderman Case**, seconded by **Alderman Keef** to approve the mowing service for one year with the only mowing bid that had all the documentation at the bid opening which was Vinson's Lawn Service at \$680 per week with a contract agreement in place to allow either party to terminate the agreement with a 30 day notice. The motion passed on a board vote with Alderman Payne voting no.

h.) Optical Source Benefit

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to approve the Optical Source Benefit for those employees that want to participate at \$5 per employee per year. The motion passed unanimously on a board vote.

i.) Auction Old Police Car and Heaters from Fire Hall

Motion was made by **Alderman Case**, seconded by **Alderman Keef** to auction the old black police car and three gas heaters from fire hall. The auction will be held Saturday, April 17, 2010 at 10:00 am. The motion passed unanimously on a board vote.

j.) GHSO High Visibility Grant

Motion was made by **Alderman Keef**, seconded by **Alderman Case** to approve the town applying for the GHSO High Visibility \$5,000 Grant for equipment with no matching town funds. The motion passed unanimously on a board vote.

k.) Approve Soccer Coaches

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Keef** to approve the coaches for the 2010 Spring Soccer Program which are Nicole Smith, Tim Bible, Ryan Carter, Don Adkins, Gene Hargis, Teresa Webster, Doris Post and Roberto Delgado. The motion passed unanimously on a board vote.

l.) Ratify Bill from Maximum Sports for Soccer Uniforms in Amount of \$2,213

Motion was made by **Alderman Keef**, seconded by **Alderman Case** to ratify the bill from Maximum Sports for Soccer Uniforms in the Amount of \$2,213. The motion passed unanimously on a board vote.

m.) New Pavilion

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Keef** to request bids for a new pavilion at the park on Industrial Blvd with bids being opened at the May regular monthly meeting. The motion passed unanimously on a board vote.

n.) Appoint New Park Board Member

Mayor Jackson recommended placing Eddie Tipton on the board. Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to appoint Eddie Tipton to the Park Board. The motion passed unanimously on a board vote.

o.) Trade Days

The board has held several workshops discussing Trade Days and has come to an agreement on how the town will handle the situation. The town will lease the property to the overseers of the Trade Day's event and take in a portion of their vendor leasing fees. The overseers will be responsible for security, collecting the vendor leasing fees, restroom facilities, parking and any other items. The Trade Day's event would be held on the property recently purchased off of Lofty Drive. If the event occurs, it would be one weekend a month.

p.) Ordinance 208 – An Ordinance to Amend Ordinance No. 75 Regarding the Number of Ground Signs Allowed in the Highway Commercial District (C-2) of the Town of Kimball, Tennessee

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to pass on 1st Reading Ordinance 208 - An Ordinance to Amend Ordinance No. 75 Regarding the Number of Ground Signs Allowed in the Highway Commercial District (C-2) of the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

POLICE REPORT

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

Litigation Tax	\$110.00
Court Costs	\$565.00
Fines	\$80.00
Report Fee	\$80.00
Sessions Court	\$2017.32
License fee	\$0.00
Total	\$2852.32

The new officer is doing a good job and the department had a taser go down; however a new one has been ordered. The new officer's baby has arrived and both mom and little girl are both doing well. Mayor Jackson wanted to commend the officers for donating a sick day to the new officer so he could be off with his wife and new born without having to worry about missing work.

FIRE REPORT

Vice-Mayor Pesnell gave the fire report for March 2010, the department responded to five calls for the month. The calls were two rescues and three mutual aid calls.

PARK AND RECREATION BOARD REPORT

Alderman Keef stated the soccer fields have been re-aerated. The spring soccer registration went well. Also, two of the U19 players have been recognized by three colleges. TWRA will host a Fish Day to be held June 12, 2010.

PLANNING COMMISSION REPORT

Alderman Case stated that the members discussed the urban growth plan. Dixie Brackett with Earthworx was unable to attend the Planning Commission meeting to discuss her findings concerning the growth plan. She did send a preliminary drawing for review. The planning commission meets the third Tuesday of every month at 6:00 pm.

SEWER REPORT

Alderman Payne gave a sewer report as follows: the flow meter is in and the measurements have been sent for the manhole base. Sherman Dixie will be designing the manhole based on the drawing. The electrical was not listed in the quote provided by Southeast Company. Alderman Payne will verify who will perform the electrical work. Mayor Jackson stated that the sewer samples have been reading low since Mike Nelson has been working with the sewer system.

ATTORNEY REPORT

None.

NEW BUSINESS

Alderman Payne state that Mike Nelson called concerning getting a 24 hour composite study performed on the sewer system. The engineer needs the information for the new Regional Wastewater Plant.

Alderman Case stated the maintenance crew has been working to clean up the town and everything is looking first-class.

Mayor Jackson had several items under new business as follows:

- Bob Butters sends out an informative email called Nickajack notes. In the last email, he noted the Kimball Park on Industrial Blvd for the variety of birds in the area.
- Debbie and Sharon, in the office, along with Bob Butters will be working to enhance the wetlands to encourage natural beauty and a habitat for the birds.
- The Silver Star Banner sent an email to the town requesting the town pass a proclamation remembering those that have been wounded or contracted an illness in battle. The town will sign this proclamation.
- Phone line at the 911 Center 423-837-7554 had call waiting on the line; however, if a dispatcher was on a call the call waiting was not answered. At the advice of Jerry Hutchins and Jerry Don Case, the town has removed the call waiting feature from this line. Jerry Don Case will research the issue as to the best solution for the town concerning the non emergency line and any roll over features that could be possible.
- Park Grant the town still has \$265,100 which is a 50-50 match so town will owe \$132,550 for eligible grant expenses.
- Sales Tax for February 2009 was at \$218,924 with February 2010 at \$184,604 sales tax revenue was down \$34,000.
- The board members attended a meeting with other officials and industries in the county concerning the future Chattanooga State project. All the industries were very positive and supportive of the future college.
- The town received a thank you card from the Siege of Bridgeport for the support.
- The state is now collecting the business license tax for all the businesses within our town. The state sends a monthly report on tax collection which shows the breakdown of the taxes.
- The town board and fire chief will meet with Gary West, MTAS Fire Consultant and Roger Hawks, Executive Director of Tennessee Code Enforcement the workshop will be

April 15, 2010 at 4:30 pm. The workshop will review the new state mandated fire training requirements.

- Budget Workshop will be held May 13, 14 and 27 at 4:30 pm.
- Finances

General Fund

Checking	\$ 223,830
Payroll	\$ 31,489
Savings	\$ 351,085
CD	<u>\$ 430,000</u>
Total	\$1,036,404

Drug Fund

Checking	\$ 2,247
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State Street Aid

Checking	\$ 11,153
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Sewer Fund

Checking	\$ 76,665
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CD	\$ 75,561
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Savings	<u>\$ 100,828</u>
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Total	\$ 253,054
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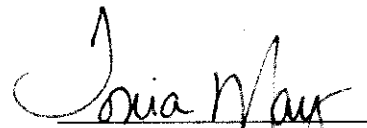
Grand Total	\$1,302,858
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- The next Kimball Board of Mayor and Aldermen Monthly Meeting will be May 6, 2010.
- Planning Commission will meet April 20, 2010.

ADJOURNMENT

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


David Jackson, Mayor


Tonia May, Recorder