
**MINUTES OF THE PUBLIC HEARING
KIMBALL, TENNESSEE
THURSDAY, OCTOBER 3, 2013– 6:00 P.M.**

A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, October 3, 2013 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 225 – An Ordinance to Amend the Official Zoning Ordinance to Require an Application Fee When Applying for a Variance from the Kimball Board of Zoning Appeals in the Town of Kimball, Tennessee.

NEW BUSINESS

- a) **Ordinance 225 – An Ordinance to Amend the Official Zoning Ordinance to Require an Application Fee When Applying for a Variance from the Kimball Board of Zoning Appeals in the Town of Kimball, Tennessee**

Mayor Jackson stated that this ordinance has been recommended by the Kimball Planning Commission to alleviate applications that have not been followed through on once a meeting has been schedule for the Board of Zoning Appeals. In an effort to collect on the cost associated with these meetings, the board will be initiating a \$50 non-refundable application fee when filing an application with the Board of Zoning Appeals.

There were no comments from the other board members or 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.

**MINUTES OF THE REGULAR MEETING
KIMBALL, TENNESSEE
THURSDAY, OCTOBER 3, 2013**

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, October 3, 2013 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 started at 6:00 p.m.

INVOCATION AND PLEDGE

Mayor Jackson said the invocation over the meeting.

Mayor Jackson requested Vice-Mayor Pesnell to lead 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 Jerry Don Case, Alderman Johnny Sisk, Alderman Mark Payne and Attorney William Gouger, Jr.

APPROVAL OF MINUTES

On a motion by **Alderman Sisk**, seconded by **Vice-Mayor Pesnell** the Minutes of the Regular Monthly Board Meeting for September 5, 2013 were approved unanimously on a board vote.

OLD BUSINESS

Alderman Sisk inquired about the town checking the price on the land beside town hall that was for sale again. The board will check into the price for this piece of property.

Mayor Jackson had the following items under old business:

- The four-wheeler approved for the fire department has been purchased and is stored in the Kimball Fire Hall.
- The fire department had the two pumpers tested and both passed.
- Sowder Electric Company has signed the contract to begin the installation of the lights for the remaining ball fields through the LPRF Grant.
- The reflective shirts discussed at the previous meeting will be ordered once the town gets samples from Walter A. Woods to determine sizes and the town is still waiting to find out if the safety grant was approved from TML The Pool. These shirts will be ANSI III for the reflectivity and visibility of all maintenance employees' safety.
- The town hosted the ABA Couples National Fishing Championship last month. The winners were Keith and Penny Miller with a combined weight of more than 30 pounds for the two days. There were two Marion County couples fishing in the tournament that won nice door prizes. All participants appeared to enjoy their visit to Kimball and the hospitality shown.
- The town has ordered the No Littering Signs.

SCHEDULED AGENDA ITEMS

- a.) **2nd and Final Reading of Ordinance Number 225 – An Ordinance to Amend the Official Zoning Ordinance to Require an Application Fee When Applying for a Variance from the Kimball Board of Zoning Appeals in the Town of Kimball, Tennessee**

A motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve on 2nd and Final Reading of Ordinance Number 225 – An Ordinance to Amend the Official Zoning Ordinance to Require an Application Fee When Applying for a Variance from the Kimball Board of Zoning Appeals in the Town of Kimball, Tennessee which was recommended by the Kimball Planning Commission. The motion passed unanimously on a board vote.

b.) Discuss Med-Trans Annual Membership for Life Force Services

Mr. Jimmy Morse, Life Force Membership Sales Manager, attended the meeting to describe the membership. The town can enroll each employee for \$50 for single, \$55 for couples and \$65 for family coverage which will cover employees and family members on health insurance. The coverage will cover employees and family members throughout Med-Trans Area.

After discussion, a motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to approve the Med-Trans Annual Membership for Life Force Services for all full time employees and their family members with the town paying all memberships and a site plan for the entire city being submitted to the town at a later date. The employees will sign up on this plan Monday, October 7, 2013 at 2:00 p.m. at town hall. The motion passed unanimously on a board vote.

c.) Duplicator Supply Equipment Maintenance Agreement

A motion was made by **Alderman Sisk**, seconded by **Alderman Case** to approve the annual Duplicator Supply Equipment Maintenance Agreement. The motion passed unanimously on a board vote.

d.) Ratify the bill from Ambrester Auto Repair in the amount of \$2,529.27 for work performed on the Sanitation Truck

A motion was made by **Alderman Payne**, seconded by **Alderman Case** to ratify the bill from Ambrester Auto Repair in the amount of \$2,529.27 for work performed on the Sanitation Truck. The motion passed unanimously on a board vote.

e.) Mixed Drink Tax from the State of Tennessee

Mayor Jackson explained that the town has been receiving a mixed drink tax from the State of Tennessee since 2010. This past month it was brought to the attention of other municipalities that the tax should be split 50%-50% with the municipality and the local school system. Our town and other towns were unaware of this statute which was not pressed by MTAS, CTAS or the Comptroller of Treasury Office. Upon the revelation, the mayor wanted to have a proactive response and address our issue. It has been discovered that the town has received \$5,588.50 from the State of Tennessee from 2010 until June 30, 2013. Therefore, the town will owe the Marion County Trustee's Office \$2,794.25 to be distributed to the county school system.

A motion was made by **Alderman Sisk**, seconded by **Vice-Mayor Pesnell** to pay the mixed drink tax to the Marion County Trustee's Office in the amount of \$2,794.25 for payments received from 2010 until June 30, 2013. The town will set up a system to pay the county every October for the funds received per fiscal year. The motion passed unanimously on a board vote.

f.) Approval of Two (2) Additional Soccer Coaches for Fall 2013

Mayor Jackson stated the town had two additional Assistant Coaches to be approved for Fall 2013 Soccer which are Johnny Holman and Robert Hunter Styers.

A motion was made by **Alderman Sisk**, seconded by **Alderman Payne** to approve the additional soccer coaches for Fall 2013 which are Johnny Holman and Robert Hunter Styers. The motion passed unanimously on a board vote.

g.) Health Insurance Premiums for State of Tennessee Insurance

The Board of Mayor and Aldermen will have a workshop on the new laws pertaining to health insurance with John and Teena Hewgley from First Volunteer Insurance on Tuesday, October 8, 2013 at 5:30 p.m.

h.) Discuss Sewer Fees for Residential and Commercial Users since South Pittsburg Water and Sewer Department will be increasing their rates effective October 1, 2013 with a 40% increase

The board discussed the two ordinances that cover residential and commercial sewer charges. The residential sewer ordinance has language built in to cover any increases in cost. The commercial rates have not been increased since 2003 when the town enforced a step system over three (3) years. The board discussed the various options available. A 40% increase on commercial sewer rates will add an additional \$28 to the existing rates.

A motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to authorize the town attorney to modify the existing commercial sewer ordinance to include a minimum bill for sewer to be set at \$100 per month. The first reading will be at the November meeting with the public hearing and second reading being scheduled for December in which the new rate will take effect at the first of 2014. The motion passed unanimously on a board vote.

i.) Discuss Sewer Fees concerning changing from a fee to a transfer

Mayor Jackson stated the town has a surcharge for each municipal building for sewer charges in the amount of \$800 per building. The town auditor has been contacted concerning the legality of the surcharge. There are some departments at the state that approve the surcharge and others which want the language changed in the ordinance. The town will act on this issue once the town has a written request from the state on the way their offices prefer this to be written.

POLICE REPORT

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

Litigation Tax and Training Fees	\$175.00
Court Costs	\$715.00
Fines	\$123.50
Department of Safety	\$0.00
Report Fee	\$90.00
Sessions Court	\$566.25
Total	\$1,669.75

FIRE REPORT

Vice-Mayor Pesnell gave the fire report for September 2013; the department responded to eight calls during the month which were one mutual aid, one structure fire, one investigation, one vehicle fire, two gas spills and two signal nines.

Vice-Mayor Pesnell stated the department was pleased with the new 4-wheeler and they wanted to thank the board for the purchase. The department is still battling the bat issue. The maintenance building also has the continued bat issue. The town will not pay the maintenance agreement with the extermination company as they have not ever gotten the issue under control.

PARK AND RECREATION BOARD REPORT

Alderman Sisk stated the Park and Recreation Board will not have a meeting Thursday, October 10, 2013. Kimball will host soccer on October 12th and October 19th.

PLANNING COMMISSION REPORT

Alderman Case stated the planning commission meeting for September was cancelled. The October meeting is scheduled for Tuesday, October 15, 2013 at 6:00 p.m. The yearly planning commission training will be held at Sulphur Springs Methodist Church on Tuesday, October 29, 2013.

SEWER REPORT

Alderman Payne stated that Anthony Pelham with James C. Hailey Company was scheduled to be at the meeting; however, he is under doctor restrictions at this moment. The town will revisit the spraying of the manholes and maintenance agreement once Mr. Pelham can be at the town meeting.

ATTORNEY REPORT

Attorney Gouger stated he had nothing further at this time.

NEW BUSINESS

Alderman Sisk wanted to know about getting some trees cut behind Long John Silvers. This property is private and would have to be done by the business owners.

Mayor Jackson had items under new business as follows:

- The town has been approved for a Tier I Benchmarking recertification for the Park through the Recreation Education Services with the State of Tennessee. This certification adds points to park and recreation grants when the town applies.
- The Marion County Partnership met last Friday. The Marion County Partnership is in good financial shape. The Partnership agreed to spend \$20,000 for a local plant's expansion.
- The Kimball Hampton Inn will be opening on October 15, 2013.
- The Southeast Tennessee Development District had a meeting which the Mayor attended. The main issue discussed was the bio-solids that are hauled to farms. This was explained during the meeting.
- This Saturday, October 5, 2013 the Marion County Food Bank will be having a roadblock to take monetary donations or non-perishable food items. It was recommended that all those attending the meetings in November and December to bring non-perishable food items to the town meetings. Town hall will be a drop off point for this end of the county for non-perishable items and the town will see that the Marion County Food Bank gets the items.
- The sales tax for Kimball for the month of August was up \$4,165 with the overall County being up \$22,961.
- On October 23rd at 2:00 p.m., there will be a ground breaking at the Marion County Regional Institute for Higher Education. All board members are invited to attend.
- The town will be hosting the Trunk or Treat at town hall on Halloween Night from 5:00 – 7:00 p.m.
- The town has a bill from Score Sports for the Fall Soccer Uniforms in the amount of \$2,530.70 which is covered by the registration fees.

A motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve the payment to Score Sports for the Fall Soccer Uniforms in the amount of \$2,530.70. The motion passed unanimously on a board vote.

- Finances

General Fund

Checking	\$ 63,822
Payroll	\$ 22,348
Checking FJB	\$ 50,196
Savings FVB	\$ 202,307
Savings FJB	\$ 250,651
Savings CSB	\$ 246,981
CD FJB	<u>\$ 328,259</u>
Total	\$1,164,564

State Street Aid

Checking	\$ 25,183
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Drug Fund

Checking	\$ 1,989
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Sewer Fund

Checking	\$ 87,142
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Savings	\$ 25,219
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CD	<u>\$ 77,270</u>
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Total	\$ 189,631
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Grand Total	\$1,381,367
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The town funds will be lower next month as the town will be paying for the sewer line extension to the new college property on Main Street.

- There will be a pre-construction meeting on October 22nd at 3:30 p.m. concerning the CDBG Sewer Line Extension.

Vice-Mayor Pesnell wanted to ask about the storm water drainage from the new college project. There is another branch that goes under the interstate which will catch the storm water drainage from the college. The planning commission will be reviewing another site plan on this site during October. Those concerned are encouraged to attend the meeting to see the future college's site plan.

Citizen Lamarr Manis wanted to discuss the fishing tournament. He stated he was involved in the transporting of the fisher people to and from the boat ramps to their vehicles. He stated that there were attendants from several states. All those fishing commended the town on the hospitality shown by everyone. He wanted the board to know that word of mouth advertisement was well worth the investment of the town to host the event.

Mayor Jackson stated that he appreciated Citizen Lamarr Manis for the help with the fishing tournament. There were two locals that won nice door prizes at the event.

The next monthly board meeting will be Thursday, November 7, 2013 at 6:00 p.m.

ADJOURNMENT

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


David Jackson, Mayor


Tonia May, Recorder