

TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Regular Meeting

Date June 5, 2008

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, June 5, 2008 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 William Gouger, Jr.

Mayor Jackson called the regular meeting to order at 6:00 p.m.

INVOCATION AND PLEDGE

Mayor Jackson requested a moment of silence for the Grundy County Fallen Officer Shane Tate.

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 William Gouger, Jr.

APPROVAL OF MINUTES

On a motion by **Vice-Mayor Castle**, seconded by **Alderman Keef** the minutes the Regular Monthly Board Meeting and Public Hearing from May 1, 2008 were approved unanimously on a board vote.

OLD BUSINESS

Alderman Payne wanted to discuss about changing the commercial garbage service to only twice a week and changing the monthly fee to \$25.

The revised flood maps with AE on the area in question have not been received yet; however, the Mayor did receive an email verifying that it should be changed.

Alderman Pesnell stated that he has had a call concerning the storm warning system. The town will be visiting Lincoln County to review their system because this is the same system the town is reviewing. It was mentioned that Bridgeport has a storm warning system.

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

- The town has sent TDEC revised plans on the walking track with the silt fencing. As soon as the approval from TDEC is received, the town will start the track at the Park on Industrial Blvd.
- The town did receive approval to purchase another SCBA through the FEMA grant.

- The Nissan Maxima was auctioned off on Saturday, May 10, 2008 and it brought \$2,900 for the Drug Fund.
- The Beautification Committee has completed the Welcome to Kimball area. There is still one rock to balance the area that the committee is awaiting which Mr. Mount will be delivering. The committee has also looked at the front of town hall and placed the shrubbery.
- The plans for the new building for the Activity and Ambulance Service are on the cork board for the public to review.

Mayor Jackson announced that the Kimball Volunteer Fire and Rescue Department has been selected for the Municipal Achievement Award for Excellence Award in Fire Protection by the Tennessee Municipal League the award will be presented in Memphis, Tennessee on Tuesday, June 24, 2008 during a breakfast ceremony. Gary West, MTAS Consultant recommended our department for the award. The department is commended for all the hard work and dedication by each and every fireman.

SCHEDULED AGENDA ITEMS

- a.) **1st Reading of Ordinance 192 – An Ordinance to Amend Ordinance No. 185 concerning the Budget for the Year 2007-2008 for the Town of Kimball, Tennessee**

Mayor David explained that this was to increase Drug Fund expenditures and revenues. Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Castle** to approve on 1st Reading of Ordinance 192 – An Ordinance to Amend the Ordinance No. 185 concerning the Budget for the Year 2007-2008 for the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

- b.) **1st Reading of Ordinance 193 – An Ordinance to Regulate the Standing or Parking of Idling Motor Vehicles within the Municipal Limits of the Town of Kimball, Tennessee**

There was much discussion on this subject.

Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Castle** to approve on 1st Reading of Ordinance 193 – An Ordinance to Regulate the Standing or Parking of Idling Motor Vehicles within the Municipal Limits of the Town of Kimball, Tennessee. The motion passed on a three to two board vote.

- c.) **An Ordinance to Annex by Consent Certain Properties of Tango November, LLC, A Tennessee Limited Liability Company, and Timber Ridge Development, Inc. Adjacent to the Existing North Corporate Limit Line of the Town of Kimball, Tennessee**

There was much discussion concerning the consideration of this annexation by the board and citizens attending the meeting. The board of Mayor and Aldermen requested Attorney Gouger to review the laws on a Municipal Regional Planning Commission which would allow the town's planning commission to review the plans for any development located within the town's growth plan. No motion was made on the annexation of the property.

- d.) **Resolution 2008-01 – A Resolution Authorizing the Town of Kimball to waive all Residential and Commercial sewer tap fees for the Sewer Line Extension funded by the Community Development Block Grant (CDBG) RFS Number 330.04-228 Contract Number 66-05-11639-00 in exchange for a sewer line easement across their property**

Attorney Gouger explained that this will be an exchange of tap fees for an easement across their property; however, the town needs to set the sewer tap fees for residential before approving this resolution.

- e.) **Discuss Ordinance on Residential Sewer Rates and Residential Sewer Tap Fees**

The town currently does not have residential sewer rates, the Board of Mayor and Aldermen requested that Attorney Gouger contact Susan Goldblatt with Southeast Tennessee Development District and develop a draft ordinance concerning the rates.

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to authorize Attorney Gouger to draft an ordinance on residential sewer rates and connection fees. The motion passed unanimously on a board vote.

- f.) **Plans for Activity Center Building at 649 Main Street**

The design has two bays for the Ambulance, sleeping quarters, restroom, living area, an activity room, police storage room, and restrooms. The building will be framed like town hall. This building will be built with monies from the insurance company due to the storm damage.

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Castle** to authorize James Garrett with James C. Hailey Company to proceed with a complete set of floor plans for the building. The motion passed unanimously on a board vote.

- g.) **Electric**

The new building will be about 10 feet longer than previous which will require the relocation of a pole and the electrical wiring which is three phased. SVEC will move the pole and line for \$4,132.77.

Motion was made by **Alderman Pesnell**, seconded by **Alderman Keef** to approve SVEC to relocate the electrical lines near the 649 Main Street future building site in the amount of \$4,132.77. The motion passed unanimously on a board vote.

- h.) **Purchasing Fuel System**

Fuel Man cards are currently not accepted by any station located in Kimball. Wright Express currently is accepted by two of the stations in town. Discussion was made concerning keeping the tanks and relocated them or changing to the fuel cards.

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to complete the paper work to have fuel cards with Wright Express. The motion passed on a board vote with Alderman Pesnell abstaining from voting.

i.) Ratify Bill from BARCO on Picnic Table and Trash Receptacles in the amount of \$2,249.50

Motion was made by **Alderman Keef**, seconded by **Alderman Pesnell** to ratify the bill from BARCO in the amount of \$2,249.50 these items were damaged during the storm. The motion passed unanimously on a board vote.

j.) Approve fencing behind town hall from Excellence Fencing in amount of \$1,895

Motion was made by **Vice-Mayor Castle**, seconded by **Alderman Keef** to approve Excellence Fencing in the amount of \$1,895 for fencing at the rear of town hall and the police department. The motion passed unanimously on a board vote.

k.) Molding and Painting on Town Hall due to storm damage

Part of the molding was damaged during the storm; however, the molding was specialty cut. Therefore, all the molding will have to be replaced.

Motion was made by **Alderman Pesnell**, seconded by **Alderman Payne** to approve Calvin (Steve) Steven's Carpentry to replace the molding and paint the trim on town hall due to storm damage in the amount of \$2,700. The motion passed unanimously on a board vote.

l.) Planning Commission Member

Emily Layne has sold her property in Kimball and therefore will be removed from the Kimball Municipal Planning Commission which creates a vacancy.

Motion was made by **Vice-Mayor Castle**, seconded by **Alderman Payne** to appoint Buddie Hudson to the Kimball Municipal Planning Commission to finish the term that was held by Emily Layne. The motion passed unanimously on a board vote.

m.) Board of Zoning Appeals Member

One of the members of the Board of Zoning Appeals has resigned which creates a vacancy.

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to appoint Butch Maynor to the Kimball Board of Zoning Appeals this will be a five year term. The motion passed unanimously on a board vote.

n.) Set Meeting Date for July

- Meeting on the CDBG Sewer Project June 18th at 3:00 pm
- Budget Workshop June 19th at 4:30 pm
- Special Called Meeting for June 26th at 5:30 pm for the 1st Reading of the Budget for 2008-2009
- Special Called Meeting for July 1st at 4:30 pm for the 2nd and Final Reading on the Budget
- Regular Monthly Meeting is set for July 10th at 6:00 pm changed due to the July 4th Holiday

o.) Set Meeting Date for August

- Regular Monthly Meeting is set for August 14th at 6:00 pm changed due to the election on August 7th

p.) Dobson Property adjoining Kimball Park on Industrial

The land option agreement was not signed by the Dobson's as they have a verbal agreement on three acres of the land with the Mounts. Travis Shields is supposed to get Attorney Gouger a copy of the survey showing where the three acres of land is located.

q.) SRT Agreement

The town has two police officers that are members of the SRT Team. After attending the TML Insurance class, it was discussed that each town needs an agreement with any entity that the town works with or assists. The Sheriff's Department provides all the SRT equipment used and reimbursed the town for the salary paid for these calls and training.

Motion was made by **Alderman Keef**, seconded by **Alderman Payne** to authorize Attorney Gouger to draft an agreement with Marion County Sheriff's Department concerning the SRT program. The motion passed unanimously on a board vote.

POLICE REPORT

Alderman Keef gave the Police Report as Follows:

Litigation Tax	\$65.00
Court Costs	\$1070.00
Fines	\$210.00
Report Fee	\$60.00
Sessions Court	\$1691.95
License fee	\$0.00
Total	\$3096.95

The maxima brought in \$2,900 which will go into the drug fund. Also, Doug Gouger is still out on Worker's Comp due to an injury. He will be attending physical therapy for a month.

FIRE REPORT

Alderman Pesnell gave the fire report for May 2008 the department responded to eight calls for the month. The calls were three mutual aids, two rescues, two false alarms and remove hazardous spill at Hwy 72 and Interstate Light.

The town has the volunteer firemen covered on the town's worker's comp policy and if injured while working for the town the fireman would be paid \$450 per week plus all medical bills.

Fire Chief Keef has loaded all the new hose onto the trucks. The department would like to disburse the extra hose to other departments within Marion County.

Motion was made by **Alderman Pesnell**, seconded by **Alderman Payne** to authorize Fire Chief Keef to give away the extra hose to other departments as long as the waiver has been completed. The motion passed unanimously on a board vote.

PARK AND RECREATION BOARD REPORT

Alderman Keef stated that the park board meeting was cancelled for the month. Dewey Gilliam has advised not to mow the soccer fields or the baseball fields until later in June to get the seed to go back into the ground.

ATTORNEY REPORT

Attorney Gouger has a Hold Harmless Agreement for the Police Department and a General Form for the town to use when giving away equipment previously owned by the town. Also, the cell tower company has requested to buy the property in one lump sum of \$80,000 for the site; however, this is a shared site with Jasper. The Board has decided to keep the lease program for the cell tower.

NEW BUSINESS

Mayor Jackson had several items under new business as follows:

- The Jere Davis Scholarship winners are as follows: WHS Amanda Brooke Kilgore, MCHS Timothy Daniel Cash, SPSHS Kolbie McKay Mason and RHMS Chasiti Brooke King
- The town has checked with Chattanooga State and verified that the Scholarship monies have been used.
- Sales Tax for April 2007 \$251,333, April 2008 \$240,725, Kimball is down about \$11,846.
- Business Licenses are showing a mix of increases and decreases in sales from last year. However, our bigger businesses are showing a decrease.
- The town will meet our budget for Sales Tax for the 2007-2008 Budget Year of 1.3 million.
- Marion County Partnership of Economic Community Development met last Thursday. The partnership voted to pay \$9,000 for a ½ acre for a right of way issue for a new plant in New Hope. The plant property owners closed today on the site. It was stated that Doug Clarke was working with several companies for the Tenn-All Plant and that he requested to be paid \$1,500 per month. The partnership and chamber did not agree to this and it still stands that Doug Clarke is no longer associated with either.
- The next regular monthly meeting will be July 10th at 6:00 pm.
- Finances

General Fund	
Checking	\$ 95,424
Savings	\$ 430,000
CD	\$ 410,342
Total	\$ 935,766
State Street Aid	
Checking	\$ 19,596
Drug Fund	
Checking	\$ 10,231
Sewer Fund	
Checking	\$ 93,472

Saving	\$ 67,399
Total	\$ 160,871
Grand Total	\$1,126,464

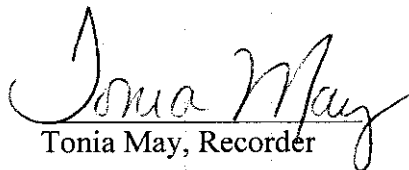
Bill Neal wanted to thank the board for cleaning up the storm damage even though it has taken him awhile.

Jeff Stephens wanted to thank everyone that kept a check on him during the time after the shooting.

Mrs. McCullie wanted to know about how many jobs the new plant would bring to Marion County. Attorney Gouger stated there would eventually be 290 jobs.

ADJOURNMENT

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


Tonia May, Recorder


David Jackson, Mayor