

# TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Municipal Planning Commission

Date February 15, 2011

A regular meeting of the Kimball Municipal Planning Commission was held on Tuesday, February 15, 2011 at 6:00 p.m. in the Conference Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor David Jackson, Chairman Mark O'Leary, Alderman Jerry Don Case, Dean Pesnell and Lamarr Manis. Jay Totton arrived at 6:05 p.m. Others present were Attorney William Gouger, Planner Bently Thomas, Earl Geary, Jr., Building Inspector and Sharon Case.

Chairman O'Leary called the meeting to order at 6:00p.m.

Mayor Jackson welcomed our newest member Lamarr Manis.

## APPROVAL OF MINUTES

On a motion by Jerry Don Case, seconded by Dean Pesnell the minutes of the regular meeting held on Tuesday, October 19, 2010 were approved unanimously on a board vote.

## OLD BUSINESS

### Urban Growth Boundary

- After discussion there was a motion by Jay Totton to go to city fathers and ask them to increase our growth plan to include any point on John Thornton's property up on the mountain to the highest elevation then come down to each end of our current city boundaries making sure we would encompass any properties that would create a storm water runoff problem for us in the future. Dean Pesnell seconded the motion. The motion passed unanimously on a board vote.

### Annual Performance Report

- Mr. Thomas had talked about doing a Park and Recreation Plan however this has already been done on the town's website. Mr. Thomas proposed putting the information from the website in book form, working on the urban growth boundary or both. The commission decided they preferred Mr. Thomas focus on the urban growth boundary.

## NEW BUSINESS

### Staff Activity Report

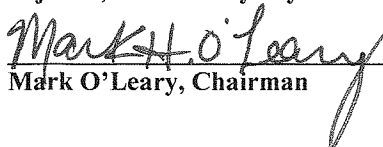
- Mr. Thomas had nothing to add to his activity report. He presented certificates to those who completed the required annual training.

### Any Other Properly Presented Business

- Mayor Jackson informed every one of two upcoming events to be held at the Kimball Park. The first being Tennessee Valley Working Dog and the other being The Bass Federation 2011 National Championship.
- Mr. Geary addressed the board concerning a call he received about placing two cargo containers at 1631 Boyd Avenue. His question was should there be a stricter definition of an accessory building? After some discussion it was decided he would deny the request at the present time.

## ADJOURNMENT

As there was nothing further to come before the board, motion was made by Dean Pesnell to adjourn, seconded by Jay Totton. The motion passed unanimously on a board vote.

  
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Mark O'Leary, Chairman

03-15-2011  
Date

# TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Municipal Planning Commission

Date August 16, 2011

A regular meeting of the Kimball Municipal Planning Commission was held on Tuesday, August 16, 2011 at 6:00 p.m. in the Conference Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor Jackson, Chairman Mark O'Leary, Alderman Jerry Don Case, Joyce Tate, Jay Totton and Dean Pesnell. Others present were Planner Chad Reese, Attorney William Gouger, Earl Geary, Jr., Building Inspector and Sharon Case.

Chairman O'Leary called the meeting to order at 6:00p.m.

## APPROVAL OF MINUTES

On a motion by Jay Totton, seconded by Joyce Tate the minutes of the regular meeting held on Tuesday, July 19, 2011 were approved unanimously on a board vote.

## OLD BUSINESS

None

## NEW BUSINESS

### Flood Map Ordinance

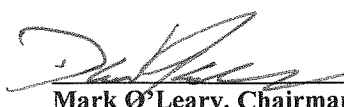
- The new flood maps will go into effect on January 6, 2012. The town will need to adopt the new flood map ordinance before this time. Jay Totton made a motion to recommend to the mayor and board of aldermen that the planning commission seeing no overlap from what we looked at and if they are comfortable with that by what they see initially on the maps if they feel comfortable with passing twice then he would like to move to go ahead and accept this ordinance. If there is any heartburn whatsoever with the city commissioners then at that point require an overlay to see what specifically the differences are. Dean Pesnell seconded the motion, all were in favor.

### Any Other Properly Presented Business

- Mayor Jackson made mention that he and the board of aldermen are currently working with an industry looking to locate in Kimball. If this materializes and becomes a reality it will change the landscape of Kimball and Marion County for years to come.
- Jay Totton inquired about the new building for the regional skills center. Mayor Jackson said they were moving on however the county needs to get their budget issues resolved first. Mr. Totton also inquired about the new hotel and their engineering of the sewer system. Mayor Jackson stated they had a round table meeting approximately three weeks ago with all involved parties and told them their plans were not satisfactory. The mayor stated it is going to have to be built to our specs or it isn't going to be built. You can go to jail for stuff like that.
- Attorney Gouger stated when the state planning office shut down the city was working on the urban growth plan which stalled due to the closing of the office. He thought the board ought to know that it was his understanding that at the next county planning commission meeting John Thornton's company plans to submit a plat for the top of the mountain. A preliminary plat approval for approximately a 250 lot subdivision. Attorney Gouger will get the Urban Growth Plan information the town's former planner Bently Thomas prepared prior to his office being closed to the town's new planner Chad Reese. This is something the planning commission needs to work on at next month's meeting.
- Chad Reese introduced himself as our new planner. He formerly worked the last 4 ½ years for the state planning office.

## ADJOURNMENT

As there was nothing further to come before the board, motion was made by Mayor Jackson to adjourn, seconded by Dean Pesnell. The motion passed unanimously on a board vote.

  
Mark O'Leary, Chairman

8.20.11  
Date

## TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Municipal Planning Commission

Date July 19, 2011

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A regular meeting of the Kimball Municipal Planning Commission was held on Tuesday, July 19, 2011 at 6:00 p.m. in the Conference Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor Jackson, Chairman Mark O'Leary, Alderman Jerry Don Case, Joyce Tate, Jay Totton and Lamarr Manis. Others present were Gary Sexton & Chuck Hammonds with Southeast Tennessee Development District, Attorney William Gouger, Earl Geary, Jr., Building Inspector and Sharon Case.

Chairman O'Leary called the meeting to order at 6:00p.m.

### APPROVAL OF MINUTES

On a motion by Jay Totton, seconded by Joyce Tate the minutes of the regular meeting held on Tuesday, May 17, 2011 were approved unanimously on a board vote.

Mayor Jackson introduced Chuck Hammonds and Gary Sexton with the Southeast Tennessee Development District. Their office will be providing the services the state planning office provided prior to Governor Haslam closing these offices across the state. They brought a contract for the board to review and approve. The services and cost will remain the same. At this time it hasn't been decided who our planner will be. They have hired Greg Davis and Chad Reese who worked at the state planning office prior to the office being closed. Mr. Davis did the mapping and Mr. Reese worked as a planner. Mr. Reese might possibly be our new planner.

### OLD BUSINESS

Mixed Use Zoning Ordinance Amendment

- This ordinance had previously been approved by the planning commission and sent to the Mayor and Board of Aldermen. The ordinance did not pass the Mayor and Board of Aldermen due to the lack of receiving a second. The development district will review this ordinance and present some other options for the planning commission to look at.

Letter to Governor Haslam concerning the closing of the state planning office

- Chairman O'Leary has not drafted this letter at the present time.

### NEW BUSINESS


Any Other Properly Presented Business

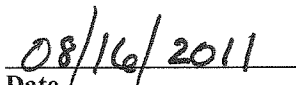
- Mayor Jackson informed the board of the following:  
He met with the Hampton Inn developers earlier this afternoon. He thinks they may have some resolutions to getting the main sewer pump relocated.  
As of July 8, 2011 the Interstate project was 61% complete. All the bridge work will be completed by the last of October or the first of November. There will be an Exit A and Exit B.  
October 14th thru October 22, 2012 the American Bass Anglers of Athens, AL will be holding a regional tournament in Kimball. There will be two-hundred boats and four-hundred fishermen in town for this event.  
The new video for the town is complete. We will be sending these to potential new businesses we hope will locate in the town.  
Mr. Geary has requested the mobile home sitting in the skating rink parking lot be removed.  
Alderman Case made mention of the new sewer replacement on Hwy 2.  
Isabell's Bar-B-Q will be opening soon on Hwy 2 in the building where previously the Mexican Restaurant operated.

Attorney Gouger informed the board of the flood plain ordinance he had received from Mr. Thomas earlier in the afternoon concerning the new flood maps. This ordinance will need to be adopted by the Mayor and Board of Aldermen before January 6, 2012. This will require the planning commission to recommend the revised ordinance to the Mayor and Board of Aldermen. This will need to be on the planning commission agenda in the near future. Alderman Case made mention of the seafood shop that will be locating in a building next to Ann Taylor's Mobile Home Park.

ADJOURNMENT

As there was nothing further to come before the board, motion was made by Joyce Tate to adjourn, seconded by Jay Totton. The motion passed unanimously on a board vote.

  
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Mark O'Leary, Chairman

  
\_\_\_\_\_  
Date

## TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Municipal Planning Commission

Date May 17, 2011

A regular meeting of the Kimball Municipal Planning Commission was held on Tuesday, May 17, 2011 at 6:00 p.m. in the Conference Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Chairman Mark O'Leary, Alderman Jerry Don Case, Dean Pesnell, Joyce Tate, and Jay Totton. Others present were Planner Bently Thomas, Earl Geary, Jr., Building Inspector and Sharon Case.

Chairman O'Leary called the meeting to order at 6:00p.m.

### APPROVAL OF MINUTES

On a motion by Dean Pesnell, seconded by Joyce Tate the minutes of the regular meeting held on Tuesday, March 15, 2011 were approved unanimously on a board vote.

### OLD BUSINESS

#### Mixed Use Zoning Ordinance Amendment

- Upon a request from Nannetta Taylor at the March 15, 2011 meeting concerning efficiency apartments being allowed in a C-2 zone Planner Thomas presented an ordinance to amend the official zoning ordinance to allow mixed use developments within the C-2 highway business zoning district for the planning commission members to review. After some discussion with changes to make to the proposed amendment there was a motion by Jay Totton to recommend the ordinance amendment upon completion of the recommended changes to the Mayor and Aldermen, seconded by Joyce Tate. The motion passed with Joyce Tate, Jay Totton and Chairman O'Leary voting yes. Alderman Case and Dean Pesnell voted no.

### NEW BUSINESS

#### Staff Activity Report

- Mr. Thomas had nothing to add to his activity report. He did however, inform the planning commission members of Governor Haslam's decision to eliminate the local planning offices across the state of Tennessee.

#### Oscar Ellis Rezoning R-1 to C-2

- Oscar Ellis requested his property located at 18 Kimball Lane be rezoned from R-1 to C-2. Planner Thomas presented a rezoning ordinance for review by the planning commission. After review there was a motion to recommend to the Mayor and Board of Aldermen by Dean Pesnell, seconded by Alderman Case. All were in favor.

#### Any Other Properly Presented Business

- In regards to the local planning office Jay Totton made a motion requesting Chairman O'Leary send Governor Haslam a letter in reference to his decision to eliminate this office. There was a second by Joyce Tate. All were in favor.

### ADJOURNMENT

As there was nothing further to come before the board, motion was made by Dean Pesnell to adjourn, seconded by Joyce Tate. The motion passed unanimously on a board vote.

  
Mark O'Leary, Chairman

07-19-2011  
Date

## TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Municipal Planning Commission

Date March 15, 2011

A regular meeting of the Kimball Municipal Planning Commission was held on Tuesday, March 15, 2011 at 6:00 p.m. in the Conference Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor David Jackson, Chairman Mark O'Leary, Alderman Jerry Don Case, Dean Pesnell, Joyce Tate, Lamarr Manis and Jay Totton. Others present were Raymond Griffin with the Church of Jesus Christ of Latter Day Saints, Nannetta Taylor, Attorney William Gouger, Planner Bently Thomas, Earl Geary, Jr., Building Inspector and Sharon Case.

Chairman O'Leary called the meeting to order at 6:00p.m.

### APPROVAL OF MINUTES

On a motion by Jay Totton, seconded by Lamarr Manis the minutes of the regular meeting held on Tuesday, February 15, 2011 were approved unanimously on a board vote.

### NEW BUSINESS

#### Staff Activity Report

- Mr. Thomas had nothing to add to his activity report.

#### Church of Jesus Christ of Latter Day Saints Expansion Site Plan

- Raymond Griffin was in attendance representing the church to address any questions the board might have concerning the site plan. After some discussion Mayor Jackson made a motion to approve the site plan, seconded by Jay Totton. The motion passed unanimously on a board vote.

#### Any Other Properly Presented Business

- Nannetta Taylor was present to request being allowed to have efficiency apartments in the back of her commercial building. This is not allowed in a commercial zone. After some discussion Jay Totton made a motion to ask Planner Thomas to research what the opportunities would be to making the change to C-2 zoning to allow the mixed use, seconded by Dean Pesnell. The motion passed unanimously on a board vote. After this motion Mayor Jackson made a motion to table the request by Ms. Taylor at this time, seconded by Chairman O'Leary. The motion passed unanimously on a board vote.
- Mayor Jackson informed every one of two upcoming events to be held at the Kimball Park. The first being Tennessee Valley Working Dog Competition and the other being The Bass Federation 2011 National Championship.

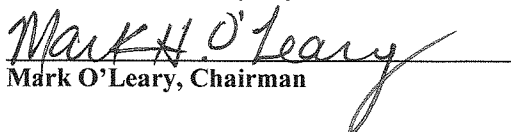
### OLD BUSINESS

#### Urban Growth Boundary

- Mayor Jackson informed the board that the city council voted to send this back to the planning commission. After discussion there was a motion by Jay Totton to authorize Planner Thomas to proceed with the study to expand or modify the urban growth boundary, seconded by Joyce Tate. The motion passed unanimously on a board vote.

### ADJOURNMENT

As there was nothing further to come before the board, motion was made by Mayor Jackson to adjourn, seconded by Joyce Tate. The motion passed unanimously on a board vote.

  
Mark O'Leary, Chairman

05-17-2011  
Date

# TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Municipal Planning Commission

Date September 20, 2011

A regular meeting of the Kimball Municipal Planning Commission was held on Tuesday, September 20, 2011 at 6:00 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor Jackson, Joyce Tate, Jay Totton, Dean Pesnell and Lamarr Manis. Others present were Planner Chad Reese, Attorney William Gouger, Earl Geary, Jr., Building Inspector and Sharon Case.

Mayor Jackson called the meeting to order at 6:00p.m.

## APPROVAL OF MINUTES

On a motion by Dean Pesnell, seconded by Joyce Tate the minutes of the regular meeting held on Tuesday, August 16, 2011 were approved unanimously on a board vote.

## OLD BUSINESS

Jay Totton asked about the new flood maps. Mayor Jackson stated the flood maps had been passed on the 1<sup>st</sup> reading. There will be a public hearing for the 2<sup>nd</sup> reading on October 6, 2011.

## NEW BUSINESS

### Process for Amending the Urban Growth Boundary

- Chad Reese explained the growth amendment procedures.

### Review of the Proposed UGB Study and Proposed Area

- After review and discussion Jay Totton made a motion to recommend to the Mayor and Board of Aldermen to press forward converting to a Municipal Regional Planning Commission, seconded by Lamarr Manis. The motion passed unanimously on a board vote. Mr. Totton also made a motion to start the process to increase our urban growth boundary, seconded by Lamarr Manis. This motion also passed unanimously on a board vote.

### Any Other Properly Presented Business

- Mayor Jackson reminded everyone of the annual planning commissioner training scheduled for Tuesday, October 25, 2011 at Sulphur Springs United Methodist Church at 5:00 p.m. CST.
- The Church of Jesus Christ of Latter Day Saints is beginning an addition to their existing facility.
- The town hosted a luncheon on September 14<sup>th</sup> for a business looking to locate in the town.
- The construction work on the interstate project and bridge work is nearing completion. The bridge should be completed by the end of October. The entire project should be finished by April 2012.

## ADJOURNMENT

As there was nothing further to come before the board, motion was made by Joyce Tate to adjourn, seconded by Jay Totton. The motion passed unanimously on a board vote.

  
Mark O'Leary, Chairman

12-20-2011  
Date

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**MINUTES OF THE REGULAR MEETING  
KIMBALL TENNESSEE PLANNING COMMISSION  
TUESDAY, DECEMBER 20, 2011**

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A regular meeting of the Kimball Municipal Planning Commission was held on Tuesday, December 20, 2011 at 6:00 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor Jackson, Chairman Mark O'Leary, Joyce Tate, Alderman Jerry Don Case, Jay Totton, Lamarr Manis, and Dean Pesnell who arrived a few minutes late. Others present were Clarence Howard, Surveyor, John Thornton, Dane Bradshaw, Greg Roach and Tim Defriese with Thornton Enterprises, Adam Driver with AD Engineering Services, Inc., Gary Sexton with Southeast Tennessee Development District, Planner Chad Reese, Attorney William Gouger, Earl Geary, Jr., Building Inspector and Sharon Case.

Chairman O'Leary called the meeting to order at 6:00p.m.

**APPROVAL OF MINUTES**

On a motion by Mayor Jackson, seconded by Jay Totton the minutes of the regular meeting held on Tuesday, September 20, 2011 were approved unanimously on a board vote.

**OLD BUSINESS**

**Review Proposed Urban Growth Boundary Amendment Map**

- At the request of Mayor Jackson, Chad Reese presented the official Urban Growth Boundary Amendment Map that will be presented to the county coordinating committee. After some discussion there was a motion by Jay Totton to proceed forward with the Urban Growth Plan as presented, seconded by Lamarr Manis. This motion passed unanimously on a board vote.



## NEW BUSINESS

### **Presentation by John Thornton – Developer of Jasper Highlands Subdivision**

- **Mr. Thornton thinks this responsible community and development will be the largest, most impact able event that has ever happened in Marion County. Retailers come and go but residents will be here. The homes they create will be fabulous. They have a development for the future. This was originally Bowaters land and consisted of two parcels that were combined for a total of 8,893 acres. Mr. Thornton stated he gave the county planning commission his personal guarantee that the road would be built, would be built correctly and that he would be the developer. Dayne Bradshaw, President of Thunder Enterprises presented a site plan of the development. He stated it will start with Phase 1A which will consist of 98 lots. The lots will all be the same price. Mr. Roach and his crews have cleared these lots. Adam Driver with AD Engineering Services, Inc. presented the Stormwater Design Summary. This consisted of erosion control plans & permit, stream crossings & permit, stormwater runoff and detention. He also provided a drawing of the stormwater basin location map. Attorney Gouger stated Phase 1A of Jasper Highlands has received unanimous approval of the County Planning Commission “subject to the developer posting an adequate bond for the road”. Jay Totton commended Mr. Thornton on a good presentation.**

### **Adoption of Updated Planning Commission By-Laws**

- **Chad Reese presented the updated planning commission by-laws. There was a motion by Dean Pesnell, seconded by Jay Totton to adopt the by-laws. This motion passed unanimously on a board vote.**

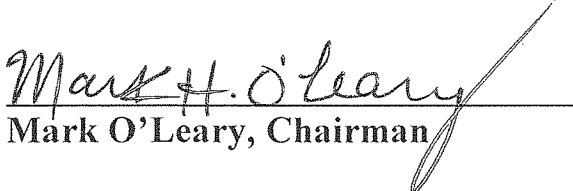
### **Any Other Properly Presented Business**

- **The three State Troopers in the construction area are not the doings of the city.**
- **Tonight is Lamarr Manis last meeting. He has decided to relocate to South Carolina. Mayor Jackson made mention of his appreciation of Mr. Manis serving on the planning commission.**

- On behalf of himself and the Board of Aldermen, Mayor Jackson wished everyone a Merry Christmas and Happy New Year.
- Mayor Jackson expressed condolences to Joyce Tate on the passing of her sister-in-law.

ADJOURNMENT

As there was nothing further to come before the board, motion was made by Mayor Jackson to adjourn, seconded by Jerry Don Case. The motion passed unanimously on a board vote.

  
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Mark O'Leary, Chairman

02-21-12  
Date