

TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Regular Meeting

Date July 2, 2009

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, July 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 6:00 p.m.

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 Rex Pesnell, Alderman John Keef, Alderman Jerry Don Case, Alderman Mark Payne and Attorney William Gouger, Jr.

APPROVAL OF MINUTES

Mayor Jackson explained about the special called meeting on June 25, 2009 with the business as follows: to approve the budget amendments for 2008-2009, the budget for 2009-2010 on second and final reading, approval of engineering fees on municipal building, approval of bill from lee smith for parts for garbage truck, discuss on sewer to future Chattanooga state location, residential sewer rates and the issue for the sewer line at Virgil Thomas' property.

On a motion by **Alderman Case**, seconded by **Alderman Payne** the Minutes of the Regular Monthly Board Meeting for June 4, 2009, Minutes of Public Hearing June 25, 2009 and Minutes of Special Called Meeting June 25, 2009 were approved unanimously on a board vote.

OLD BUSINESS

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

- The Free Fish Day was a success with more than 150 kids with gifts given to the kids in attendance. There are plans to have another Free Fish Day again next year.
- The County has voted to buy the Holland Farm to build Chattanooga State a new college facility.
- The town has paid an estimated \$134,220 on the CDBG Sewer Project and the paperwork has been submitted for reimbursement on the project that has already been completed.
- The CDBG Sewer Line Project will have to be revised on the Virgil Thomas property due to waterlines being marked in the exact location of the specification of the sewer lines. There was a meeting with Virgil Thomas's son, Ronnie Thomas, the engineer, Anthony Pellam, the contractor, Jim Lofty and I on moving the sewer lines; however, with this move the fence and hedge bushes at Virgil Thomas's residence will have to be removed.

- The town will be getting a estimate from Excellence Fencing for a new fence at Virgil Thomas's residence and a blind fence between his residence and Citizens State Bank.

SCHEDULED AGENDA ITEMS

a.) Sam Anderson and Ben Bumpus with Marion County Fair

Ben Bumpus came to request a donation to the Marion County Fair and consider an increase if possible of 10%. Mayor Jackson explained all public relations have been cut back. The budget has a set amount of \$400 for the Marion County Fair.

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to approve the donation of \$400 to the Marion County Fair for 2009. The motion passed unanimously on a board vote.

b.) 1st Reading of Ordinance 204- An Ordinance to Amend Ordinance No. 41, 50, 89, 131 and 138 of the Town of Kimball, Tennessee Regarding the Residential Sewer Rate Applicable in the Town of Kimball, Tennessee

Mayor Jackson stated that the town contacted our town auditor Paul Johnson concerning the residential sewer rates. He recommended the town going with a rate of 120% of South Pittsburg Water and Sewer Company's sewer residential rates with a minimum of \$10.60. There was much discussion on this issue. Clarification will be made with South Pittsburg Water and Sewer as to the rate charging for residential sewer.

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to approve on 1st Reading Ordinance 204 - An Ordinance to Amend Ordinance No. 41, 50, 89, 131 and 138 of the Town of Kimball, Tennessee Regarding the Residential Sewer Rate Applicable in the Town of Kimball, Tennessee at 120% greater than South Pittsburg Water and Sewer rates. The motion passed unanimously on a board vote.

c.) Resolution 2009-07 – A Resolution Authorizing the Town of Kimball, Tennessee to Participate in the TML Risk Management Pool

Attorney Gouger stated that TML Risk Management's Guidelines recommend that all Municipality that participate in the pool pass a resolution that formally authorizes the pool and the town to enter into the insurance contractual agreement which is what this resolution will accomplish.

Motion was made by **Alderman Keef**, seconded by **Alderman Case** to Resolution 2009-07 – A Resolution Authorizing the Town of Kimball, Tennessee to participate in the TML Risk Management Pool. The motion passed unanimously on a board vote.

d.) Tennessee Agricultural Enhancement Program (TAEP) – Community Tree Planting Projects on Public Land

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to approve the applying for the grant with Tennessee Agricultural Enhancement Program (TAEP) – Community Tree Planting Projects on Public Land up to \$20,000 which is a %50-%50 grant. The motion passed unanimously on a board vote.

e.) Chattanooga State Sewer Extension Project

The estimated cost from Anthony Pellam with James C. Hailey and Company for the Sewer Line from Kimball Lane to the Property Line following the North side of Interstate 24 based on the figures for the sewer for the CDBG project were \$619, 200. There are a few issues to be considering with

this project with include funding grant or bond issue, there is also an opportunity to pick up others within the town by running through other subdivision; however, this would increase the project costs. Attorney Gouger advised to make sure any commitment was subject to funding and other conditions; therefore, to cover the town. There was much discussion on this issue.

Motion was made by **Alderman Payne**, seconded by **Alderman Case** to authorize Attorney Gouger to draft a letter to Chattanooga State regarding sewer for the new location by August 2010. The motion passed unanimously on a board vote.

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to authorize Mayor Jackson to contract to hire Anthony Pellam with James C. Hailey and Company to engineer the sewer lines from Kimball Lane to the Holland Farm Property line. The motion passed unanimously on a board vote.

f.) Kent Stephens - Fire Department

Background check was clear on Kent Stephens.

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Case** to approve Kent Stephens being a member of the Kimball Fire and Rescue Department and have him set up for a physical. The motion passed unanimously on a board vote.

POLICE REPORT

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

Litigation Tax	\$96.25
Court Costs	\$431.25
Fines	\$100.00
Report Fee	\$160.00
Sessions Court	\$1205.55
License fee	\$0.00
Total	\$1993.05

The Department has had several on vacation. Also, the department started new online accident reports with the state this month. All the officers are certified on the software.

FIRE REPORT

Vice-Mayor Pesnell gave the fire report for June 2009 the department responded to eight calls for the month. The calls were four mutual aids, one vehicle fire, two rescues and one smoke removal.

PARK AND RECREATION BOARD REPORT

Alderman Keef stated the Park did not meet in June. There will be a meeting July 9th at 5:00 pm. The preliminary concession plans have been sent to Mayor Jackson via email. There have been a lot of people using the park.

ATTORNEY REPORT

There is a copy of the Lien form enclosed in your folders. This is for use when the town is faced with situations of cleaning up private property for health or safety hazards for other property owners. It is a fill in the blank form for the office to use.

NEW BUSINESS

Mayor Jackson recommended the town apply for the TML 2009-2010 Safety grant application. Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve the town applying for the TML 2009-2010 Safety Grant Program. The motion passed unanimously on a board vote.

Alderman Case stated that the property in Cedar Point needs to be maintained again.

Vice-Mayor Pesnell wanted to know the status of the paving on the new building parking lot. Lofty Grading and Paving will be moving their equipment in tomorrow or Monday. Also, the appliances, tables and chairs will be purchased from Lowe's on Monday.

Mayor Jackson had several items under new business as follows:

- The Annual Dues from the Marion County Partnership are due in the amount of \$5,000.

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve the paying the annual dues from the Marion County Partnership in the amount of \$5,000. The motion passed unanimously on a board vote.

- Sales Tax for May 2009 \$215,959 compared to May 2008 \$227,477. The town is down about \$11,000 in sales tax revenues.
- The Railroad Board met today which consist of Mayor Simpson, Mayor Moss, Mayor Killian, Mayor Myers, County Road Superintendant Graham and I. The board passed a resolution today to borrow \$77,000 this is part of a matching grant to put the railroad spur into CBI with CBI paying this money back by the number of railcars that are used with the money being borrowed through the Sequachee Valley Electric Coop. The Railroad Board will be checking to see if there is any grant money available to fix the culvert that is between the Clyde Boyd Farms and the entrance into the River's Edge subdivision. This is a small culvert and is causing problems for Eddie Tipton.
- Fall Soccer is approaching; part of the grant money is for bleacher and goals. Mayor Jackson request permission to purchase about \$9,000 worth of bleachers and goals with %50 being reimbursed by the grant.

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to authorize Mayor Jackson to spend up to \$9,000 for bleachers and goals for the Kimball Park on Industrial Blvd and file for reimbursement with LPRF. The motion passed unanimously on a board vote.


- Finances

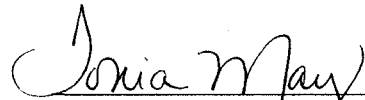
General Fund		Drug Fund	
Checking	\$ 53,543	Checking	\$ 6,769
Savings	\$ 460,000		
CD	\$ <u>429,634</u>	Sewer Fund	
Total	\$ 943,177	Checking	\$ 166,892
State Street Aid		CD	\$ <u>70,650</u>
Checking	\$ 16,573	Total	\$ 237,542
Grand Total		\$1,204,061	

- Next Monthly Board meeting will be August 6th at 6:00 pm.
- Kimball Planning Commission meeting will be July 21st at 6:00 pm if there is any business.

ADJOURNMENT

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


 David Jackson, Mayor


 Tonia May, Recorder