

# **KIMBALL BOARD OF MAYOR AND ALDERMEN**

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**Monthly Board Meeting  
Thursday, June 2, 2011 6:00 P.M.**

## **PUBLIC HEARING**

1. Call to Order Public Hearing
2. Ordinance 212 – An Ordinance of the Town of Kimball, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2011 and Ending June 30, 2012
3. Close Public Hearing

## **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 May 5, 2011 Minutes of Regular Meeting
6. Old Business
7. Marion County Memorial Veteran Park Representative
8. Sam Anderson with Marion County Fair
9. Resolution 2011-07 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to Adopt a Revenue Recognition Policy and a Fund Balance Policy in Compliance with General Accounting Standards Board (GASB) Rule 54
10. Resolution 2011-08 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to Adopt an Expense Prioritization Policy for Special Revenue Funds in Compliance with General Accounting Standards Board (GASB) Rule 54
11. 2<sup>nd</sup> and Final Reading - Ordinance No. 212 – An Ordinance of the Town of Kimball, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2011 and Ending June 30, 2012
12. 1<sup>st</sup> Reading of Ordinance No. 213 – An Ordinance to Amend the Official Zoning Map for the Town of Kimball, Tennessee by Rezoning Certain Properties Herein Described from Zoning Classification R-1, Low Density Residential District to C-2, Highway Business District (Oscar Ellis Property)
13. Discuss An Ordinance to Amend the Official Zoning Ordinance to Allow Mixed Use Developments Within the C-2 Highway Business Zoning District in the Town of Kimball, Tennessee
14. Ratify bill from WeeTek, Inc. for Bacteria for the Sewer System in the amount of \$1,898.33
15. Ratify bill from Byrd's Electric Motor for Repairs to Sewer Pump in the amount of \$3,080.00
16. Ratify bill from Ambrester Auto Service for Wrecker Bill and Repairs to the Suburban Rescue Truck
17. American Bass Angler Toyota Tundra Bassmaster Weekend Series Southern Regional Championship Host Community Agreement 2012 week of October 8-13, 2012
18. Children at Play Signs
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

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**MINUTES OF THE PUBLIC HEARING  
KIMBALL, TENNESSEE  
THURSDAY, JUNE 2, 2011– 6:00 P.M.**

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A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, June 2, 2011 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 Jerry Don Case, Alderman Mark Payne, Alderman Johnny Sisk and Attorney William Gouger, Jr.

Mayor Jackson called the public hearing to order for Ordinance Number 212 – AN ORDINANCE OF THE TOWN OF KIMBALL, TENNESSEE ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012.

**NEW BUSINESS**

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- a) **Ordinance No. 212 – AN ORDINANCE OF THE TOWN OF KIMBALL, TENNESSEE ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012**

Mayor Jackson explained the budget and noted that the budget has been revised to satisfy Office of State and Local Finance requests.

Citizen Lamar Manis asked if there was a property tax increase. There is no increase. The town's property tax rate will remain at \$0.10 per \$100 of the assessed value at the ratio per class.

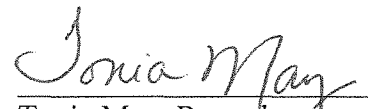
**ADJOURNMENT**

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

  
David Jackson, Mayor

  
Tonia May, Recorder

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**MINUTES OF THE REGULAR MEETING  
KIMBALL, TENNESSEE  
THURSDAY, JUNE 2, 2011**

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A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, June 2, 2011 in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

Mayor Jackson called the regular meeting to order after the public hearing which began at 6:00 p.m.

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**INVOCATION AND PLEDGE**

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

Mayor Jackson asked Joe Morrison with the Marion County Veteran Memorial Park 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, Vice-Mayor Rex Pesnell, Alderman Jerry Don Case, Alderman Mark Payne, Alderman Johnny Sisk 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 Case** the Minutes of the Regular Monthly Board Meeting for May 5, 2011 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:

- Quality Fence Company has begun to install the fencing around the four baseball/softball fields.
- Lofty Construction Company has begun work on the new park entrance.
- The town has secured the \$150,000 loan from Citizens State Bank, Mayor Jackson, Attorney Gouger and Recorder May secured this loan during the month of May.
- The town will have a preconstruction meeting on the Sewer Line Repairs Contract either Tuesday, June 7, 2011 or Wednesday, June 8, 2011 at 4:00 pm.

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**SCHEDULED AGENDA ITEMS**

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**a.) Marion County Veteran Memorial Park Representative**

Joe Morrison with the Marion County Veteran Memorial Park was at the meeting to thank the board for past support and request continued support for the projects at the site. He explained the projects in progress at this time.

A motion was made by **Alderman Sisk**, seconded by **Alderman Payne** to approve a donation to the Marion County Veteran Memorial Park in the amount of \$250 which will be paid after July 1, 2011. The motion passed unanimously on a board vote. Marion County Newspaper made a picture of the representatives present and the Board of Mayor and Aldermen.

**b.) Sam Anderson with Marion County Fair**

Sam Anderson with the Marion County Fair was at the meeting to thank the board for past support and request continued support for the fair which will be August 23, 2011 through August 27, 2011. A motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve a donation to the Marion County Fair in the amount of \$250 which will be paid after July 1, 2011. The motion passed unanimously on a board vote.

c.) **Resolution 2011-07 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to Adopt a Revenue Recognition Policy and a Fund Balance Policy in Compliance with General Accounting Standards Board (GASB) Rule 54**

Attorney Gouger explained this is a new state requirement for municipalities managing their funds and budgets. The Resolution language was provided by the town auditors which will be effective for the 2011-2012 fiscal year. The revenue policy states that any monies allocated to or by a special revenue fund must be used by that fund. There is also a fund balance policy that sets out five categories of your fund balance and what your limitations or controls are on the fund balances. Attorney Gouger requests the board approve the resolution based on a recommendation from the town auditors.

A motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve Resolution 2011-07 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to Adopt a Revenue Recognition Policy and a Fund Balance Policy in Compliance with General Standards Board (GASB) Rule 54. The motion passed unanimously on a board vote.

d.) **Resolution 2011-08 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to Adopt an Expense Prioritization Policy for Special Revenue Funds in Compliance with General Accounting Standards Board (GASB) Rule 54**

Attorney Gouger stated the expenses have the same required resolution. This resolution states the town will spend the restricted funds for that fund before spending the unrestricted funds. This ordinance was recommended by the auditors and required by state law.

A motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Sisk** to approve Resolution 2011-08 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to Adopt an Expense Prioritization Policy for Special Revenue Funds in Compliance with General Standards Board (GASB) Rule 54. The motion passed unanimously on a board vote.

e.) **2<sup>nd</sup> and Final Reading Ordinance No. 212 – An Ordinance of the Town of Kimball, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2011 and Ending June 30, 2012**

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve on second and final reading Ordinance No. 212 – An Ordinance of the Town of Kimball, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2011 and Ending June 30, 2012. The motion passed unanimously on a board vote.

f.) **1<sup>st</sup> Reading of Ordinance 213 – An Ordinance to Amend the Official Zoning Map for the Town of Kimball, Tennessee by Rezoning Certain Properties Herein Described from Zoning Classification R-1, Low Density Residential District to C-2, Highway Business District (Oscar Ellis Property)**

Mayor Jackson stated this ordinance was recommended by the Kimball Municipal Planning Commission.

Motion was made by **Alderman Payne**, seconded by **Alderman Case** to approve on first reading Ordinance No. 213 – An Ordinance to Amend the Official Zoning Map for the Town of Kimball, Tennessee by Rezoning Certain Properties Herein Described from Zoning Classification R-1, Low Density Residential District to C-2, Highway Business District (Oscar Ellis Property). The motion passed unanimously on a board vote.

**g.) Discuss An Ordinance to Amend the Official Zoning Ordinance to Allow Mixed Use Development Within the C-2, Highway Business Zoning District in the Town of Kimball, Tennessee**

The Kimball Municipal Planning Commission voted in a 3-2 vote to recommend this ordinance to the Board of Mayor and Aldermen. Attorney Gouger stated that most small municipalities do not allow the mixed use development since these communities only have one type of commercial zone. If the town approves this, the ordinance would apply to all commercial property. The owners requesting this type of usage would be required to apply for a building permit and show that the residential use was secondary not primary. This zone will be expensive for compliance due to the fire wall requirement and other expenses. This would also create some safety issues with individuals living behind a business.

A motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to table the Ordinance to Amend the Official Zoning Ordinance to Allow Mixed Use Developments within the C-2, Highway Business Zoning District in the Town of Kimball, Tennessee until the July meeting. The motion passed unanimously on a board vote.

**h.) Ratify bill from WeeTek, Inc. for Bacteria Chemicals for the Sewer System in the amount of \$1,898.33**

A motion was made by **Alderman Payne**, seconded by **Alderman Case** to ratify the bill from WeeTek, Inc. for Bacteria Chemicals for the Sewer System in the amount of \$1,898.33. The motion passed unanimously on a board vote.

**i.) Ratify bill from Byrd's Electric Motor for repairs to the Sewer Pump in the amount of \$3,080**

A motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to ratify the bill from Byrd's Electric Motor for repairs to the sewer pump in the amount of \$3,080. The motion passed unanimously on a board vote.

The motors are overheating due to the check valves in the bottom of the lift station being bad. The town will have the check valves on the exterior of the lift station when the new one is built for the Hampton Inn construction.

**j.) Ratify bill from Ambrester Auto Service for repairs to the Suburban Rescue Truck in the amount of \$4,569.29**

Mayor Jackson stated that Ambrester's Auto Service replaced the engine in the Suburban Rescue Truck.

A motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Sisk** to ratify the bill from Ambrester Auto Service for repairs to the Suburban Rescue Truck in the amount of \$4,569.29. The motion passed unanimously on a board vote.

**k.) American Bass Angler Toyota Tundra Bassmaster Weekend Series Southern Regional Championship Host Community Agreement 2012 week of October 8-13**

Mayor Jackson stated that Debra Talley with American Bass Angler visited Kimball. The mayor took Mrs. Talley on a tour of our park facility for weigh ins and to the Shellmound Park for viewing of the launch site for the boaters. This bass tournament will bring into town 400 fishermen and 200 boats. The town will be required to pay the \$6,000 hosting fee and provide a tent for the event with weigh ins being held at the park.

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve the Mayor to sign the contract with American Bass Angler Toyota Tundra Bassmaster Weekend Series Southern Regional Championship Host Community Agreement with pre-fishing and tournament to take place October 8, 2012 through October 13, 2012. The motion passed unanimously on a board vote.

### **I.) Children at Play Signs**

Mayor Jackson had an email sent to him that he shared with the board concerning the risk of having signs located in the town "Slow Children at Play". He requested the board to review this and also asked Attorney Gouger to research this topic and report at the next meeting his findings.

### **POLICE REPORT**

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

Litigation Tax and Training Fees	\$44.25
Court Costs	\$180.75
Fines	\$80.00
Report Fee	\$20.00
Sessions Court	\$231.32
<b>Total</b>	<b>\$556.32</b>

Mayor Jackson welcomed Patrolman Wampler back from being off the job after a Worker's Compensation injury. Alderman Case wanted to thank the temporary part time employees for filling in during Wampler's absence.

### **FIRE REPORT**

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Vice-Mayor Pesnell gave the fire report for May 2011. The department responded to seven calls for the month which included three fires, three mutual aids and one cancelled in route call.

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

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Alderman Sisk stated the next park board meeting is scheduled for June 9, 2011 at 5:00 pm.

### **PLANNING COMMISSION REPORT**

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Alderman Case stated the planning commission meeting for the month of May was held on May 17, 2011 at 6:00 pm. The commission discussed the mixed use ordinance and rezoning ordinance for Oscar Ellis's property. Both of these ordinances were approved and recommended to the Board of Mayor and Aldermen. The commission also requested Chairman O'Leary to write a letter to Governor Haslam on the elimination of the local planning office. The next planning commission meeting is scheduled for Tuesday, June 21, 2011 at 6:00 pm.

Mayor Jackson spoke with Beth Jones with SETDD which will be providing the planning service for the 2011-2012 fiscal year. Their department intends to hire two planners to cover these services. New Hope had concerns about a planner; however, they did not need a full coverage planner only one as needed and were wondering if they could contract with Kimball and SETDD on their needs for a planner. Attorney Gouger thought that this could be worked out with the SETDD concerning this issue.

### **SEWER REPORT**

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Alderman Payne stated that there was a meeting scheduled for Friday, June 3, 2011 at 3:00 pm to review the specifications and products to be used in the building of the new main lift station. The main lift station will be built by the Hampton Inn owners since their new building requires the removal of the existing station. The main lift station is currently having some electrical current issues.

### **ATTORNEY REPORT**

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Attorney Gouger had no other business.

## NEW BUSINESS

Alderman Case wanted to know why the Tennessee Firemen's Association was in town. Mayor Jackson stated the association was in town for their state meeting for the June 2<sup>nd</sup> weekend. Mayor Jackson will be attending a welcoming ceremony at the Holiday Inn on Friday, June 3, 2011.

Vice-Mayor Pesnell stated that Centro Properties had repaired the road into the shopping center and also created a three way stop at the entrance intersection.

Mayor Jackson had items under new business as follows:

- Sales Tax for 2009 was \$278,000; with 2010 at \$295,000 and 2011 at \$283,000 for April.
- The Jere Davis Memorial Scholarships were awarded to the following:
  - Marion County High School - Morgan Taylor Henderson
  - Richard Hardy Memorial School - Matthew Edward Atkins
  - South Pittsburg High School - Clinton Brady Rorex
  - Whitwell High School - Angel Louise Bryant
- The Partnership had a meeting Thursday, May 26, 2011. The developer of the property on the mountain wants to set aside 300 acres for Industrial Development.
- The state has sent information concerning the applications for tree grants which are due by July 15, 2011. The town may consider applying for this again.
- The town has sent letters to those within the next CDBG project area concerning surveyors in town and the reason for the surveyors.
- The town along with TWRA will host the Free Fishing Day again this year on June 11, 2011 from 7:00 am until 10:00 am. This year the front pond will be stocked with catfish, with the snacks and prizes being held at the barn.
- Finances

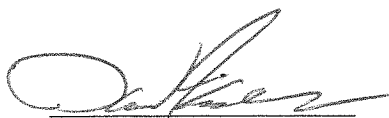
General Fund		Drug Fund	
Checking	\$ 182,367	Checking	\$ 2,386
Payroll	\$ 10,734	<b>Sewer Fund</b>	
Savings	\$ 464,629	Checking	\$ 219,713
CD	\$ 437,841	CD	\$ 76,038
Total	\$1,095,571	Savings	\$ 101,914
<b>State Street Aid</b>		Total	\$ 397,665
Checking	\$ 16,110		

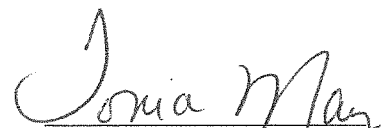
**Grand Total    \$1,511,732**

- The next monthly board meeting will be July 7, 2011 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 **Vice-Mayor Pesnell**. The motion passed unanimously on a board vote.

  
David Jackson, Mayor

  
Tonia May, Recorder