

ORDINANCE NO. 259

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:

Revenue	Beginning	Amendment	Ending
Building Permits - 32610	\$5,000	\$6,000	\$11,000
Insurance Recoveries - 36350	\$0	\$12,000	\$12,000
TOTAL REVENUE AMENDMENT		\$18,000	
EXPENDITURES 110	Beginning	Amendment	Ending
Other General Gov - Fire Hydrant 41990-246	\$13,000	\$5,500	\$18,500
Other General Gov - Data Processing 41990-255	\$37,000	\$6,430	\$43,430
Other General Gov - General Liability Ins 41990-511	\$20,000	\$7,200	\$27,200
Other General Gov - Professional Liability Ins 41990-512	\$23,000	(\$1,000)	\$22,000
Other General Gov - Vehicle Ins 41990-522	\$21,000	(\$1,000)	\$20,000
Police - Other Contractual Services 42100-290	\$700	\$2,000	\$2,700
Police - Fire Arm Supplies 42100-327	\$700	\$500	\$1,200
Police - Motor Vehicle Parts 42100-332	\$4,000	\$2,500	\$6,500
Fire - Part Time Wages 42200-124	\$5,460	(\$2,530)	\$2,930
Fire - Out-Of-Town Expenses 42200-283	\$1,000	(\$1,000)	\$0
Fire - Gas, Oil, Diesel Fuel Grease 42200-331	\$1,500	\$1,000	\$2,500
Fire - Tires, Tubes Etc. 42200-334	\$0	\$800	\$800
Rescue - Memberships, Registrations Fees 42620-236	\$350	\$250	\$600
Rescue - Repair & Maint Motor Vehicles 42620-261	\$250	\$1,200	\$1,450
Rescue - Operating Supplies 42620-320	\$200	\$150	\$350
Animal Control - Operating Supplies 42300-320	\$0	\$390	\$390
Highway & Streets - Raw Materials 43100-450	\$2,000	\$2,000	\$4,000

Sanitation - Landfill Services 43200-295	\$30,000	\$5,000	\$35,000
Sanitation - Tires, Tubes Etc 43200-334	\$2,000	\$2,060	\$4,060
Park - Part Time Wages 44700-124	\$6,000	\$7,000	\$13,000
Park - Concessions Product 44700-278	\$8,000	(\$7,500)	\$500
Park - Other Contract Services 44700-290	\$2,000	\$2,000	\$4,000
Park - Concessions Contract 44700-292	\$9,000	(\$8,150)	\$850
Park - Concessions Operating Supplies 44700-320	\$5,000	\$1,800	\$6,800
Park - Recreation Supplies 44700-325	\$3,000	(\$3,000)	\$0
		\$23,600	

Capital projects and proposed funding amendments are as follows:

CAPITAL PROJECTS	Beginning	Amendment	Ending
General - Insurance Repairs 41810-914	\$0	\$25,000	\$25,000
General - Buildings 41810-920	\$26,000	(\$10,000)	\$16,000
General - Improvements Other than Buildings 41810-930	\$15,000	\$10,000	\$25,000
Other General Gov - Machinery & Equip 41990-940	\$22,000	(\$11,000)	\$11,000
Police - Machinery & Equip 42100-940	\$349,600	\$8,400	\$358,000
Highway & Streets - Road Materials 43100-931	\$50,000	(\$28,000)	\$22,000

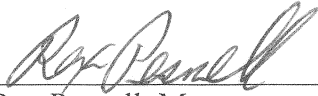
Section 2: After adoption by this governing body, this amendment will be presented to the Director of Local Finance as required by Tennessee Code Annotated Title 9 Chapter 21 Section 403 for continuing approval of a balanced budget.

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

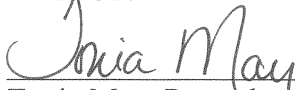
Section 4: If any section, clause, provision or portion of this ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, such holdings shall not affect any other section, clause, provision or portion of this ordinance.

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 2nd day of May, 2019.


Rex Pesnell, Mayor

ATTEST:


Tonia May, Recorder

APPROVED AS TO FORM:


William L. Gouger, Jr., Attorney

First Reading April 4, 2019

Public Hearing May 2, 2019

Passed on Second Reading May 2, 2019

ORDINANCE No. 260

**AN ORDINANCE OF THE TOWN OF KIMBALL, TENNESSEE ADOPTING
THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING
JULY 1, 2019 AND ENDING JUNE 30, 2020**

WHEREAS, Tennessee Code Annotated § 9-1-116 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 Board of Mayor and Aldermen 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 Board will consider final passage of the budget.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF
THE TOWN OF KIMBALL TENNESSEE AS FOLLOWS:**

SECTION 1: That the governing body projects anticipated revenues from all sources and appropriates planned expenditures for each department, board, office or other agency of the municipality, herein presented together with the actual annual receipts and expenditures of the last preceding fiscal year and the estimated annual expenditures for the current fiscal year, and from those revenues and unexpended and unencumbered funds as follows for fiscal year 2020, and including the projected ending balances for the budget year, the actual ending balances for the most recent ended fiscal year and the estimated ending balances for the current fiscal years:

GENERAL FUND	Estimated		Budget FY 2020
	Actual FY 2018	Actual FY 2019	
Cash Receipts			
Local Taxes	\$ 2,273,134	\$ 2,261,030	\$ 2,137,000
Licenses And Permits	14,696	14,670	10,700
Intergovernmental	227,098	249,245	159,600
Charges For Services	118,682	65,733	21,200
Fines And Forfeitures	13,320	8,900	9,000
Uses of Money And Property	45,021	46,000	41,500
Other	-	-	-
Transfers In - from other funds	-	-	-
Total Cash Receipts	\$ 2,691,951	\$ 2,645,578	\$ 2,379,000
Appropriations			
Department of Administration	\$ 171,061	\$ 177,060	\$ 182,300
Town Government	958,693	969,000	1,132,000
Police Department	573,465	894,660	607,800
Fire/Rescue Department	26,547	99,260	52,700
Public Works Department	264,772	272,320	288,500
Sanitation Department	117,836	121,700	167,000
Parks Department	222,314	289,000	99,700
Debt Service	314,366	-	-
	-	-	-
Total Appropriations	\$ 2,649,054	\$ 2,823,000	\$ 2,530,000
Change in Cash (Receipts - Appropriations)	42,897	(177,422)	(151,000)
Beginning Cash Balance July 1	1,693,281	1,736,178	1,558,756
Ending Cash Balance June 30	\$ 1,736,178	\$ 1,558,756	\$ 1,407,756
Ending Cash as a % of Total Cash Payments/Appropriations	65.5%	55.2%	55.6%

STATE STREET AID FUND	Estimated		Budget FY 2020
	Actual FY 2018	Actual FY 2019	
Cash Receipts			
State Gas and Motor Fuel Taxes	\$ 38,659	\$ 39,875	\$ 38,200
Gas Tax Increase	8,188	11,002	5,800
Interest	-	-	60
Other	-	-	-
Total Cash Receipts	\$ 46,847	\$ 50,877	\$ 44,060
Appropriations			
Public Works Department	\$ 42,749	\$ 42,000	\$ 44,060
Other	-	-	-
Total Appropriations	\$ 42,749	\$ 42,000	\$ 44,060
Change in Cash (Receipts - Appropriations)	4,098	8,877	-
Beginning Cash Balance July 1	32,944	37,042	45,919
Ending Cash Balance June 30	\$ 37,042	\$ 45,919	\$ 45,919
Ending Cash as a % of Total Cash Payments/Appropriations	86.6%	109.3%	104.2%

DRUG FUND	Estimated		Budget FY 2020
	Actual FY 2018	Estimated FY 2019	
Cash Receipts			
Fines And Forfeitures	\$ 776	\$ 515	\$ 1,000
Total Cash Receipts	\$ 776	\$ 515	\$ 1,000
Appropriations			
Drug Enforcement	\$ -	\$ -	\$ -
Debt Service	-	-	-
Total Appropriations	\$ -	\$ -	\$ -
Change in Cash (Receipts - Appropriations)	776	515	1,000
Beginning Cash Balance July 1	7,250	8,026	8,541
Ending Cash Balance June 30	\$ 8,026	\$ 8,541	\$ 9,541
Ending Cash as a % of Total Cash Payments/Appropriations	#DIV/0!	#DIV/0!	#DIV/0!

SEWER FUND	Estimated		Budget FY 2020
	Actual FY 2018	Actual FY 2019	
Cash Receipts			
Sewer Fees	\$ -	\$ -	\$ -
Tap Fees	158,143	164,800	155,000
Sale of Equipment	1,588	3,000	1,000
Miscellaneous Other Fees	-	-	-
Other	12,566	12,670	10,500
Grant Proceeds	378	-	-
	-	-	-
Total Cash Receipts	\$ 172,675	\$ 180,470	\$ 166,500
Appropriations			
Administrative Department	\$ -	\$ -	\$ -
Water Department	-	-	-
Sewer Department	30,699	23,098	35,000
Capital Projects	-	-	-
Debt Service - Principal	-	-	-
Debt Service - Interest	-	-	-
Transfers Out - to other funds (PILOT)	-	-	-
Total Appropriations	\$ 30,699	\$ 23,098	\$ 35,000
Change in Cash (Receipts - Appropriations)	141,976	157,372	131,500
Beginning Cash Balance July 1	507,096	649,072	806,444
Ending Cash Balance June 30	\$ 649,072	\$ 806,444	\$ 937,944
Ending Cash as a % of Total Cash Payments/Appropriations	2114.3%	3491.4%	2679.8%

SECTION 2: At the end of the fiscal year 2019, the governing body estimates fund balances or deficits as follows:

Fund	Estimated Fund Balance at June 30, 2019	
General Fund	\$	1,821,983
State Street Street Aid Fund	\$	52,632
Drug Fund	\$	8,541
Water & Sewer Fund	\$	2,779,869

SECTION 3: During the coming fiscal year (2020) the governing body has pending and planned capital projects with proposed funding as follows:

Pending Capital Projects	Pending Capital Projects - Total Expense	Pending Capital Projects Expense Financed by Estimated Revenues and/or Reserves	Pending Capital Projects Expense Financed by Debt Proceeds
Remodeling of Muncipal Building	\$30,000	\$30,000	\$ -
Drainage on Old Dixie	\$10,000	\$10,000	

Proposed Future Capital Projects	Proposed Future Capital Projects - Total Expense	Proposed Future Capital Projects Expense Financed by Estimated Revenues and/or Reserves	Proposed Future Capital Projects Expense Financed by Debt Proceeds
Town Hall Surfaces/Filing Cabinet	\$8,000	\$8,000	
Police In-Car Cameras	\$50,300	\$50,300	
Hydraulic Tool	\$7,900	\$7,900	
Paving	\$85,000	\$85,000	
Drainage Improvements	\$10,000	\$10,000	\$ -
Used Dump Truck	\$35,300	\$35,300	
Park Improvements	\$24,000	\$24,000	

SECTION 4: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 (TCA § 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 Tennessee Code Annotated § 6-56-205.

SECTION 5: 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 set by the Board of Mayor and Aldermen pursuant to Tennessee Code Annotated § 6-56-209. Any resulting transfers shall be reported to the governing body at its next regular meeting and entered into the minutes.

SECTION 6: 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 Tennessee Code Annotated § 6-56-206 will be attached.

SECTION 7: There is hereby levied a property tax of \$0.10 per \$100 of assessed value on all real and personal property.

SECTION 8: 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 City has debt issued pursuant to Title 9, Chapter 21 of the Tennessee Code Annotated 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 of the 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 9: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 10: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 11: This ordinance shall take effect July 1, 2019, the public welfare requiring it.

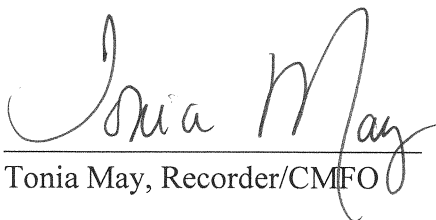
Passed 1st Reading: June 6, 2019

Passed 2nd Reading: June 24, 2019



Rex Pesnell, Mayor

ATTESTED:



Tonia May, Recorder/CMFO



TOWN SEAL

ORDINANCE NO. 261

AN ORDINANCE OF THE TOWN OF KIMBALL, TENNESSEE TO ABOLISH ORDINANCE NOS. 137, 177, AND 183, AND SECTION 9-301 OF THE KIMBALL MUNICIPAL CODE, TO PROHIBIT ROADBLOCKS FOR THE SOLICITATION AND COLLECTION OF CHARITABLE DONATIONS IN THE TOWN.

WHEREAS, by virtue of Ordinance Nos. 137, 177, and 183, and Section 9-301 of the Kimball Municipal, the Town of Kimball, Tennessee, adopted certain regulations, procedures, and rules related to conducting roadblocks in the Town for the collection of donations for certain charitable, religious or school organizations; and

WHEREAS, *Tennessee Code Annotated* Section 39-17-307 gives any municipality the authority to prohibit such roadblocks within its corporate limits; and

WHEREAS, the Board of Mayor and Aldermen has now determined that the conduct of such roadblocks in the Town puts participants at risk of harm due to increases of vehicular traffic in and through the Town; that the increase in distracted driving further contributes to the risk of harm; and that such roadblocks often contribute to traffic congestion and motorist frustration; and

WHEREAS, in consideration of the risks to the participants in the roadblock activities and the other factors outlined above, the Board of Mayor and Aldermen has determined that it is in the best interest of the Town and its citizens that roadblocks for the solicitation and collection of donations for charitable, religious or school organizations be prohibited within the Town's corporate limits.

NOW, THEREFORE, be it ordained and enacted by the Board of Mayor and Aldermen of the Town of Kimball, Tennessee, that Ordinance Nos. 137, 177, and 183, together with Section 9-301 of the Town's Municipal Code, be and they are hereby abolished and repealed.

BE IT FURTHER ORDAINED that, pursuant to *Tennessee Code Annotated* Section 39-17-307(d)(4), roadblocks for the solicitation and collection of charitable donations are hereby prohibited within the corporate limits of the Town of Kimball, Tennessee.

BE IT FURTHER ORDAINED that all ordinances or code provisions or parts thereof in conflict with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

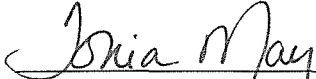
BE IT FURTHER ORDAINED that this Ordinance shall take effect and be in force from and after final passage as required by law, the public welfare requiring it.

PASSED AND APPROVED by the Board of Mayor and Aldermen on the 2nd and final reading on the 5th day of September, 2019.

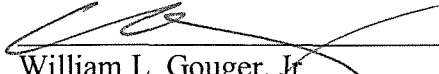
TOWN OF KIMBALL, TENNESSEE

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: August 1, 2019

Passed on second reading: September 5, 2019

ORDINANCE NO. 262

AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET & CAPITAL PROGRAM OF KIMBALL, TENNESSEE FOR FISCAL YEAR 2019-2020

- 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 to include additional non-profit organizations to which funds will be appropriated during the fiscal year 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 2019-2020 fiscal year as well as list additional non-profit organization to which funds are designated:

GENERAL FUND

Revenue	Beginning	Amendment	Ending
Sale of Equipment - 36330	\$0	\$19,550	\$19,550
	\$0	\$0	\$0
		\$19,550	

EXPENDITURES 110

	Beginning	Amendment	Ending
Personnel Administration - Building Inspector 41650-167	\$11,730	\$750	\$12,480
Town Property/Building - Other - Cable, Internet 41810-249	\$5,000	\$2,500	\$7,500
Police - Printing, Duplicating, Typing 42100-220	\$500	\$400	\$900
Police - Telephone, Cell Phones 42100-245	\$1,500	\$800	\$2,300
Police - Other Contractual Services 42100-290	\$500	\$500	\$1,000
Fire - Wages - Part time Employee 42200-124	\$0	\$2,000	\$2,000
Fire - Tires, Tubes Etc. 42200-334	\$0	\$2,200	\$2,200
Highway & Streets - Overtime 43100-123	\$1,500	\$2,000	\$3,500

Capital projects and proposed funding amendments are as follows:

CAPITAL PROJECTS	Beginning	Amendment	Ending
Rescue Squad - Machinery & Equipment 42620-940	\$7,900	\$4,000	\$11,900
Highway & Streets - Road Materials 43100-931	\$85,000	\$4,400	\$89,400
		\$8,400	

Approved Non-Profit Organizations for fiscal year:

Non-Profit 501(c)3 Organization Trail of Tears \$500

SEWER FUND

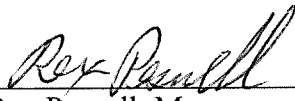
Revenue	Beginning	Amendment	Ending
Sewer Service Charges - 37210	\$155,000	\$1,000	\$156,000

EXPENDITURES

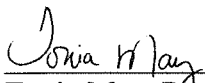
	Beginning	Amendment	Ending
Sewer - Out of Town Expenses - 52200-283	\$1,000	\$1,000	\$2,000

- 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.

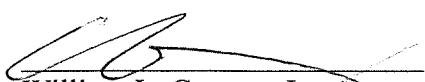
PASSED AND APPROVED by the Board of Mayor and Aldermen on the second and final reading on the 7th day of November, 2019.


 Rex Pesnell, Mayor

ATTEST:


 Tonia May, Recorder

APPROVED AS TO FORM:


 William L. Gouger, Jr., Attorney

First Reading October 3, 2019Public Hearing November 7, 2019Passed on Second Reading November 7, 2019