

## TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Public Hearing

Meeting Date Thursday, April 2, 2009

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A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, April 2, 2009 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 Rex Pesnell, Alderman John Keef, Alderman Jerry Don Case, Alderman Mark Payne and Attorney William Gouger, Jr.

Mayor Jackson called the public hearing to order for Ordinance 201 – An Ordinance to Amend Ordinance Nos. 12 Making it Unlawful to Discharge Firearms or Other Dangerous Weapons within the Town of Kimball, Tennessee, except when engaged in hunting.

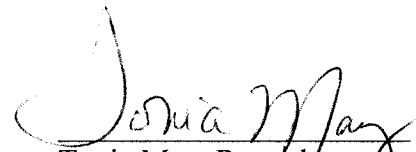
### NEW BUSINESS

- a) To receive citizen input into Ordinance 201 – An Ordinance to Amend Ordinance Nos. 12 Making it Unlawful to Discharge Firearms or Other Dangerous Weapons within the Town of Kimball, Tennessee, except when engaged in hunting.

Mayor Jackson stated the ordinance is easing up the restriction on the law to allow hunting.

As there was nothing further to come before the public hearing, motion was made by **Alderman Case** to adjourn. The motion was seconded by **Alderman Payne**. 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 April 2, 2009

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A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, April 2, 2009 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 Rex Pesnell, Alderman John Keef, Alderman Jerry Don Case, Alderman Mark Payne and Attorney William Gouger, Jr.

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

## INVOCATION AND PLEDGE

Mayor Jackson asked Ronnie Case to say 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 Rex Pesnell, Alderman John Keef, Alderman Jerry Don Case, Alderman Mark Payne and Attorney William Gouger, Jr.

## APPROVAL OF MINUTES

On a motion by **Vice-Mayor Pesnell**, seconded by **Alderman Keef** the Minutes of the Regular Monthly Board Meeting for March 5, 2009 were approved unanimously on a board vote.

## OLD BUSINESS

Mayor Jackson had a few items under old business as follows:

- The fuel tanks have been removed and area cleaned up. Lofty Construction did a good job with the cleanup and removal.
- The weather radios have arrived and those residents in attendance can sign and pick up your radio tonight. Representative from the town will be delivering weather radios Friday and Saturday and for the next few weeks until all the residents of Kimball have their radios.

## SCHEDULED AGENDA ITEMS

- a.) **Beer Application from Sandra Talley for Jat'z Café located at 2013 Main Street**

The town did do a background check on Ms. Talley and there is some issues that the board will give her an opportunity to address. Mayor Jackson recommends tabling the application at this time until the board can talk with Ms. Talley to see if the issues are able to be resolved and then add to agenda for the next meeting.

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to accept the Mayor's recommendation to table the beer application for Sandra Talley for Jat'z Café until the board can

review the issues with Ms. Talley and add to agenda for May. The motion passed unanimously on a board vote.

**b.) 2<sup>nd</sup> and Final Reading of Ordinance 201 – An Ordinance to Amend Ordinance No. 12 Making it Unlawful to Discharge Firearms or Other Dangerous Weapons Within the Town of Kimball, Tennessee except when Engaged in Hunting**

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve on 2<sup>nd</sup> and Final Reading of Ordinance 201 – An Ordinance to Amend Ordinance No. 12 Making it Unlawful to Discharge Firearms or Other Dangerous Weapons within the Town of Kimball, Tennessee except when engaged in Hunting. The motion passed unanimously on a board vote.

**c.) Kimball Planning Commission Member**

Mayor Jackson state Buddie Hudson had resigned from the Kimball Municipal Planning Commission due to health reasons. Dean Pesnell has been serving on the BZA and Mayor Jackson recommends appointing him to the Kimball Municipal Planning Commission. Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to accept the Mayor's recommendation to appoint Dean Pesnell to the Kimball Municipal Planning Commission. The motion passed unanimously on a board vote.

**d.) BZA Member**

Mayor Jackson recommends appointing Rance Castle to the BZA since he has been trained and served on the Planning Commission before.

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to approve the Mayor's recommendation to appoint Rance Castle to the BZA. The motion passed unanimously on a board vote.

**e.) Fire Hydrant at Harkins Lane and Main Street**

Mayor Jackson recommends installing a fire hydrant at Harkins Lane and Main Street for the Kimball Baptist Church the town has done this before for churches with South Pittsburg Water Company installing the hydrant.

Motion was made by **Vice-Mayor Pesnell** seconded by **Alderman Payne** to approve the fire hydrant at Harkins Lane and Main Street to be installed by South Pittsburg Water Company. The motion passed unanimously on a board vote.

**f.) Career Center Summer Program**

Jackie Hopkins with Tennessee Career Center came by town hall concerning the money the center will be receiving from the Stimulus package to have a work program from June 1<sup>st</sup> through July 31<sup>st</sup>. They are requesting that the town participate in this program by accepting the contract and five student workers for the time period at no cost to the town. The program will pay the workers \$8 per hour funded through the federal government and they are allowed to work 30 hours per week. Attorney Gouger has review the contract and has sent a letter addressing the only issue which concerns terminating the agreement. The way the contract is worded both parties have to agree to terminate the contract. It is recommended to change the wording to either party may terminate the contract.

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve the contract with Tennessee Career Center Summer Work Experience Contract contingent upon wording being change to either party may terminate the contract. The motion passed unanimously on a board vote.

**g.) Optical Source Vision Program**

Motion was made by **Alderman Payne**, seconded by **Alderman Case** to approve the town participating in the Optical Source Vision Program for the employees. The motion passed unanimously on a board vote.

**h.) Ratify Attorney Gouger filing claim for 2007 unpaid Property taxes to County**

Motion was made by **Alderman Case**, seconded by **Alderman Keef** to ratify Attorney Gouger filing claim for 2007 Delinquent Property Taxes to the County. The motion passed unanimously on a board vote.

**i.) Fence at 20 Kimball Cove Road for Sanitation Trucks**

Mayor Jackson has a quote from Excellence Fence Co for \$5,636 to enclose the area at the Maintenance Storage Building to accommodation the Sanitation Trucks and other Equipment this will include two gates.

Motion was made by **Alderman Keef**, seconded by **Alderman Payne** to approve the fencing at Kimball Cove Road by Excellence Fence Co. for \$5,636. The motion passed unanimously on a board vote.

**j.) Ratify the bill from Excellence Fence Co for the fence between the soccer fields and the pond in the amount of \$2,975**

This bill will be submitted on the Park Grant for 50% reimbursement.

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to ratify the installation of the fence at the park on Industrial Blvd between the soccer fields and the pond by Excellence Fence Co. in the amount of \$2,975. The motion passed unanimously on a board vote.

**k.) Ratify bill from Challenger Teamwear for Uniforms for Soccer in amount of \$1660.01 and \$139.95 for shipping for a total of \$1,799.96**

The money for registration will pay for the uniforms.

Motion was made by **Alderman Case**, seconded by **Alderman Keef** to ratify the bill from Challenger Teamwear for uniforms for soccer in amount of \$1,799.96. The motion passed unanimously on a board vote.

**l.) Soccer Coaches**

Mayor Jackson read the following for approval as soccer coaches with all background checks being clear: Douglas Caldwell, Leeanna Guy, Nicole Smith, Rebecca Melton, Deborah Guy, Michael Burkhalter, Robert Hargis and Brooke Burkhalter.

Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Pesnell** to approve the following Douglas Caldwell, Leeanna Guy, Nicole Smith, Rebecca Melton, Deborah Guy,

Michael Burkhalter, Robert Hargis and Brooke Burkhalter as Soccer Coaches for Kimball Spring Soccer 2009. The motion passed unanimously on a board vote.

**m.) GHSO Grant**

Sergeant Webb would like to ask the board's permission to apply for the GHSO Grant up to \$5,000 High Visibility Grant to be used for overtime or equipment.

Motion was made by **Alderman Keef**, seconded by **Alderman Payne** to approve the Police Department applying for the \$5,000 High Visibility Grant with GHSO. The motion passed unanimously on a board vote.

**n.) Safety Proclamation for April 10-12**

Sergeant Webb stated the department would like to declare the weekend of April 10<sup>th</sup> – 12<sup>th</sup> as a Safety Weekend and the department will be at Wal-Mart with Erlanger Employees to perform Child Safety Car Seat checks and the town will have a checkpoint with GHSO in town on this weekend also.

Motion was made by **Alderman Keef**, seconded by **Alderman Case** to approve the Proclamation for Town of Kimball Safety Weekend for April 10<sup>th</sup> – 12<sup>th</sup>. The motion passed unanimously on a board vote.

**o.) 1992 Ford Tempo Seized by the Kimball Police Department**

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to auction off the seized 1992 Ford Tempo on April 18th. The motion passed unanimously on a board vote.

**p.) Miscellaneous Items to be Auctioned**

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to auction off several miscellaneous accumulated items by the town on April 18<sup>th</sup> the town will advertise an itemized list of the items. The motion passed unanimously on a board vote.

**q.) CDBG Sewer Bids**

The board was scheduled to open bids tonight; however, there were a few easements that the project needed to proceed with the project which are signed now.

The board will open bids on the CDBG Sewer Line Extensions Thursday, April 16<sup>th</sup> at 4:00 pm with Anthony Pellam reviewing the bids and the Kimball Board of Mayor and Aldermen will have a Special Called Meeting on April 16<sup>th</sup> at 5:00 pm to award the bid.

**r.) Container for the Fire Department Training Center**

Vice-Pesnell stated the department has built the pad for the training center and would like to purchase a container for training.

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Case** to authorize Vice-Mayor Pesnell to spend up to \$3,000 for a container for the fire department training center. The motion passed unanimously on a board vote.

**POLICE REPORT**

Alderman Keef gave an update on the Police Department as follows:

Litigation Tax	\$192.50
Court Costs	\$932.50
Fines	\$210.00
Report Fee	\$40.00
Sessions Court	\$0.00
License fee	\$0.00
<b>Total</b>	<b>\$1375.00</b>

Sergeant Webb explained about the progress for the Simulated Crash which will be held tomorrow at the farm. The department is hoping by having the junior and seniors from the local high schools in attendance it will bring about their awareness to traffic accidents and making good decisions. Kendall Poole, director of Governor's Highway Safety Office will be our guest speaker after the simulation. The event will start at 10:00 am. After the event, the students will eat lunch then be transported back to the schools. Today, the grim reaper visited the school to get the students involved in the simulation. Howard High School will be sending about eight students to video the simulation for a video of the event. Life Force, Police Department and Fire Department will be paged out to the simulate crash. David Carroll and Channel 3 will be covering the program.

### **FIRE REPORT**

Alderman Pesnell gave the fire report for March 2009 the department responded to nine calls for the month. The calls were five fires, three rescues, and one spill. The department did receive a thank you letter and gift from a fire on Coburntown Road.

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

Alderman Keef stated the Park Board had a meeting on March 12, 2009. The board discussed about the Fishing Rodeo which will be hosted by TWRA on June 6<sup>th</sup>. They will furnish fish, bait, hotdogs and prizes. The Soccer program has 2 U6 teams, 2 U9 teams, 1 U12 team and 1 U19 team. The board has been talking about a single story concessions stand. The fence has been installed to separate the pond and the soccer fields. The next meeting will be April 9<sup>th</sup> at 5 pm.

### **ATTORNEY REPORT**

None

### **NEW BUSINESS**

Alderman Keef wanted to make sure the Mayor was aware of the need for vents for over the appliances at the new Municipal Building. The specifications did not call for these items. Mayor Jackson will review the issue and contact Michael Shruder.

Alderman Case wanted to know about the front dirt work in front of the New Municipal Building. There will be a price given to the town on tying the drains into the manhole before the final dressing will be done in the front of the building. The completion date was March 26, 2009. Weather is holding up the asphalt work. The town saved about \$8,500 by rebidding this project after fuel prices dropped and the project is for additional paving and curbing.

Mayor Jackson had several items under new business as follows:

- The town received a thank you card from the Ronnie Blevins family for the donation to Relay for Life in his memory.
- Sales Tax for February 2009 \$218,924 compared to February 2008 \$195,318. The town is up about \$23,000 in sales tax revenues.
- The town has received information from EMS in Kansas concerning liability insurance for municipalities. Mayor will check into this insurance.
- The town opened bids for a Certificate of Deposit that has matured. The town took bids for \$426,000 for 6 months. Citizens Tri-County had the highest bid at 2.98%.
- Finances

General Fund		Drug Fund	
Checking	\$ 131,866	Checking	\$ 5,332
Savings	\$ 700,602		
CD	<u>\$ 426,423</u>	Sewer Fund	
Total	\$1,258,891	Checking	\$ 139,726
State Street Aid		CD	<u>\$ 70,650</u>
Checking	\$ 17,245	Total	\$ 210,376

<b>Grand Total</b>	<b>\$1,491,844</b>
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- Kimball Planning Commission meeting will be April 21<sup>st</sup> at 6:00 pm if have business.
- Next Monthly Board meeting will be May 7<sup>th</sup> at 6:00 pm.

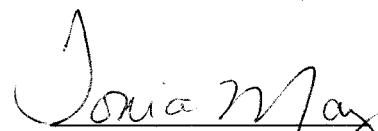
Citizen Butch Witcher wanted to know if the garbage truck picked up old paint. Alderman Payne requested that he open can and dry it out before sending it to the landfill.

Recorder May wanted to thank all the board members for the remodeling, computers and new desk.

**ADJOURNMENT**

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

  
David Jackson, Mayor

  
Tonia May, Recorder