

# **KIMBALL BOARD OF MAYOR AND ALDERMEN**

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## **Monthly Board Meeting Thursday, March 3, 2011 6:00 P.M.**

### **AGENDA**

1. Call to Order the Monthly Board Meeting of the Kimball Board of Mayor and Aldermen
2. Prayer
3. Pledge of Allegiance
4. Roll Call
5. Approval of February 3, 2011 Minutes of Regular Meeting and Minutes of Special Called Meeting on February 10, 2011
6. Old Business
7. Anthony Pellam with James C. Hailey and Co concerning Sewer
8. Open Bids on Mowing Service for the 2011 Year
9. Ratify the bill from Byrd's Electric Motor in the amount of \$4,126.50 for work on Sewer Pump
10. Approval of Bones Catering for The Bass Federation 2011 National Championship Banquet in the amount of \$4,170
11. Soccer Coaches Approval
12. Approval to submit 2009 unpaid Property Taxes to Town Attorney for Collection
13. Planning Commission Motion concerning the Urban Growth Plan for Kimball
14. Siege of Bridgeport
15. Discuss bidding fencing for the 4 baseball fields
16. Discuss bidding building road from Lofty Drive to Park
17. Approval of Bill from CCR Environmental Inc., for ½ bill on Site Survey for the Regional Waste Water Treatment Plant, Kimball's portion due is \$3,247.50
18. Kimball-Jasper Interlocal Agreement for Sewage Treatment Plant
19. Ratify two check valves installed at the Lowe's Sewer Lift Station from Southeast Company
20. Discussion on a \$1,000 Donation from Drug Fund to 12<sup>th</sup> Judicial District Drug Task Force
21. Discussion on applying for this year's High Visibility Grant from the Governor's Highway Safety Office for \$5,00 and the Coordinator's Grant for \$15,000 will not have to be applied for, it will be renewed due to town's participation in the GHSO Program
22. Police Report
23. Fire Report
24. Park Board Report
25. Planning Commission Report
26. Sewer Report
27. Attorney Report
28. New Business
29. Adjourn

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**MINUTES OF THE REGULAR MEETING  
KIMBALL, TENNESSEE  
THURSDAY, MARCH 3, 2011**

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A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, March 3, 2011 in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

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 said the invocation over the meeting.

Mayor Jackson asked Aldermen Sisk to lead 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, Alderman Johnny Sisk, Alderman Jerry Don Case, Alderman Mark Payne and Attorney William Gouger, Jr. Vice-Mayor Pesnell entered the meeting at 6:05 pm.

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**APPROVAL OF MINUTES**

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Mayor Jackson stated the special called meeting on Thursday, February 10, 2011 was to review two beer permit applications from the Vallarta Grill the New Mexican restaurant with new owner Juan Acosta and Froggy's Bar and Grill building, which is owned by Jean Powell but the new owner will be Ava Linda Anderson. These applications were approved. Other business approved was the hiring of Chattanooga Tent Company for the tent, tables, seating and other miscellaneous items to host The Bass Federation Banquet at the Kimball Park on April 12, 2011.

On a motion by **Alderman Case**, seconded by **Alderman Payne** the Minutes of the Regular Monthly Board Meeting for February 3, 2011, and the Minutes of the Special Called Meeting for February 10, 2011 were approved unanimously on a board vote.

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**OLD BUSINESS**

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Mayor Jackson had a couple of items under old business as follows:

- The Bass Federation President/CEO, Robert Carlidge, came to town concerning the 2011 Championship Event. The fishing tournament weigh ins will be held at the park on April 14<sup>th</sup> and April 15<sup>th</sup> beginning at 3:00 p.m. The town will be using the lot next to town hall owned by Kimball Baptist Church to store the boats prior to the event and after the event. During the event, the boats will be stored in the parking lot of the Wal-Mart Supercenter and the area will be well lit to draw in spectators. The Bass Federation is a self contained organization and prepared to handle the event.
- John Morgan, Chancellor of the Board of Regents came to Marion County for a meeting with the County Officials, Mayor Jackson and Representatives from Chattanooga State Technical Community College. The meeting was very progressive. There will be another meeting in March.

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**SCHEDULED AGENDA ITEMS**

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**a.) Anthony Pellam with James C. Hailey & Co. concerning Sewer**

Anthony Pellam with James C. Hailey & Co. had drawings and specifications for the sewer line problem areas. After further discussion, it was recommended to fix the three main areas under emergency powers without specifications and bid the remainder of the job. There was much discussion on this issue.

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve James C. Hailey & Co. to bid the sewer line problems. It was recommended the board meet on March 17, 2011 at 5:00 pm to review the finalized bid specifications which will contain a contract clause to protect the town. Bids will be accepted on the project after fine tuning of specifications, with bids due and opened on Thursday, April 21, 2011 at 4:00 pm. The town will have a special called meeting, Thursday, April 21, 2011 at 6:00 to accept a bid or deny the bids. The motion passed unanimously on a board vote.

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to approve the town to spend up to \$8,000 to have the three sewer point repairs completed. These sewer repair points are located at Krystal Parking Lot, America's Best Value Inn Lot, and near the Motel 8. The motion passed unanimously on a board vote.

**b.) Open Bids on Mowing Service for the 2011 Year**

Mayor Jackson met with four individuals on Friday, February 25, 2011 to review the mowing bid area to be including in bidding this project.

Mayor Jackson opened the two bids on the mowing service as follows:

1. Vinson's Lawn Service – Mow and Trim areas per outline by Town of Kimball \$680 Weekly – Attorney Gouger reviewed and verified insurance documentation included was complete.
2. Walker's Mowing Service bid prepared in accordance with the bid package for mowing per week \$525 due to the unstable fuel prices, there could be a small surcharge on fuel, also noted on the bid Walker's Mowing Service has no employees, all help are 1099 workers or subcontractors – Attorney Gouger reviewed the insurance provided which only included general liability. Based on this information, the bid from Walker's Mowing Service does not meet the specification due to lack of Worker's Compensation Insurance. Attorney Gouger stated he could not recommend considering Walker's Mowing Service Bid due to lack of the Worker's Compensation Insurance.

After some discussion, a motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Case** to accept the mowing bid from Vinson's Lawn Service for the 2011 mowing season in the amount of \$680 per week. The motion passed on a board vote with Alderman Sisk voting no.

**c.) Ratify the bill from Byrd's Electric Motor in the amount of \$4,126.50 for work on Sewer Pump**

A motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to ratify the bill from Byrd's Electric Motor in the amount of \$4,126.50 for repairs to a sewer pump. The motion passed unanimously on a board vote.

**d.) Approval of Bones Catering for the Bass Federation 2011 National Championship Banquet in the amount of \$4,170**

Mayor Jackson recommended the approval of Bones Catering for the banquet which will feed approximately 350 people.

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Case** to approve Bones Catering Service to cater the Bass Federation 2011 National Championship Banquet in the amount of \$4,170. The motion passed unanimously on a board vote.

**e.) Soccer Coaches Approval**

The Soccer Coaches Approval will be postponed until April Agenda when a completed list of coaches will be submitted for approval.

**f.) Approval to submit 2009 unpaid Property Taxes to Town Attorney for Collection**

Motion was made by **Alderman Sisk**, seconded by **Alderman Payne** to approve the submittal of 2009 unpaid property taxes to Attorney Gouger for collection. The motion passed unanimously on a board vote.

**g.) Planning Commission Motion concerning Urban Growth Plan for Kimball**

The Planning Commission is interested in the town extending the urban growth plan to go further on top of the mountain to include any land that will impact Kimball with storm water runoff. This area is to only be in the Urban Growth Plan. There is no annexation at this time.

Motion was made by **Alderman Case**, seconded by **Vice-Mayor Pesnell** to approve the Kimball Planning Commission to take the next step for the extension of Kimball's Urban Growth Plan. The motion passed unanimously on a board vote.

**h.) Siege of Bridgeport**

Mayor Jackson stated the town has included in its budget a \$250 donation for this event.

Motion was made by **Alderman Sisk**, seconded by **Alderman Case** to approve the donation to the Siege of Bridgeport in the amount of \$250. The motion passed unanimously on a board vote.

**i.) Discuss bidding fencing for the 4 baseball/softball fields**

Mayor Jackson stated the Park Board recommended this project and there are specifications for the fencing. The town still has funds available in the LPRF Park Grant for this project.

Motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to accept bids on the fencing of four baseball/softball fields at the park on Industrial Boulevard. Bids will be due Thursday, April 7, 2011 at 4:00 pm with bids being opened during the regular monthly meeting on April 7, 2011 at 6:00 pm. This is part of the scope for the LPRF Grant. The motion passed unanimously on a board vote.

**j.) Discuss bidding building road from Lofty Drive to Kimball Park**

Mayor Jackson stated he had the specifications for the roadway.

Motion was made by **Alderman Sisk**, seconded by **Alderman Payne** to accept bids to build a roadway from Lofty Drive to Kimball Park. Bids will be due Thursday, April 7, 2011 at 4:00 pm with bids being opened during the regular monthly meeting on April 7, 2011 at 6:00 pm. The motion passed unanimously on a board vote.

**k.) Approval of Bill from CCR Environmental Inc., for ½ bill on Site Survey for the Regional Wastewater Treatment Plant, Kimball's portion due is \$3,247.50**

Motion was made by **Alderman Payne**, seconded by **Alderman Case** to approve the bill from CCR Environmental Inc., for ½ bill on the site survey for the Regional Wastewater Treatment Plant with Kimball's portion being \$3,247.50. The motion passed unanimously on a board vote.

**l.) Kimball-Jasper Interlocal Agreement for Sewage Treatment Plant**

Mayor Jackson requested the board review the agreement prior to voting since the funding is related to the resolutions which have already been approved.

A motion was made by **Alderman Payne**, seconded by **Alderman Case** to table the Kimball-Jasper Interlocal Agreement for Sewage Treatment Plant until the next meeting. The motion passed unanimously on a board vote.

**m.) Ratify two check valves installed at the Lowe's Sewer Lift Station from Southeast Company**

Mayor stated this was installed to keep the pumps from burning up at a cost of \$4,416.

A motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to ratify the two check valves installed at the Lowe's Lift Station from Southeast Company in the amount of \$4,416. The motion passed unanimously on a board vote.

n.) **Discussion on a Donation from Drug Fund to the 12<sup>th</sup> Judicial District Drug Task Force**  
Patrolman Wampler stated the 12<sup>th</sup> Judicial District Drug Task Force is taking a new direction and was requesting a \$1,000 donation from each agency.

After some discussion, a motion was made by **Alderman Case**, seconded by **Alderman Payne** to donate \$1,000 to the 12<sup>th</sup> Judicial District Drug Task Force from the Town's Drug Fund Account. The motion passed unanimously on a board vote.

o.) **Discussion on applying for this year's High Visibility Grant from the Governor's Highway Safety Office for \$5,000. The Coordinator's Grant for \$15,000 will not have to be applied for because it will be renewed due to town's participation in the GHSO Program**

Motion was made by **Alderman Sisk**, seconded by **Alderman Case** to approve the town applying for this year's High Visibility Grant from the Governor's Highway Safety Office for \$5,000. The motion passed unanimously on a board vote.

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### **POLICE REPORT**

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

Litigation Tax and Training Fees	\$29.50
Court Costs	\$120.50
Fines	\$30.00
Report Fee	\$250.00
Sessions Court	\$732.92
<b>Total</b>	<b>\$1,162.92</b>

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### **FIRE REPORT**

Vice-Mayor Pesnell gave the fire report for February 2011. The department responded to three calls for the month which were a rescue and two mutual aids. The fire department would like to add another fireman to the volunteer department. The firemen have approved Bobby Joe McGowan and would like to ask for the board's approval.

Motion was made by **Alderman Sisk**, seconded by **Vice-Mayor Pesnell** to approve appointment of Bobby Joe McGowan to the Kimball Volunteer Fire Department contingent upon a clear background check. The motion passed unanimously on a board vote.

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### **PARK AND RECREATION BOARD REPORT**

Alderman Sisk gave the park board report as follows: Park Board met February 10, 2011 at 5:00 pm. There are 101 soccer players for Spring 2011 with 32 players being new to the sport. The next Park Board Meeting will be March 10, 2011 at 5:00 pm.

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### **PLANNING COMMISSION REPORT**

Alderman Case stated the planning commission meeting for the month of February was held on the 15<sup>th</sup>. The commission discussed the urban growth boundary in which a recommendation was made to the board concerning the property which the commission thought should be included, which was addressed as an agenda item tonight. The planning commission meeting for this month is scheduled for Tuesday, March 15<sup>th</sup> at 6:00 pm.

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### **SEWER REPORT**

None.

**ATTORNEY REPORT**

Attorney Gouger stated he had reviewed the contract with Chattanooga Tent Company concerning the tent for the TBF Banquet. The board has already approved the expenditure; however, he recommended the board authorized the Mayor to execute the contract.

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to authorize the Mayor to execute the contract agreement with Chattanooga Tent Company for the usage of their equipment for the TBF Banquet. The motion passed unanimously on a board vote.

**NEW BUSINESS**

Alderman Payne stated the town needs to review their options and build a permanent facility at the park.

Mayor Jackson had items under new business as follows:

- Sales Tax for January 2010 was at \$281,422 with January 2011 at \$272,705. The sales tax revenue was down approximately \$8,700 for the month.
- Earl Geary, Jr., Town’s Building Inspector, took and passed the Residential Plumbing Inspection Test on January 29<sup>th</sup>. The test cost \$160 which the town splits with the Town of Monteagle since he is their building inspector also.
- Tonia May has completed the first test in the Certified Municipal Financial Officer program.
- Finances

<b>General Fund</b>		<b>Drug Fund</b>	
Checking	\$ 191,065	Checking	\$ 2,872
Payroll	\$ 45,783	<b>Sewer Fund</b>	
Savings	\$ 463,891	Checking	\$ 72,239
CD	\$ 435,000	CD	\$ 75,789
Total	\$1,135,739	Savings	\$ 101,756
<b>State Street Aid</b>		Total	\$ 249,784
Checking	\$ 10,050		

<b>Grand Total</b>	<b>\$1,398,445</b>
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- The next monthly board meeting will be April 7<sup>th</sup> at 6:00 pm.

**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 Sisk**. The motion passed unanimously on a board vote.



David Jackson, Mayor



Tonia May, Recorder