

# ORDINANCE NO. 252

## AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET & CAPITAL PROGRAM OF KIMBALL, TENNESSEE FOR FISCAL YEAR 2017-2018

**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, capital projects and fund balance during the 2017-2018 fiscal year:

REVENUES	Beginning	Amendment	Ending
Wholesale Beer Tax - 31710	\$87,000	\$10,000	\$97,000
Room Occupancy Tax - 31920	\$280,000	\$8,000	\$288,000
Building Permits - 32610	\$3,000	\$1,700	\$4,700
State Sales Tax - 33510	\$95,000	\$10,000	\$105,000
Insurance Recoveries - 36350	\$0	\$64,790	\$64,790
		<b>\$94,490</b>	

EXPENDITURES	Beginning	Amendment	Ending
Other General Gov - Data Processing 41990-255	\$30,000	\$8,000	\$38,000
Other General Gov - Retirement of Bank Notes Prin 41990-621	\$62,500	\$245,640	\$308,140
Other General Gov - Interest 41990-630	\$16,932	(\$10,700)	\$6,232
		<b>\$242,940</b>	


Capital projects and proposed funding amendments are as follows:

CAPITAL PROJECTS	Beginning	Amendment	Ending
Town Property/Buildings Insurance Repairs 41810-914	\$0	\$44,550	\$44,550
Town Property/Buildings Buildings 41810-920	\$20,000	\$7,000	\$27,000
		<b>\$51,550</b>	

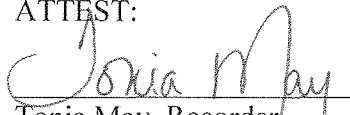
Beginning Fund Balance	\$1,956,506		
	<b>Beginning</b>	<b>Amendment</b>	<b>Ending</b>
Fund Balance Unreserved - 27100	(\$248,500)	(\$200,000)	(\$448,500)
Ending Fund Balance	\$1,508,006		

- 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 1st day of February, 2018.

  
 Rex Pesnell, Mayor

ATTEST:

  
 Tonia May, Recorder

APPROVED AS TO FORM:

  
 William L. Gouger, Jr., Attorney

First Reading January 4, 2018

Public Hearing February 1, 2018

Passed on Second Reading February 1, 2018

**ORDINANCE NO. 253**

**AN ORDINANCE TO AMEND ORDINANCE NO. 206 TO REPLACE THE 2009 EDITIONS OF THE INTERNATIONAL BUILDING CODES WITH THE 2012 EDITIONS OF SAME, WITH THE EXCEPTIONS AS HEREIN NOTED.**

WHEREAS, by virtue of Ordinance No. 206, the Town of Kimball, Tennessee, adopted the 2009 Editions of the International Building Code, the International Plumbing Code, the International Fuel Gas Code, the International Residential Code, and the International Mechanical Code for application and enforcement within the municipal limits of the Town; and

WHEREAS, the International Code Council has now adopted 2012 Editions of said Codes and other Codes, and the Building Inspector for the Town has recommended to the Board of Mayor and Aldermen that these updated Codes, with the exceptions as herein noted, are more appropriate for the Town and that adoption of same is in the best interest of the Town and its citizens, and mandated by State law; and

WHEREAS, the Board of Mayor and Aldermen has accepted the recommendation of the Building Inspector and determined that adoption of the 2012 Codes created by the International Code Council, subject to said exceptions, is in the best interest of the Town.

NOW, THEREFORE, be it ordained and enacted by the Board of Mayor and Aldermen of the Town of Kimball, Tennessee that Ordinance No.206 be amended as follows:

**Section 1.** That all references contained and set forth in said Ordinance No. 206 to the 2009 Editions of the International Building Code, International Plumbing Code, International Fuel Gas Code, International Mechanical Code, and International Residential Code are hereby changed, amended, and supplemented to provide that the Town adopts the following:

**2012 International Residential Code**

Excepting:

Section R313.1 regarding Automatic Sprinkler systems in Townhouses, replace the existing exception with the following exception: **“An automatic residential fire sprinkler system shall not be required if a 2 hour fire resistance rated wall exists between units, if such walls do not contain plumbing and/or mechanical equipment, ducts, or vents in the common wall.”**

Section P2904 (Dwelling Unit Fire Sprinkler Systems) deleted in its entirety

**2012 International Building Code**

**2012 International Plumbing Code**

**2012 International Mechanical Code**

**2012 International Fuel Gas Code**

**2012 International Fire Code**

**2012 International Existing Building Code**

**2012 International Energy Conservation Code**

Excepting:

One and two family dwellings and townhouses, amendments to the 2012 IECC as follows:

Section 402.4.1.2, testing option deleted

Section 403.2.2, sealing method deleted

Table R402.1.1 Insulation and Fenestration Requirements by Component, is amended by adding the following footnote "I". Log walls complying with ICC400 and with a minimum average wall thickness of 5" or greater shall be permitted in Zone 3 when a fenestration U-factor of .50 or lower is used, a skylight U-factor of .65 or lower is used, a glazed fenestration SHGC of .30 or lower is used, a 90 AFUE Furnace is used, an 85 AFUE Boiler is used, and a 9.0 HSPF Heat Pump (heating) and 15 SEER (cooling) are used.

**Section 2.** All other provisions set forth and contained within said Ordinance No. 206, except as hereinabove modified or amended, shall remain in full force and effect.

**Section 3.** That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.

**Section 4.** That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

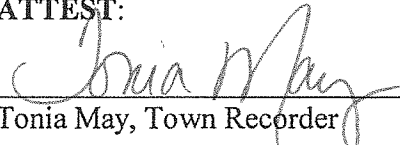
**Section 5.** That this Ordinance shall take effect and be in force from and after final passage, the public welfare requiring it.

**PASSED AND APPROVED** by the Board of Mayor and Aldermen on the 2<sup>nd</sup> and final reading on the 1st day of March, 2018.

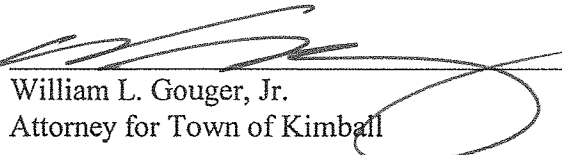
TOWN OF KIMBALL, TENNESSEE

By:   
Rex Pesnell, Mayor

ATTEST:

  
Tonia May, Town Recorder

APPROVED AS TO FORM:

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

Passed on first reading: February 1, 2018

Passed on second reading: March 1, 2018

**ORDINANCE NO. 254**

**AN ORDINANCE OF THE TOWN OF KIMBALL, TENNESSEE  
ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR  
BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019**

**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:

<b>General Fund</b>	<b>FY 2017 Actual</b>	<b>FY 2018 Estimated</b>	<b>FY 2019 Proposed</b>
Local Taxes	\$2,224,710	\$2,178,740	\$2,016,900
Intergovernmental Revenue	\$164,599	\$208,400	\$221,400
Fines and Forfeitures	\$12,474	\$12,690	\$10,000
Miscellaneous Revenue	\$99,517	\$157,020	\$76,600
Debt Proceeds	\$0	\$0	\$0
<b>Total Revenues</b>	<b>\$2,501,300</b>	<b>\$2,556,850</b>	<b>\$2,324,900</b>
Beginning Fund Balance	\$2,083,108	\$1,956,508	\$1,809,223
<b>Total Available Funds</b>	<b>\$4,584,408</b>	<b>\$4,513,358</b>	<b>\$4,134,123</b>

<b>State Street Aid Fund</b>	<b>FY 2017 Actual</b>	<b>FY 2018 Estimated</b>	<b>FY 2019 Proposed</b>
Intergovernmental Revenue	\$38,611	\$43,900	\$42,000
Miscellaneous Revenue	\$48	\$60	\$50
<b>Total</b>	<b>\$38,659</b>	<b>\$43,960</b>	<b>\$42,050</b>
Beginning Fund Balance	\$36,479	\$39,657	\$40,817
<b>Total Available Funds</b>	<b>\$75,138</b>	<b>\$83,617</b>	<b>\$82,867</b>

<b>Drug Fund</b>	<b>FY 2017 Actual</b>	<b>FY 2018 Estimated</b>	<b>FY 2019 Proposed</b>
Court Fines and Costs	\$550	\$760	\$1,000
Total	\$550	\$760	\$1,000
Beginning Fund Balance	\$6,700	\$7,250	\$8,010
Total Available Funds	\$7,250	\$8,010	\$9,010

<b>Sewer Fund</b>	<b>FY 2017 Actual</b>	<b>FY 2018 Estimated</b>	<b>FY 2019 Proposed</b>
Operating Revenues	\$174,577	\$155,480	\$157,000
Non-Operating Revenues	\$3,153	\$4,640	\$4,500
Total Revenues	\$177,730	\$160,120	\$161,500
Beginning Assets	\$2,567,163	\$2,639,539	\$2,697,779

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

<b>General Fund</b>	<b>FY 2017 Actual</b>	<b>FY 2018 Estimated</b>	<b>FY 2019 Proposed</b>
Administrative Salaries	\$156,972	\$171,070	\$177,500
Town Property/Building/Other	\$172,785	\$264,770	\$200,000
Other General Government	\$678,134	\$732,850	\$768,600
Police Department	\$527,836	\$580,000	\$558,200
Fire Department	\$29,008	\$27,330	\$43,400
Rescue Squad Department	\$778	\$440	\$70,750
Public Works Department	\$285,626	\$270,560	\$258,000
Sanitation Department	\$374,211	\$118,585	\$122,500
Department of Parks & Recreation	\$71,237	\$224,160	\$260,550
Debt Service Administration	\$331,313	\$314,370	\$0
Total Appropriations	\$2,627,900	\$2,704,135	\$2,459,500
Surplus/(Deficit)	(\$126,600)	(\$147,285)	(\$134,600)
Ending Fund Balance	\$1,956,508	\$1,809,223	\$1,674,623

<b>State Street Aid Fund</b>	<b>FY 2017 Actual</b>	<b>FY 2018 Estimated</b>	<b>FY 2019 Proposed</b>
Public Works	\$35,481	\$42,800	\$42,050
Total Appropriations	\$35,481	\$42,800	\$42,050
Surplus/(Deficit)	\$3,178	\$1,160	\$0
Ending Fund Balance	\$39,657	\$40,817	\$40,817

<b>Drug Fund</b>	<b>FY 2017 Actual</b>	<b>FY 2018 Estimated</b>	<b>FY 2019 Proposed</b>
Police Department	\$0	\$0	\$0
Total Appropriations	\$0	\$0	\$0
Surplus/(Deficit)	\$550	\$760	\$1,000
Ending Fund Balance	\$7,250	\$8,010	\$9,010

<b>Sewer Fund</b>	<b>FY 2017 Actual</b>	<b>FY 2018 Estimated</b>	<b>FY 2019 Proposed</b>
Sewer Expenses	\$105,354	\$101,880	\$119,200
Total Appropriations	\$105,354	\$101,880	\$119,200
Surplus/(Deficit)	\$72,376	\$58,240	\$42,300
Ending Assets	\$2,639,539	\$2,697,779	\$2,740,079

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

General Fund	\$1,809,223
State Street Aid Fund	\$40,817
Drug Fund	\$8,010
Sewer Fund	\$2,697,779

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

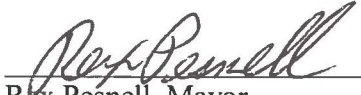
<b>Bonded or Other Indebtedness</b>	<b>Debt Authorized and Unissued</b>	<b>Principal Outstanding at June 30</b>	<b>Debt Principal</b>	<b>Interest Requirements</b>
Notes – General		\$0	\$0	\$0

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

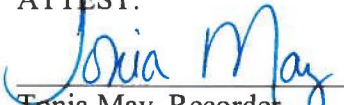
<b>Proposed Capital Projects</b>	<b>Proposed Amount Financed by Appropriations</b>	<b>Proposed Amount Financed by Debt</b>
General Building Improvements	\$26,000	
Improvements other than Buildings	\$15,000	
Rescue Equipment	\$69,500	
Street Paving/Drainage	\$80,000	
Street Equipment	\$40,000	
Parks and Recreation	\$175,000	



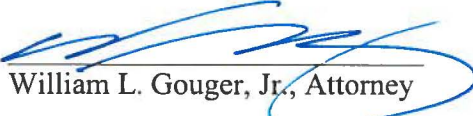
- SECTION 6:** No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 T.C.A. Section 6-56-208. In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening 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, 2018, 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 3, 2018

Public Hearing June 7, 2018

Passed on Second Reading June 7, 2018

# ORDINANCE NO. 255

## AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET & CAPITAL PROGRAM OF KIMBALL, TENNESSEE FOR FISCAL YEAR 2017-2018

- 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, capital projects and fund balance during the 2017-2018 fiscal year:

EXPENDITURES	Beginning	Amendment	Ending
Mayor - Wages 41310-161	\$34,800	(\$8,700)	\$26,100
Other General Gov - Scholarships 41990-238	\$4,000	(\$4,000)	\$0
Other General Gov -Other Employer Contributions 41990-149	\$70,200	(\$4,800)	\$65,400
Police - Chief Wages 42100-111	\$53,517	\$5,250	\$58,767
Police - Patrolman Wages 42100-121	\$380,000	(\$10,000)	\$370,000
Police - Repair & Maintenance Motor Vehicles 42100-261	\$6,000	\$5,850	\$11,850
Police - Clothing & Uniforms 42100-326	\$5,400	\$2,400	\$7,800
Police - Motor Vehicle Parts 42100-332	\$3,000	\$5,000	\$8,000
Police - THSO Grant Expense 42100-771	\$7,500	\$3,800	\$11,300
Highway & Streets - 43100-247	\$18,000	(\$6,000)	\$12,000
Sanitation Dept. – Landfill Services	\$27,000	\$3,000	\$30,000
Parks - Recreation Softball 44700-325	\$0	\$2,000	\$2,000
Park - Motor Vehicle Repairs,Oil Parts 44700-261	\$0	\$500	\$500
		(\$5,700)	

Capital projects and proposed funding amendments are as follows:

CAPITAL PROJECTS	Beginning	Amendment	Ending
Other General Gov - Office Equipment	\$0	\$4,700	\$4,700
Police - Vehicle/Equipment 42100-940	\$50,000	(\$6,000)	\$44,000
Highway & Streets - Road Materials and Repairs 43100-931	\$75,000	\$18,000	\$93,000
Highway & Streets – Drainage Improvements	\$30,000	(\$6,000)	\$24,000
Highway & Streets - Truck/Equipment/Lights 43100-940	\$65,000	(\$5,000)	\$60,000
		\$5,700	

**State Street Aid**


<b>Revenue</b>	<b>Beginning</b>	<b>Amendment</b>	<b>Ending</b>
State Gas Tax 33551	\$36,000	\$6,835	\$42,835

**EXPENDITURES**

	<b>Beginning</b>	<b>Amendment</b>	<b>Ending</b>
Street light Electricity	\$36,040	\$6,800	\$42,840
Bank Service Charge 43100-555	\$0	\$35	\$35

- 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 7<sup>th</sup> day of June, 2018.

  
Rex Pesnell, Mayor

ATTEST:

  
Tonia May, Recorder

APPROVED AS TO FORM:

  
William L. Gouger, Jr., Attorney

First Reading May 3, 2018

Public Hearing June 7<sup>th</sup> 2018

Passed on Second Reading June 7, 2018

# ORDINANCE NO. 256

## AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET & CAPITAL PROGRAM OF KIMBALL, TENNESSEE FOR FISCAL YEAR 2018-2019

**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, capital projects and fund balance during the 2018-2019 fiscal year:

Capital projects and proposed funding amendments are as follows:

<b>CAPITAL PROJECTS</b>	<b>Beginning</b>	<b>Amendment</b>	<b>Ending</b>
Highway/Streets Equipment/Lights 43100-940	\$40,000	\$95,000 <b>\$95,000</b>	\$135,000
Beginning Fund Balance	<b>\$1,901,967</b>		
	<b>Beginning</b>	<b>Amendment</b>	<b>Ending</b>
Fund Balance Unreserved - 27100	(\$134,600)	(\$95,000)	(\$229,600)
Ending Fund Balance			<b>\$1,672,367</b>


**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.

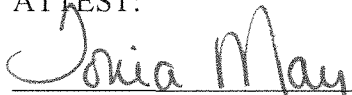
**Section 4:** If any section, clause, provision or portion of this ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, such holdings shall not affect any other section, clause, provision or portion of this ordinance.

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

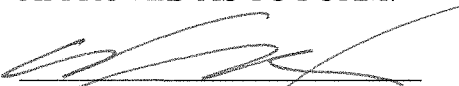
**PASSED AND APPROVED** by the Board of Mayor and Aldermen on the second and final reading on the 23<sup>rd</sup> day of July, 2018.

  
\_\_\_\_\_  
Rex Pesnell, Mayor

ATTEST:

  
\_\_\_\_\_  
Tonia May, Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
William L. Gouger, Jr., Attorney

First Reading July 5, 2018

Public Hearing July 23, 2018

Passed on Second Reading July 23, 2018

**ORDINANCE NO. 257**

**AN ORDINANCE ESTABLISHING FRANCHISE FOR SVE CONNECT**

This ordinance was not passed on 1<sup>st</sup> Reading due to SVE Connect having State Issued Certificate of Franchise Authority

*Jonia May*  
11-1-2018







**TENNESSEE PUBLIC UTILITY COMMISSION**  
**502 Deaderick St. 4th Floor**  
**Nashville, Tennessee 37243**

October 3, 2018

Mr. Robert C. Guth  
Attorney for SVE Connect, LLC  
Bass, Berry and Simms, PLC  
150 3<sup>rd</sup> Avenue South  
Suite 2800,  
Nashville, TN 37201

RE: Application for State-issued Certificate of Franchise Authority (Docket No. 18-00020)

Dear Mr. Guth:

On February 22, 2018, the Tennessee Public Utility Commission ("TPUC") received your application on behalf of SVE Connect, LLC ("SVE") to issue a state-issued certificate of franchise authority pursuant to Tenn. Code Ann. § 7-59-301, *et seq.*, also known as the Competitive Cable and Video Services Act (the "CCVSA").

Upon review, it has been determined that the application complies with the statutory requirements of the CCVSA and is therefore complete. Further action will be taken on the application as delineated within the CCVSA and you will soon receive information concerning the review of SVE's qualifications. Should you have any questions or concerns in this matter, please contact me at (615) 770-6889 or the address listed above. Thank you for your interest and cooperation.

Sincerest Regards,

*John Hutton*

John Hutton  
Telecom/Utilities Consultant  
[john.hutton@tn.gov](mailto:john.hutton@tn.gov)

C: Via email  
Docket File

# ORDINANCE NO. 258

## AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET & CAPITAL PROGRAM OF KIMBALL, TENNESSEE FOR FISCAL YEAR 2018-2019

- 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, capital projects and fund balance during the 2018-2019 fiscal year:

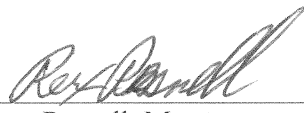
<b>REVENUES</b>	<b>Beginning</b>	<b>Amendment</b>	<b>Ending</b>
State Grant – LPRF 33400	\$75,000	\$7,900	\$82,900
Beginning Fund Balance per audit 8/2018 \$1,999,405			
Fund Balance	\$229,600	\$349,400	\$579,000
Estimated Ending Fund Balance	\$1,420,405	<b>\$357,300</b>	
<b>EXPENDITURES</b>	<b>Beginning</b>	<b>Amendment</b>	<b>Ending</b>
Police – Repair/Maint Vehicle 42100-261	\$12,030	(\$7,000)	\$5,030
Police – Motor Vehicle Parts 42100-332	\$6,000	(\$2,000)	\$4,000
Police – Tires, Tubes & Etc. 42100-334	\$4,500	(\$2,200)	\$2,300
Hwy & Streets – Repair/Maint. Veh 43100-261	\$12,000	(\$4,200)	\$7,800
		<b>(\$15,400)</b>	

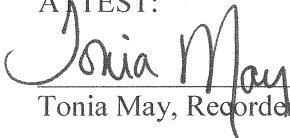
Capital projects and proposed funding amendments are as follows:

<b>CAPITAL PROJECTS</b>	<b>Beginning</b>	<b>Amendment</b>	<b>Ending</b>
Police - Vehicle/Equipment 42100-940	\$0	\$349,600	\$349,600
Hwy & Streets – Equipment/Lights 43100-940	\$135,000	(\$12,000)	\$123,000
Parks – Grant – LPRF 44700-700	\$150,000	\$35,100	\$185,100
		<b>\$372,700</b>	

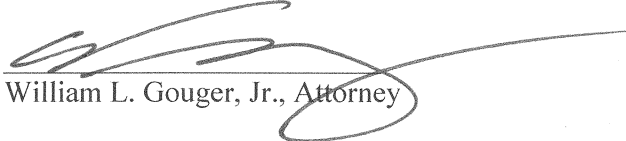
- Section 2:** After adoption by this governing body, this amendment will be presented to the Director of Local Finance as required by Tennessee Code Annotated Title 9 Chapter 21 Section 403 for continuing approval of a balanced budget.
- Section 3:** All ordinances or parts of ordinances in conflict 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 15<sup>th</sup> day of November, 2018.

  
\_\_\_\_\_  
Rex Pesnell, Mayor

ATTEST:  
  
\_\_\_\_\_  
Tonia May, Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
William L. Gouger, Jr., Attorney

First Reading October 4, 2018

Public Hearing November 1, 2018

Passed on Second Reading November 1, 2018