

## **Public Hearing**

- **Call to Order**
- **Certified tax rate compliance**
- **Adjourn Public Hearing**

### **Town of Kimball AGENDA August 2, 2007**

1. Call to Order Regular Monthly Board Meeting of the Town of Kimball Board of Mayor and Aldermen
2. Prayer
3. Pledge of Allegiance
4. Roll Call
5. Approval of July 5, 2007 Minutes of Regular Meeting
6. Old Business
7. Sam Anderson with Marion County Fair
8. Accept Paula Turney's Resignation
9. Street Lights – Boyd Avenue
10. Open Truck Bids for New Maintenance Vehicle
11. Open Bids to Sell Dodge Dakota
12. HLP concerning sewer project and approval of the rock removal
13. American Stage Contract
14. Ratify the Ordering of Shirts from Private Logos
15. Advertising KFF with US101
16. Marion County Partnership Annual Pledge
17. SBA concerning cell phone towers
18. Retirement Opt for Police Officers
19. Discuss Charging for Commercial Remodels
20. Flood Maps
21. Police Report
22. Fire Report
23. Park Board Report
24. Attorney Report
25. New Business
26. Adjourn

**TOWN OF KIMBALL, TENNESSEE**

**Record of Minutes of Public Hearing**

**Meeting Date Thursday, August 2, 2007**

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A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, August 2, 2007 at 6:00 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor David Jackson, Vice-Mayor Rance Castle, Alderman Rex Pesnell, Alderman John Keef, Alderman Mark Payne and Attorney Featherston.

Mayor Jackson opened the floor at 6:00 p.m.


**NEW BUSINESS**

- a) To receive citizen input concerning the certified tax rate and the property tax rate already approved

Mayor Jackson explained that the Assessor of Property faxed down the certified tax rate in July which stated that the property tax rate should be set at \$0.0929; however, the town had already approved the property tax rate in with the Budget for 2007-2008 at which the board decided to keep the property tax rate at \$0.10. Upon the difference in the two rates, the town has decided to receive input from the citizens concerning this difference. There were 13 citizens present for the public hearing. No comment was made concerning this issue.

As there was nothing further to come before the public hearing, motion was made by **Vice-Mayor Castle** to adjourn. The motion was seconded by **Alderman Keef**. The motion passed unanimously on a board vote.

  
David Jackson, Mayor

  
Tonia May, Recorder

## TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Regular Meeting

Date August 2, 2007

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A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, August 2, 2007 at 6:00 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor David Jackson, Vice-Mayor Rance Castle, Alderman John Keef, Alderman Rex Pesnell, Alderman Mark Payne and Attorney Kevin Featherston.

Mayor Jackson called the regular meeting to order at 6:03 p.m. after the public hearing.

### INVOCATION AND PLEDGE

Mayor Jackson said the invocation over the meeting.

Mayor Jackson led the Pledge of Allegiance.

### ROLL CALL

Mayor Jackson asked Recorder May to call roll those present were: Mayor David Jackson, Vice-Mayor Rance Castle, Alderman John Keef, Alderman Rex Pesnell, Alderman Mark Payne and Attorney Kevin Featherston.

### APPROVAL OF MINUTES

On a motion by **Alderman Pesnell**, seconded by **Alderman Payne** the minutes of the Regular Meeting July 5, 2007 and were approved unanimously on a board vote.

### OLD BUSINESS

Mayor Jackson gave updates on a couple of issues as follows:

- The Kimball Park Property located at 3591 Industrial Blvd is now paid in full. The last payment was made at the end of July.
- The Exit at 152 is a fully funded project for the redesign of the interchange. The project is anticipated to start in October 2008. The town has sewer utilities located at this project site; however, it appears a split basin will be used at this location any utilities required to be moved will be fully reimbursed due to this being a Chapter 86 Project.
- The Beautification Committee has met a couple of time and will meet again this Tuesday. The first phase for the project will be the Welcome to Kimball sign area at Glover's Hill.
- The two street lights approved at last month's meeting have been installed. One was at Hillcrest and the other at Memory Lane.
- The State has set the Property Tax Freeze income limit in Marion County at \$24,000.

**SCHEDULED AGENDA ITEMS**

**a) Sam Anderson representing the Marion County Fair**

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Castle** to approve the town donating \$800 to the Marion County Fair which will be September 11, 2007 – September 15, 2007. The motion passed unanimously on a board vote.

**b) Accept Paula Turney's Resignation**

Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Castle** to approve the resignation of Paula Turney as of August 10, 2007. The motion passed unanimously on a board vote.

**c) Street Lights – Boyd Avenue**

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Castle** to approve the installation of one street light on Boyd Avenue. The motion passed unanimously on a board vote.

**d) Open Truck Bids for New Maintenance Dept**

Mayor Jackson opened the bids on the new Maintenance Truck as follows:

GMC \$18,977.40 from Moss Motor Company  
Chevrolet \$19,379.13 from Gentry Chevrolet

Motion was made by **Alderman Pesnell**, seconded by **Alderman Keef** to accept the bid on the Maintenance Department GMC Pickup Truck from Moss Motor Company in the amount of \$18,977.40. The motion passed unanimously on a board vote.

**e) Open Bids to Sell the Dodge Dakota**

Mayor Jackson opened the only bid on the truck from Donna Lambert in the amount of \$351.50. Motion was made by **Alderman Payne** seconded by **Vice-Mayor Castle** to accept the bid from Donna Lambert in the amount of \$351.50 for the Dodge Dakota the truck is to be sold as is and town will not be responsible for towing it off the property. The motion passed unanimously on a board vote.

**f) HLP Construction concerning sewer project and approval of the rock removal**

Motion was made by **Vice-Mayor Castle**, seconded by **Alderman Keef** to ratify the payment of \$4,300 for the removal of the rock in the sewer project from Tractor Supply to Kimball Lane. The motion passed unanimously on a board vote with Alderman Payne abstaining due to being related to the HLP Contracting Group.

**g) American Stage Contract**

Motion was made by **Vice-Mayor Castle**, seconded by **Alderman Pesnell** to approve the contract with American Stage in the amount of \$18,500 for the Main Stage, Sound and Lights for the Kimball Fireworks Festival. The motion passed unanimously on a board vote.

**h) Ratify the Shirts for the Committee Members and Volunteer for the Festival**

Motion was made by **Alderman Keef**, seconded by **Alderman Pesnell** to ratify the payment to Private Logo in the amount of \$1,883.25 for the shirts for the Kimball Fireworks Festival. The motion passed unanimously on a board vote.

**i) Advertising with US 101**

Two proposals were sent to the town for advertising the festival. The proposals were sent back to see if they could modify them to a reasonable price.

**j) Marion County Partnership Annual Pledge**

Mayor Jackson said the Partnership has had a couple of meetings this year. One was to appoint the Chairman which is Howell Moss and Vice-Chairman Crossroads Mayor Morrison. Another topic was concerning paying the Greenway Committee about \$3,000 for mapping of Greenways and Trail. This did not pass. The other meeting was concerning a railroad spur into O'Neil Color and the engineering fee exceeded the amount and the Partnership approved the payment of the extra \$8,490. Chairman Howell Moss has asked all members involved to poll their boards to see what the partnership's key items should be. General consensus was to focus on industry and then dedicate a smaller portion to greenways and trails. Funds are generated by annual membership fees.

**k) SBA concerning cell towers**

The property for the SBA Cell Towers is located on property owned by Kimball and Jasper. Attorney Featherston will work with Jasper's Attorney on this project and report back to the board.

**l) Retirement Opt for Police Officers**

The Tennessee Consolidated Retirement System has an option for having a mandatory Retirement for Police Officers. The town is not required to enter into this mandatory retirement for police officers at the age of 55. The town will check with the accountants and see what they advise on this issue.

**m) Discuss Charging for Commercial Remodels**

The Board has requested that the town contact the State Planner Shannon Copas and request some samples that set limits for remodels and to only charge for Commercial Remodels that fit the limits and to be reviewed by the Kimball Municipal Planning Commission.

**n) Flood Maps**

The town has talked with Ersa in Atlanta. The data needed is some elevation shots in the new area. The new flood maps have included part of I-24. Also, the redesign of the interstate exit has had a hydraulic study from Kimball Cove to the Interstate. This data will be sent to Ersa to be reviewed. Dixie Bracket with Earthworks has the capability to do surveying with GPS. If the elevations are the same as their elevations, then the maps may not change. In efforts to change the

flood maps, the town must prove that the elevations are different and this information has to be turned in by August 17, 2007 to Ersä.

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Castle** to approve the Mayor to spend \$5,000 to work on this problem between now and the 20<sup>th</sup> of this month. The motion passed unanimously on a board vote.

### **POLICE REPORT**

Alderman Keef gave the Police Report as Follows:

Litigation Tax	\$123.75
Court Costs	\$1516.25
Fines	\$265.00
Report Fee	\$30.00
Compact Costs	\$0.00
Sessions Court	\$1018.4
License fee	\$0.00
<b>Total</b>	<b>\$2953.40</b>

Alderman Keef also that an officer resigned. Mayor Jackson stated that Police Officer Jr. Stephens has resigned from our police department and went to the Tennessee Highway Patrol.

### **FIRE REPORT**

Alderman Pesnell gave the fire report for July 2007 as follows there were four calls for the month. The calls were three rescues and one gas spill at Racetrac. Marion Natural Gas has started painting the fire hydrants safety yellow. The town has a Mock ISO Inspection scheduled for September 5, 2007 and Peyton with ISO will be here on October 16, 2007.

### **PARK AND RECREATION BOARD REPORT**

Alderman Keef stated the Park and Recreation Board met on July 12, 2007 at 5:00 p.m. the basic discussion was to try and figure out how to get the grass to grow. Also, the board discussed the Recreation Grant and also, the estimate on the concession stand was \$85,000. Also, Scott Morgan gave estimates on soccer goals. The maintenance crew has been working on some areas that were washing out.

### **ATTORNEY REPORT**

Attorney Featherston said everything is quite.

### **NEW BUSINESS**

Alderman Payne wanted to address animal cruelty. Attorney Featherston said there are state laws that govern this activity and that a complaint can be filed with the Police Department.

Alderman Castle was asking about the leash law and concerned about citizens turning their dogs loose at night. Many citizens were commenting about the leash law. The citizens were advised to contact the Police Department concerning dogs running at large.

Mayor Jackson had several items under new business as follows:

- Chester Darden with TML came to the town to do a Loss Control Survey.
- Sales Tax for June 2007 \$230,286 this is down from last year about \$1,000.
- Chief of Police, Attorney Featherston, Recorder May and myself attended a class on new laws a couple of the new laws are as follows:
  - Chapter 541 Adult Business Restrictions state that the business can not be any closer than 1000 feet of schools or churches. Attorney Featherston will provide a sample ordinance for the Adult Businesses at the next meeting.
  - State legislator is requiring all municipalities to have a Certified Municipal Officer at the town; therefore, the recorder has until January 2012 to become certified which is 80 hours of class with 24 hours per year after certified. New hires have 2 years to become certified. MTAS will be doing the training for this certification.
  - No smoking ban. Each entry to the city building will have to have a non smoking sign on the door.
  - Before lowering the speed limits on State Highways are required now to go through a traffic study paid by the town showing a safety issue before lowering the speed limit.
- August 11, 2007 at 11:00 am there will be a benefit for Dale Winters Family at the Farm. Volunteers will be selling barbeque plates and any donations are welcomed. Plates, cokes, or any other items would be appreciated.
- The next Planning Commission meeting will be on August 21<sup>st</sup> at 6 pm.
- The next Park Board Meeting will be August 9, 2007 at 5 pm.
- September 1, 2007 will be the 3<sup>rd</sup> Annual Kimball Fireworks Festival.
- Next meeting September 6, 2007 at 6:00 p.m.

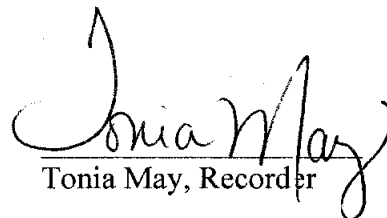
Ms. Martha Holland was concerned about the Business License and their status as to who are delinquent.

### ADJOURNMENT

As there was nothing further to come before the board, motion was made by **Vice-Mayor Castle** to adjourn. The motion was seconded by **Alderman Pesnell**. The motion passed unanimously on a board vote.



David Jackson, Mayor



Tonia May, Recorder

**AGENDA**  
**August 22, 2007**

**Special Called Meeting**

1. Call to Order Special Called Meeting of the Board of Mayor and Aldermen to review beer application and any other pertinent business

2. Roll Call

Mayor Jackson

Alderman Pesnell

Vice-Mayor Castle

Alderman Keef

Alderman Payne

Attorney Featherston

3. Review Beer Application for Daily's

4. Any other properly presented business

5. Adjourn

TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Special Called Meeting

Meeting Date August 22, 2007

A special called meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, August 22, 2007 at 4:15 p.m. in the Conference Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor David Jackson, Vice-Mayor Rance Castle, Alderman Rex Pesnell and Alderman Mark Payne.

Mayor Jackson called the special called meeting to order at 4:15 p.m. to review a beer application and any other pertinent business that may come before the board.

Notice of the meeting was place in the local papers.

Mayor Jackson asked Recorder May to call roll those present were: Mayor David Jackson, Vice-Mayor Rance Castle, Alderman Rex Pesnell and Alderman Mark Payne. Alderman John Keef and Attorney Kevin Featherston were absent.

SCHEDULED AGENDA ITEMS

- a.) Review Beer Application by Tri-Star Energy, LLC for Daily's at 205 Main Street

Board reviewed the application and the listed suspensions. Police Chief Jordan had previously run check on owners and approved the application.


Motion was made by **Alderman Payne**, seconded by **Alderman Pesnell** to approve the beer application for off premises permit for Tri-Star Energy, LLC for Daily's at 205 Main Street. The motion passed unanimously on a board vote.


- b.) Other properly presented business

Mayor Jackson stated that Elizabeth Salvage had received information from Dixie Erackett concerning the flood map information and the elevations listed.

ADJOURNMENT

As there was nothing further to come before the board, motion was made by **Vice-Mayor Castle** to adjourn. The motion was seconded by **Alderman Pesnell**. The motion passed unaniriously on a board vote.

  
David Jackson, Mayor

  
Tonia May, Recorder