

ORDINANCE NO. 236 _____

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP TO REZONE
PROPERTY ON OLD DIXIE HIGHWAY FROM C-2 HIGHWAY BUSINESS
DISTRICT TO R-2 HIGH DENSITY RESIDENTIAL DISTRICT IN THE
TOWN OF KIMBALL, TENNESSEE

Marion County Tax Map 133 Parcels 103.01, 103.02, & 103.03

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 following described property shall be rezoned from C-2 Highway Business District to R-2 High Density Residential District on the official Kimball Zoning Map:

The rezoning shall encompass three parcels in their entirety along Old Dixie Highway, which are identified on Marion County Tax Maps as Map 133 Parcels 103.01, 103.02, and 103.03.

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: February 4, 2016

SECOND READING: March 3, 2016



Mayor

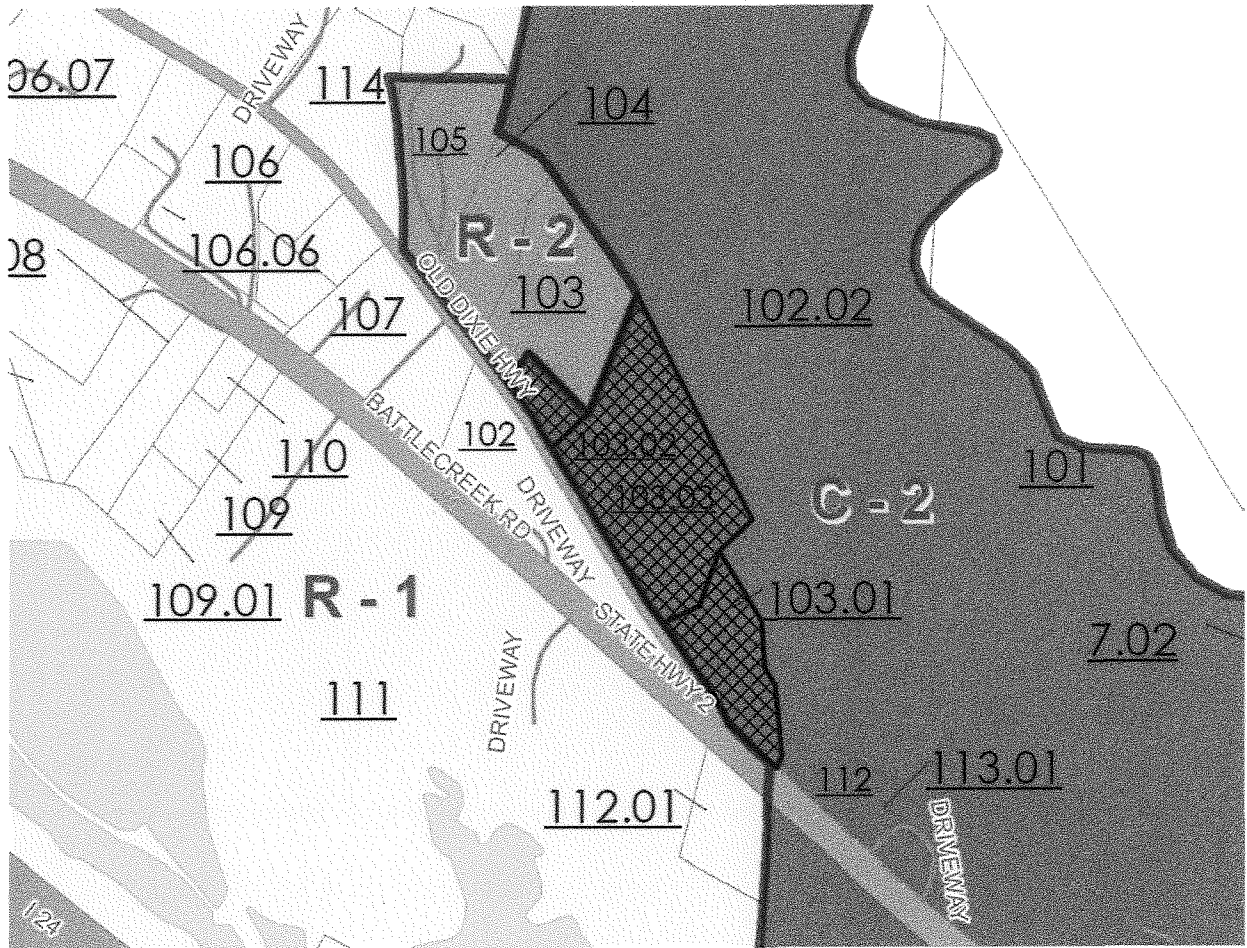
ATTEST Jonia May
Town Recorder

Kimball, Tennessee


Marion County Tax Map 133 103.01,103.02,103.03
Rezoning Request C-2 to R-2

January 2016

Ordinance No 236

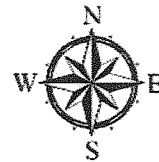


Legend

 Areas to be Rezoned

Map Prepared By:
Community Development
Southeast Tennessee Development District
Chattanooga, TN
Geographic Information Systems

This map is for planning purposes only.
This is not an engineering map.



ORDINANCE NO. 237

AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET & CAPITAL PROGRAM OF KIMBALL, TENNESSEE FOR FISCAL YEAR 2015-2016

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 their 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 and decreases in revenues, expenditures, and capital project during the 2015-2016 fiscal year:

General Fund	Beginning	Amendment	Ending
REVENUES			
Room Occupancy Tax	\$225,000	\$11,200	\$236,200
Recreational Fund Raiser	\$0	\$500	\$500
Sale of Equipment	\$0	\$8,500	\$8,500

General Fund	Beginning	Amendment	Ending
Expenditures			
Town Property – Repair & Maintenance Grounds	\$12,000	\$2,300	\$14,300
Other - Data Processing Services	\$33,000	\$3,500	\$36,500
Other – Professional Liability	\$24,000	\$1,200	\$25,200

Other - Grants	\$0	\$1,000	\$1,000
Police - Overtime	\$43,000	\$3,000	\$46,000
Police - Repair and Maintenance Vehicles	\$4,000	\$2,000	\$6,000
Highways & Streets - Repair & Maintenance Service	\$2,500	\$2,500	\$5,000
Highways & Streets - Operating Supplies	\$4,000	\$1,000	\$5,000
Highways & Streets - Raw Materials	\$2,000	\$1,000	\$3,000

Capital projects and proposed funding amendments are as follows:

Town Property – Improvements Other Than Bldgs	\$5,000	\$2,700	\$7,700
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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.

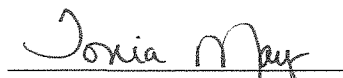
Section 4: If any section, clause, provision or portion of this ordinance is held to be invalid or un-constitutional by any Court of competent jurisdiction, such holdings shall not affect any other section, clause, provision or portion of this ordinance.

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

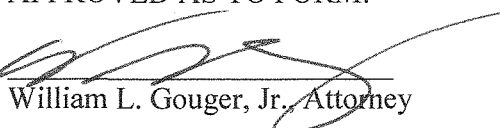
PASSED AND APPROVED by the Board of Mayor and Aldermen on the second and final reading on the 3rd day of March, 2016.


Rex Pesnell, Mayor

ATTEST:


Tonia May, Recorder

APPROVED AS TO FORM:


William L. Gouger, Jr., Attorney

Passed on First Reading February 4, 2016

Public Hearing March 3, 2016

Passed on Second Reading March 3, 2016

ORDINANCE NO. 238

AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET & CAPITAL PROGRAM OF KIMBALL, TENNESSEE FOR FISCAL YEAR 2015-2016

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 their 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 and decreases in revenues, expenditures, and capital project during the 2015-2016 fiscal year:

General Fund	Beginning	Amendment	Ending
REVENUES			
Local Sales Tax	\$1,300,000	\$39,000	\$1,339,000
General Fund	Beginning	Amendment	Ending
Expenditures			
Police - Overtime	\$46,000	\$7,100	\$53,100
Rescue - Repair & Maint Vehicles	\$1,500	\$19,700	\$21,200
Highways & Streets - Overtime	\$1,000	\$500	\$1,500
Highways & Streets - Repair & Maintenance Service	\$5,000	\$3,000	\$8,000

Capital projects and proposed funding amendments are as follows:

Police – Police Vehicle/Equipment	\$13,500	(1,100)	\$12,400
Highways & Streets - Road Materials & Repairs	\$52,500	\$12,300	\$64,800
Rescue Squad – Rescue Vehicle/4 Wheeler/Other	\$2,500	(\$2,500)	\$0

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 unconstitutional 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 5th day of May, 2016.



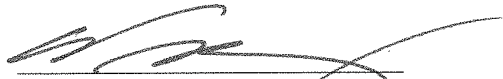
Rex Pesnell, Mayor

ATTEST:



Tonia May, Recorder

APPROVED AS TO FORM:



William L. Gouger, Jr., Attorney

Passed on First Reading 4-7-2016

Public Hearing 5-5-2016

Passed on Second Reading 5-5-2016

ORDINANCE NO. 239

**AN ORDINANCE OF THE TOWN OF KIMBALL, TENNESSEE
ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR
BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017**

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 2015 Actual	FY 2016 Estimated	FY 2017 Proposed
Local Taxes	\$2,008,974	\$1,919,425	\$1,893,900
Intergovernmental Revenue	\$254,106	\$131,770	\$123,300
Fines and Forfeitures	\$14,323	\$9,395	\$10,000
Miscellaneous Revenue	\$88,486	\$79,980	\$67,600
Debt Proceeds	\$0	\$0	\$0
Total Revenues	\$2,365,889	\$2,140,570	\$2,094,800
Beginning Fund Balance	\$1,747,987	\$1,681,800	\$1,760,240
Total Available Funds	\$4,113,876	\$3,822,370	\$3,855,040

State Street Aid Fund	FY 2015 Actual	FY 2016 Estimated	FY 2017 Proposed
Intergovernmental Revenue	\$33,354	\$36,800	\$36,000
Miscellaneous Revenue	\$34	\$40	\$30
Total	\$33,388	\$36,840	\$36,030
Beginning Fund Balance	\$30,770	\$30,363	\$31,203
Total Available Funds	\$64,158	\$67,203	\$67,233

Drug Fund	FY 2015 Actual	FY 2016 Estimated	FY 2017 Proposed
Court Fines and Costs	\$1,769	\$1,474	\$1,000
Total	\$1,769	\$1,474	\$1,000
Beginning Fund Balance	\$3,179	\$4,948	\$6,422
Total Available Funds	\$4,948	\$6,422	\$7,422

Solid Waste Fund	FY 2015 Actual	FY 2016 Estimated	FY 2017 Proposed
Sanitation Fees	\$3,900	\$4,200	\$3,700
Transferred from General Fund	\$114,318	\$127,580	\$378,400
Total	\$118,218	\$131,780	\$382,100

Sewer Fund	FY 2015 Actual	FY 2016 Estimated	FY 2017 Proposed
Operating Revenues	\$220,200	\$160,000	\$147,000
Non-Operating Revenues	\$1,045	\$1,800	\$1,000
Total Revenues	\$221,245	\$161,800	\$148,000
Beginning Assets	\$1,533,468	\$1,667,755	\$1,730,255

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

General Fund	FY 2015 Actual	FY 2016 Estimated	FY 2017 Proposed
Administrative Salaries	\$150,963	\$154,530	\$156,600
Town Property/Building/Other	\$155,671	\$165,885	\$174,500
Other General Government	\$1,005,721	\$684,340	\$703,487
Police Department	\$493,963	\$520,943	\$534,500
Fire Department	\$32,415	\$24,120	\$36,500
Rescue Squad Department	\$5,263	\$23,655	\$3,250
Public Works Department	\$192,268	\$197,100	\$270,250
Department of Parks & Recreation	\$196,418	\$80,725	\$51,900
Debt Service Administration	\$85,075	\$83,250	\$81,313
Transfer to Sanitation Fund	\$114,318	\$127,580	\$378,400
Total Appropriations	\$2,432,076	\$2,062,129	\$2,390,700
Surplus/(Deficit)	(\$66,187)	\$78,441	(\$295,900)
Ending Fund Balance	\$1,681,800	\$1,760,240	\$1,464,340

State Street Aid Fund	FY 2015 Actual	FY 2016 Estimated	FY 2017 Proposed
Public Works	\$33,795	\$36,000	\$36,030
Total Appropriations	\$33,795	\$36,000	\$36,030
Surplus/(Deficit)	(\$407)	\$840	\$0
Ending Fund Balance	\$30,363	\$31,203	\$31,203

Drug Fund	FY 2015 Actual	FY 2016 Estimated	FY 2017 Proposed
Police Department	\$0	\$0	\$0
Total Appropriations	\$0	\$0	\$0
Surplus/(Deficit)	\$1,769	\$1,474	\$1,000
Ending Fund Balance	\$4,948	\$6,422	\$7,422

Solid Waste Fund	FY 2015 Actual	FY 2016 Estimated	FY 2017 Proposed
Salaries	\$72,025	\$82,880	\$92,363
Other Expenses	\$46,193	\$48,900	\$289,737
Total Appropriations	\$118,218	\$131,780	\$382,100

Sewer Fund	FY 2015 Actual	FY 2016 Estimated	FY 2017 Proposed
Sewer Expenses	\$86,958	\$99,300	\$103,550
Total Appropriations	\$86,958	\$99,300	\$103,550
Surplus/(Deficit)	\$134,287	\$62,500	\$44,450
Ending Assets	\$1,667,755	\$1,730,255	\$1,774,705

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

General Fund	\$1,760,240
State Street Aid Fund	\$31,203
Drug Fund	\$6,422
Solid Waste Fund	\$0
Sewer Fund	\$1,730,255

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

Bonded or Other Indebtedness	Debt Authorized and Unissued	Principal Outstanding at June 30	Debt Principal	Interest Requirements
Notes – General		\$625,000	\$62,500	\$18,813

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	\$5,000	
Improvements other than Buildings	\$8,000	
Police Equipment	\$13,500	
Street Paving/Drainage	\$105,000	
Street Equipment	\$12,000	
Parks and Recreation	\$10,000	
Sanitation Truck/Equipment	\$240,000	

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

SECTION 10: This annual operating and capital budget ordinance and supporting documents shall be submitted to the Comptroller of the Treasury or Comptroller's Designee for approval if the Town has debt issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated or loan agreements with a public building authority issued pursuant to Title 12, Chapter 10, Tennessee Code Annotated approved by the Comptroller of the Treasury or Comptroller's Designee within fifteen (15) days of its adoption. This budget shall not become the official budget for the fiscal year until such budget is approved by the Comptroller of the Treasury or Comptroller's Designee in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes".) If the Comptroller of the Treasury or Comptroller's Designee determines that the budget does not comply with the Statutes, the Governing Body shall

adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Comptroller of the Treasury or Comptroller's Designee. If the City does not have such debt outstanding, it will file this annual operating and capital budget ordinance and supporting documents with the Comptroller of the Treasury or Comptroller's Designee.

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

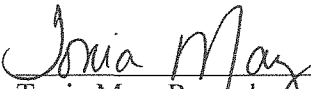
SECTION 12: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 13: This ordinance shall take effect July 1, 2016, the public welfare requiring it.




Rex Pesnell, Mayor

ATTEST:



Tonia May, Recorder

APPROVED AS TO FORM:



William L. Gouger, Jr., Attorney

Passed on First Reading May 5, 2016

Public Hearing June 2, 2016

Passed on Second Reading June 2, 2016