

ORDINANCE NO. 218

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP TO REZONE
PROPERTY ON GEORGE ROBERTS LANE FROM C-2 HIGHWAY BUSINESS
DISTRICT TO R-1 LOW DENSITY RESIDENTIAL DISTRICT IN THE
TOWN OF KIMBALL, TENNESSEE**

WHEREAS, the Town of Kimball, Tennessee has adopted a zoning ordinance under authority granted in Tennessee Code Annotated (TCA) Section 13-7-201; and

WHEREAS, TCA Section 13-7-204 enables a municipality with the authority to amend zoning ordinances and maps; and

WHEREAS, pursuant to the requirements of TCA, Section 13-7-204, the planning commission has recommended amendments to the zoning map, as herein described; and

WHEREAS, pursuant to the requirements of TCA, Section 13-7-203, the Town of Kimball conducted a public hearing prior to the final reading and adoption of this ordinance to allow for public comment on the amendments described herein;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Mayor and Aldermen of the Town of Kimball, Tennessee; that

Section 1 The amendment herein described shall replace the C-2 Highway Business District with the R-1 Low Density Residential District, as indicated by the attached map titled Kimball, Tennessee, Proposed Rezoning, C-2 to R-1 further described in Section 2.

Section 2 Property is described as Parcel 027.25, Marion County Tax Map 132A, Group A (132A A 027.25), including a section of George Roberts Lane as shown on the attached Map.

THEREFORE, BE IT FURTHER ORDAINED, that this ordinance shall become effective upon final reading and passage by the Kimball Board of Mayor and Aldermen, THE PUBLIC WELFARE REQUIRING IT.

FIRST READING: 3-1-2012

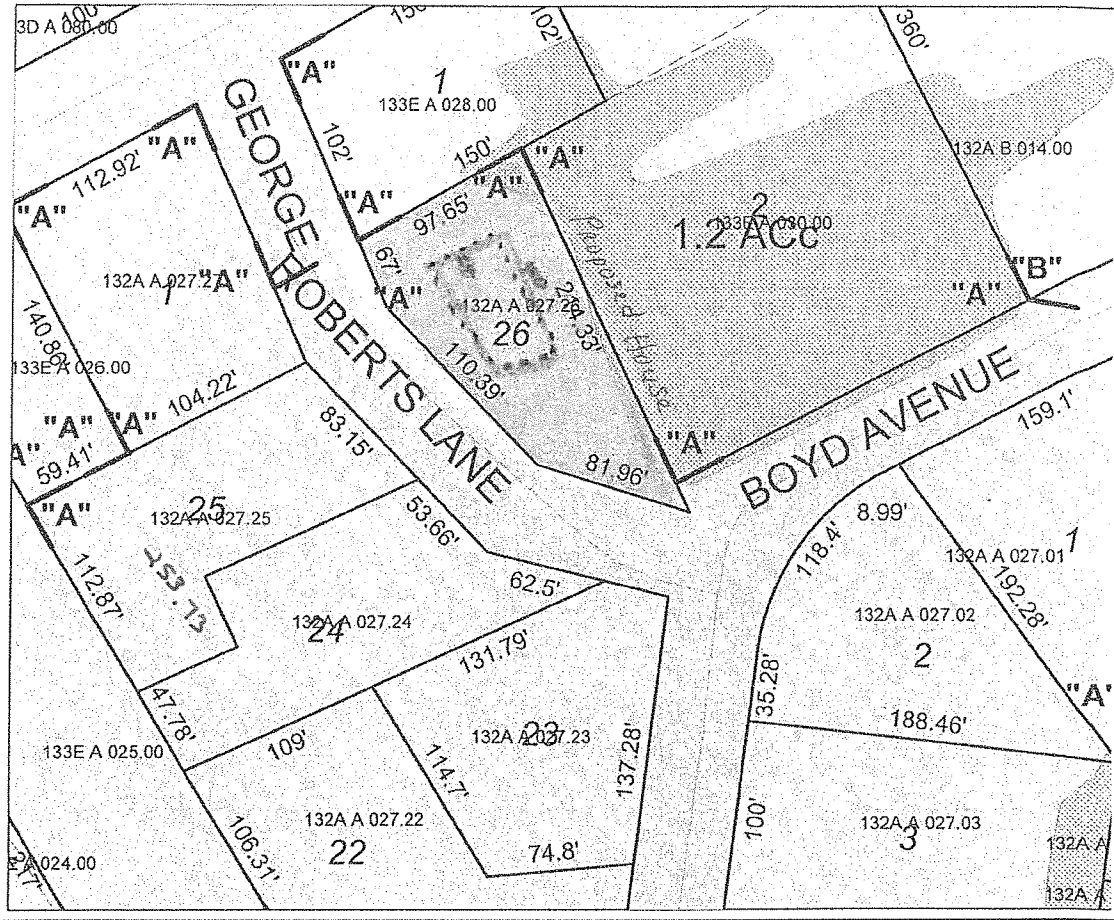
SECOND READING: 4-5-2012



David Jackson, Mayor

ATTEST 

Tonia May, Town Recorder



ORDINANCE NO. 219

AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET & CAPITAL PROGRAM OF KIMBALL, TENNESSEE FOR FISCAL YEAR 2011-2012

WHEREAS, the budget process is one of the most important activities undertaken by governments for the public welfare with the budget process being used to make program, service and capital decisions and allocate scarce resources to programs, services and capital;

WHEREAS *Tennessee Code Annotated* Title 6 Chapter 56 Section 208 allows the governing body to amend the annual budget and capital program ordinance in the same manner as any other ordinance may be amended;

WHEREAS *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds first be appropriated before being expended and that only funds that are available may be appropriated;

WHEREAS, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of there source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds;

WHEREAS the budget and capital program ordinance is the legal document whereby the governing body appropriates funds and thereby gives the legal authority for expenditures of the Town as required by state law;

Now, therefore be it ordained by the board of Mayor and Aldermen of Kimball, Tennessee, that:

Section 1: The following sources will be to amend the budget to accommodate increases in revenue and unforeseen expenses, capital project and funding sources during the 2011-2012 fiscal year:

	Beginning	Amendment	Ending
Local Taxes	\$1,432,300	\$ 76,500	\$1,508,800
Miscellaneous Revenues	\$ 50,950	\$ 85,050	\$ 136,000
Intergovernmental Revenue	\$ 160,250	\$ 55,750	\$ 216,000
Debt Proceeds	\$ 0	\$218,842	\$ 218,842
Town Property/Building/Other	\$ 83,100	\$ 52,300	\$ 135,400
Police Department	\$ 445,382	\$ 65,350	\$ 510,732
Department of Parks & Recr.	\$ 112,000	\$ 61,000	\$ 173,000
Debt Service Administration	\$ 62,880	\$ 76,457	\$ 139,337
Other General Government Expenses	\$ 682,000	\$ 6,000	\$ 688,000

Capital projects and proposed funding amendments are as follows:

	Beginning	Amendment	Ending
Police Department	\$0	\$247,475	\$247,475

Section 2: After adoption by this governing body, this amendment will be presented to the Director of Local Finance as required by Tennessee Code Annotated Title 9 Chapter 21 Section 403 for continuing approval of a balanced budget.

Section 3: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

Section 4: If any section, clause, provision or portion of this ordinance is held to be invalid or un-constitutional by any Court of competent jurisdiction, such holdings shall not affect any other section, clause, provision or portion of this ordinance.

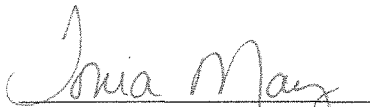
Section 5: This Ordinance shall take effect at the earliest date allowed by law, the public welfare requiring it.

PASSED AND APPROVED by the Board of Mayor and Aldermen on the second and final reading on the 7th day of June, 2012.



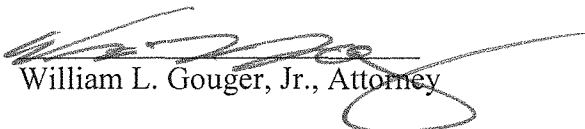
David Jackson, Mayor

ATTEST:



Tonia May, Recorder

APPROVED AS TO FORM:



William L. Gouger, Jr., Attorney

Passed on First Reading May 3, 2012

Passed on Second Reading June 7, 2012

ORDINANCE NO. 220

AN ORDINANCE OF THE TOWN OF KIMBALL, TENNESSEE ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013

WHEREAS, *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

WHEREAS, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of the source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds; and

WHEREAS, the governing body has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the governing body will consider final passage of the budget.

NOW THEREFORE BE IT ORDAINED BY THE TOWN OF KIMBALL, TENNESSEE AS FOLLOWS:

SECTION 1: That the governing body estimates anticipated revenues of the municipality from all sources to be as follows:

General Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Local Taxes	\$1,621,622	\$1,651,996	\$1,507,850
Intergovernmental Revenue	\$165,206	\$239,460	\$116,750
Fines and Forfeitures	\$10,888	\$13,656	\$9,500
Miscellaneous Revenue	\$68,384	\$146,210	\$41,350
Debt Proceeds	\$0	\$218,842	\$0
Total Revenues	\$1,866,100	\$2,270,164	\$1,675,450
Beginning Fund Balance	\$1,370,018	\$1,313,070	\$1,246,276
Total Available Funds	\$3,236,118	\$3,583,234	\$2,921,726

State Street Aid Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Intergovernmental Revenue	\$35,546	\$36,104	\$34,000
Miscellaneous Revenue	\$30	\$30	\$50
Total	\$35,576	\$36,134	\$34,050
Beginning Fund Balance	\$23,951	\$25,477	\$27,561
Total Available Funds	\$59,527	\$61,611	\$61,611

Drug Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Court Fines and Costs	\$1,708	\$411	\$1,000
Total	\$1,708	\$411	\$1,000
Beginning Fund Balance	\$1,678	\$2,376	\$2,787
Total Available Funds	\$3,386	\$2,787	\$3,787

Solid Waste Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Sanitation Fees	\$3,988	\$4,325	\$4,000
Real & Personal Property Tax	\$58,493	\$55,606	\$52,000
Wholesale Beer Tax	\$91,662	\$90,791	\$82,000
Total	\$154,143	\$150,722	\$138,000
Beginning Fund Balance	\$40,630	\$85,236	\$127,890
Total Available Funds	\$194,773	\$235,958	\$265,890

The town has designated current year property taxes and wholesale beer tax to the Solid Waste Fund in order to cover the expenditures.

Sewer Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Operating Revenues	\$73,663	\$78,149	\$137,600
Non-Operating Revenues	\$152,125	\$826	\$1,000
Total Revenues	\$225,788	\$78,975	\$138,600
Beginning Assets	\$1,521,853	\$1,476,135	\$1,615,720

SECTION 2: That the governing body appropriates from these anticipated revenues and unexpended and unencumbered funds as follows:

General Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Administrative Salaries	\$157,959	\$152,850	\$147,700
Town Property/Building/Other	\$101,218	\$133,628	\$160,900
Other General Government	\$701,294	\$681,901	\$704,040
Police Department	\$437,955	\$758,403	\$463,000
Fire Department	\$23,987	\$25,458	\$31,950
Rescue Squad Department	\$54,841	\$102,218	\$11,100
Public Works Department	\$225,869	\$169,904	\$260,300
Department of Parks & Recreation	\$156,243	\$172,458	\$21,700
Debt Service Administration	\$63,682	\$140,138	\$76,460
Total Appropriations	\$1,923,048	\$2,336,958	\$1,877,150
Surplus/(Deficit)	\$(56,948)	\$(66,794)	\$(201,700)
Ending Fund Balance	\$1,313,070	\$1,246,276	\$1,044,576

State Street Aid Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Public Works	\$34,050	\$34,050	\$34,050
Total Appropriations	\$34,050	\$34,050	\$34,050
Surplus/(Deficit)	\$0	\$2,084	\$0
Ending Fund Balance	\$25,477	\$27,561	\$27,561

Drug Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Police Department	\$1,010	\$0	\$1,000
Total Appropriations	\$1,010	\$0	\$1,000
Surplus/(Deficit)	\$698	\$411	0
Ending Fund Balance	\$2,376	\$2,787	\$2,787

Solid Waste Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Salaries	\$74,042	\$75,240	\$75,500
Other Expenses	\$35,495	\$32,828	\$42,500
Total Appropriations	\$109,537	\$108,068	\$118,000
Surplus/(Deficit)	\$44,606	\$42,654	\$20,000
Ending Fund Balance	\$85,236	\$127,890	\$147,890

Sewer Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Sewer Expenses	\$121,506	\$78,891	\$83,200
Total Appropriations	\$121,506	\$78,891	\$83,200
Surplus/(Deficit)	\$(45,718)	\$985	\$55,400
Ending Fund Balance	\$1,476,135	\$1,477,120	\$1,532,520

SECTION 3: At the end of the current fiscal year the governing body estimates balances/ (deficits) as follows:

General Fund	\$1,246,276
State Street Aid Fund	\$ 27,561
Drug Fund	\$ 2,787
Solid Waste Fund	\$ 127,890
Sewer Fund	\$1,477,120

SECTION 4: That the governing body recognizes that the municipality has bonded and other indebtedness as follows:

Bonded or Other Indebtedness	Debt Redemption	Interest Requirements	Debt Authorized and Unissued	Condition of Sinking Fund
Notes - General	\$142,386	\$10,528	\$0	\$0
Notes - Sewer	\$75,000	\$1,678	\$0	\$0

SECTION 5: During the coming fiscal year the governing body has planned capital projects and proposed funding as follows:

Proposed Capital Projects	Proposed Amount Financed by Appropriations	Proposed Amount Financed by Debt
General Building Improvements	\$10,000	
Improvements other than Buildings	\$7,500	
Street Paving/Drainage	\$105,000	
Public Works Equipment	\$35,000	
Parks and Recreation	\$6,500	

SECTION 6: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 T.C.A. Section 6-56-208. In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accord with Section 6-56-205 of the *Tennessee Code Annotated*.

SECTION 7: Money may be transferred from one appropriation to another in the same fund in an amount of up to \$1,000 by the Mayor, subject to such limitations and procedures as may be established by the Board of Mayor and Aldermen pursuant to the provisions of Section 6-56-209 of the *Tennessee Code Annotated*. Any resulting transfers shall be reported to the governing body at its next regular meeting and entered into the minutes.

SECTION 8: A detailed financial plan will be attached to this budget and become part of this budget ordinance. In addition, the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances and the number of full time equivalent employees required by Section 6-56-206, *Tennessee Code Annotated* will be attached.

SECTION 9: If for any reason a budget ordinance is not adopted prior to the beginning of the next fiscal year, the appropriations in this budget ordinance shall become the appropriations for the next fiscal year until the adoption of the new budget ordinance in accordance with Section 6-56-210, *Tennessee Code Annotated* provided sufficient revenues are being collected to support the continuing appropriations for no longer than 60 days after the end of the fiscal year. Approval of the Director of the Office of State and Local Finance in the Comptroller of the Treasury for a continuation budget will be requested if any indebtedness is outstanding.

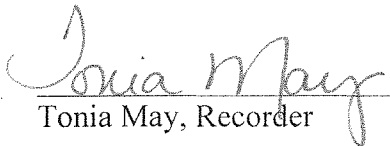
SECTION 10: There is hereby levied a property tax of \$0.10 per \$100 of assessed value on all real and personal property.

SECTION 11: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

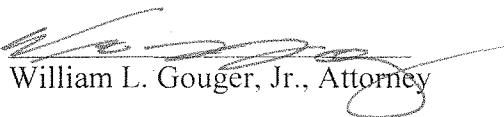
SECTION 12: This ordinance shall take effect July 1, 2012, the public welfare requiring it.


David Jackson, Mayor

ATTEST:


Tonia May, Recorder

APPROVED AS TO FORM:


William L. Gouger, Jr., Attorney

Passed on First Reading June 11, 2012

Passed on Second Reading June 28, 2012

ORDINANCE NO. 221

AN ORDINANCE TO AMEND ORDINANCE NOS. 41, 50, 89, 131, AND 138 OF THE TOWN OF KIMBALL, TENNESSEE REGARDING A SEWER RATE SURCHARGE APPLICABLE TO THE TOWN OF KIMBALL, TENNESSEE.

WHEREAS, the Board of Mayor and Aldermen has previously enacted Ordinance Nos. 41, 50, 89, 131, and 138 regarding the sewer system, sewer usage, and sewer rates for the Town of Kimball, Tennessee; and

WHEREAS, the Board of Mayor and Aldermen has determined that imposition of a sewer rate surcharge for the Town's municipal buildings is in the best interest of the citizens of the Town of Kimball, Tennessee; and

WHEREAS, by provisions of Section 7 of Ordinance No. 41, the Board of Mayor and Aldermen of the Town of Kimball is authorized to regulate sewer rate schedules and connecting fees; and

WHEREAS, by Ordinance Nos. 50, 89, 131, and 138, the Board of Mayor and Aldermen has amended Section 7 of Ordinance No. 41 pertaining to sewer rates to be applied to the sewer service in the Town of Kimball, Tennessee; and

WHEREAS, the Town of Kimball, Tennessee has adopted the Kimball Municipal Code and all provisions regarding sewer usage rates and connection fees are contained in Title 18 of said Municipal Code, with the sewer rates schedule being set forth in Title 18-107; and

WHEREAS, in order to meet the obligations imposed by the laws of the State of Tennessee, and the obligations incurred for providing sewer service in the Town of Kimball, the Board of Mayor and Aldermen of the Town of Kimball is of the opinion that Ordinance Nos. 41, 50, 89, 131, and 138, along with Title 18-107 of the Kimball Municipal Code, should be amended to establish a sewer rate surcharge for all of the Town's municipal buildings that receive sewer service.

IT IS, THEREFORE, ORDAINED AND ENACTED by the Board of Mayor and Aldermen of the Town of Kimball, Tennessee, that the sewer rate schedule set forth in Ordinance Nos. 41, 50, 89, 131, and 138, and Title 18-107 of the Kimball Municipal Code, be amended as follows in order to add a sewer rate surcharge for all municipal buildings owned by the Town:

In addition to the commercial sewer rate currently being charged to the Town for its municipal buildings as provided in the aforementioned Ordinances and Kimball Municipal Code, the Town shall pay directly to its sewer fund a monthly sewer rate surcharge of

\$800.00 for each of the Town's six (6) municipal buildings and all future municipal buildings, which are connected to and receive sanitary sewer services from the Town's sewer collection system, such surcharge to become effective as of July 1, 2012.

IT IS FURTHER ORDAINED AND ENACTED that the Town's sewer fund shall invoice the Town's general fund for such sewer rate surcharge on a monthly basis.

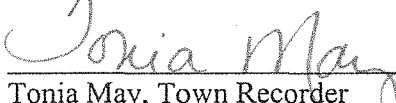
This Ordinance and the above-established sewer rate surcharge shall become effective after its passage and publication as required by law, the public welfare requiring it.

PASSED AND APPROVED by the Board of Mayor and Aldermen on the 2nd and final reading on the 28th day of June, 2012.




DAVID JACKSON, Mayor

ATTEST:



Tonia May, Town Recorder

APPROVED AS TO FORM:



William L. Gouger, Jr.
Attorney for Town of Kimball

Passed on first reading June 11, 2012

Passed on second reading June 28, 2012