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**MINUTES OF THE PUBLIC HEARING  
KIMBALL, TENNESSEE  
THURSDAY, MAY 6, 2021 – 6:00 P.M.**

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A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, May 6, 2021 at 6:00 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor Rex Pesnell, Vice Mayor Jerry Don Case, Alderman John Matthews, Alderman Teresa Lofty, Alderman Johnny Sisk and Attorney William Gouger.

Mayor Pesnell called the public hearing to order concerning Ordinance No. 268 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2020-2021.

**NEW BUSINESS**

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**a) Ordinance No. 268 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2020-2021**


There was no comment on this ordinance.


**ADJOURNMENT**

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

  
Rex Pesnell, Mayor

  
Tonia May, Recorder

**MINUTES OF THE REGULAR MEETING  
KIMBALL, TENNESSEE  
THURSDAY, MAY 6, 2021**

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A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, May 6, 2021 in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

Mayor Pesnell called the regular meeting to order after the public hearing which began at 6:00 p.m.

**INVOCATION AND PLEDGE**

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Mayor Pesnell requested Vice Mayor Case to say the invocation over the meeting.  
Mayor Pesnell requested Alderman Lofty to lead the Pledge of Allegiance.

**ROLL CALL**

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Mayor Pesnell asked Recorder May to call roll.

Those present were: Mayor Rex Pesnell, Vice Mayor Jerry Don Case, Alderman Teresa Lofty, Alderman Johnny Sisk, Alderman John Matthews, and Attorney William Gouger.

**APPROVAL OF MINUTES**

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On a motion by **Alderman Matthews**, seconded by **Alderman Sisk** the Minutes of the Regular Monthly Board Meeting for April 1, 2021 were approved unanimously on a board vote.

**OLD BUSINESS**

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Mayor Pesnell had the following under old business:

- Mayor Pesnell stated that the town had its Annual Easter Egg Hunt on Friday, April 2, 2021 at the Kimball Ball Complex. He wanted to thank everyone that participated to help with the event.
- The town recently reported about the Local Government Recovery and Rebuilding Direct Appropriation Grant through the State of Tennessee. The town and other counties and municipalities were set to receive additional funding with preliminary numbers sent to entities; however, when the Senate and House finalized the budget for the State of Tennessee these funds were decreased by \$100 million. Governor Lee's initial budget had originally presented \$100 million more for this appropriation than was finalized. Nonetheless, the town is gracious to be approved to receive \$30,853 for non-recurring expenses as set forth by the state's guidelines.

**SCHEDULED AGENDA ITEMS**

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**a.) Proclamation for National Professional Clerk Week in Recognition of the Town's Clerk and Recorder – Sharon Case and Tonia May**

Mayor Pesnell stated that MTAS had sent down a request to recognize the week of May 2-May 8, 2021 as National Professional Clerk Week. Mayor Pesnell read the Proclamation to the public. Mayor Pesnell, the Aldermen, Attorney Gouger, Town Recorder May, and Town Clerk Case had a picture made in recognition of the event as well as the signing of the Proclamation.

**b.) Second and Final Reading of Ordinance No. 268 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2020-2021**

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve on Second and Final Reading of Ordinance No. 268 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2020-2021. The motion passed unanimously on a board vote.

**c.) First Reading of Ordinance No. 269 – An Ordinance of the Town of Kimball, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2021 and Ending June 30, 2022**

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve on First Reading of Ordinance No. 269 – An Ordinance of the Town of Kimball, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2021 and Ending June 30, 2022. The motion passed unanimously on a board vote.

**d.) First Reading of Ordinance No. 270 – An Ordinance to Amend Kimball Municipal Code Sections 5-602, 5-604, and 5-605, and Ordinances Nos. 121, 155 and 200 to Modify the Town’s Purchasing Policy**

A motion was made by **Vice Mayor Case**, seconded by **Alderman Sisk** to approve on First Reading of Ordinance No. 270 – An Ordinance to Amend Kimball Municipal Code Sections 5-602, 5-604, and 5-605, and Ordinances Nos. 121, 155, and 200 to Modify the Town’s Purchasing Policy. The motion passed unanimously on a board vote.

**e.) First Reading of Ordinance No. 271 – An Ordinance to Amend the Official Zoning Map to Rezone 11 Properties on Timber Ridge Drive from C-2 Highway Business District to R-1 Low Density Residential District Within the Corporate Limits of the Town of Kimball, Tennessee**

Mayor Pesnell stated that Thunder Development Properties had presented this plan to the Kimball Planning Commission which approved the zoning change and recommended it to this board.

A motion was made by **Alderman Lofty**, seconded by **Vice Mayor Case** to approve on First Reading of Ordinance No. 271 – An Ordinance to Amend the Official Zoning Map to Rezone 11 Properties on Timber Ridge Drive from C-2 Highway Business District to R-1 Low Density Residential District Within the Corporate Limits of the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

**f.) Approve the AirMedCare Network Municipal Site Membership for Town of Kimball, Tennessee for a total of \$7,602 annually to be paid monthly in the amount of \$633.50**

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to approve the AirMedCare Network Municipal Site Membership for Town of Kimball, Tennessee for a total of \$7,602 annually to be paid monthly in the amount of \$633.50. Mayor Pesnell stated there was no increase for this service from last year. The motion passed unanimously on a board vote.

**g.) Approve the bill from Public Entity Partners for Worker’s Compensation Insurance in the amount of \$32,759. The town received a \$10,560 Member Dividend Credit for this Insurance**

A motion was made by **Alderman Matthews**, seconded by **Alderman Lofty** to approve the bill from Public Entity Partners for Worker’s Compensation Insurance in the amount of \$32,759. The motion passed unanimously on a board vote.

**h.) Ratify the bill from Tim Haggard for the transformation of the kitchen/closet into a bigger closet for town hall in the meeting/court room in the amount of \$2,694.25**

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to ratify the bill from Tim Haggard for the transformation of the closet into a bigger closet in the meeting/court room in the amount for \$2,694.25. The motion passed unanimously on a board vote.

**i.) Discuss restriping Dixie Lee Center Drive with turn arrows and stop bars from Battlefield Line Design which has provided a quote in the amount of \$2,043.85**

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve the restriping of Dixie Lee Center Drive in the amount of \$2,043.85 from Battlefield Line Design. The motion passed unanimously on a board vote.

**j.) Approve three bills from Chattanooga Tractor and Equipment in the amount of \$4,221.53 for work done on Tractor 5030 and the Ford 6610. Initially these tractors went over for the winter special to be checked out and have the fluids changed; however, each tractor had issues that needed to be correcting prior to spring usage**

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve the three (3) bills from Chattanooga Tractor and Equipment in the total amount of \$4,221.53 for work done on Tractor 5030 and the Ford 6610. The motion passed unanimously on a board vote.

**k.) Request to purchase five (5) Spike System Stingers from On-Duty Depot in the amount of \$479 each for a total of \$2,395 plus shipping for the Kimball Police Department**

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to approve the request to purchase five (5) Spike System Stingers from On-Duty Depot in the amount of \$479 each for a total of \$2,395 plus shipping for the Kimball Police Department. Mayor Pesnell stated that this price includes training on how to use these. The motion passed unanimously on a board vote.

**l.) Ratify the approval to fix Tahoe 85 due to accident in the amount of \$5,438.70 to be repaired by Trussell Collision Repair with Public Entity Partners already submitting check for the damages in the amount of \$5,379.01**

A motion was made by **Alderman Sisk**, seconded by **Alderman Lofty** to ratify the approval to fix Tahoe 85 due to accident in the amount of \$5,438.70 to be repaired by Trussell Collision Repair. The motion passed unanimously on a board vote.

**m.) Ratify the bill from Dalton Communications in the amount of \$7,231.80 for pagers for the Kimball Fire and Rescue Department originally approved at \$7,180**

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to ratify the bill from Dalton Communications in the amount of \$7,231.80 for pagers for the Kimball Fire and Rescue Department. The motion passed unanimously on a board vote.

**n.) Maintenance Report**

**Alderman Matthews** stated that there was nothing new to report.

**o.) Fire Report**

**Alderman Sisk** gave the fire report for April 2021; the department responded to three calls during the month which were two (2) mutual aids and one (1) rescue.

**p.) Parks and Recreation Report**

**Alderman Lofty** stated there was no meeting for the Park and Recreation Board in April 2021. **Alderman Lofty** stated that the Kimball Soccer League will be hosting soccer Saturday, May 8, 2021 and Saturday, May 16, 2021 weather permitting. The next meeting is scheduled for May 27, 2021 at 5:30 pm.

**q.) Police Report**

Vice Mayor Case gave an update on the Police Department as follows:

Litigation Tax and Training Fees	\$31.50
Court Costs	\$208.50
Fines	\$50.00
Report Fee	\$50.00
Sessions Court	\$1577.00
<b>Total</b>	<b>\$1,917.00</b>

The report from Marion County E-911 was provided for the packet, which showed the police department had 262 calls for the month of April 2021

**r.) Planning Commission Report**

Vice Mayor Case gave the Kimball Planning Commission Report as follows: the Kimball Planning Commission meeting for April was held on April 20, 2021. There was a preliminary plat for Sandra’s Way which is a four (4) lot subdivision off Main Street. This preliminary plat was approved. The planning commission also approved a rezoning request from Thunder Development Properties for lots on Timber Ridge Drive. There will be a total of eleven (11) lots requested to be rezoned from C-2 Highway Business District to R-1 Low Density Residential District. The planning commission also elected officers as follows: Mark O’Leary, Chairman, Jerry Don Case, Vice Chairman and Margaret King, Secretary. The Board of Zoning Appeals (BZA) had a meeting on April 20, 2021 at 5:00 pm. The BZA reviewed a variance request from Kimball Speedy Lube for a reduction in side yard building setback at 992 Main Street and Cooley Lane. This variance was granted. The next planning commission meeting is scheduled for May 18, 2021 at 5:30 pm.

**s.) Attorney Report**

Attorney Gouger stated that he had spoken with the town engineer concerning the drainage issue at the shopping center near the Dixie Lee Center Road and Kimball Crossing Drive intersection. There is a section of Kimball Crossing Drive that the town must maintain due to the curb cutting issue that was resolved back in 2005. The town engineer was unaware the town had this authority; therefore, he had been procrastinating the project trying to validate the town’s authority to work on a private roadway. The mayor requested an update on the American Tower lease. Attorney Gouger stated it is still awaiting signatures from the Town of Jasper before the lease will be official. The mayor stated that the town has already seen payment from the new lease with SBA and the goal was to have both leases on a similar schedule.

**NEW BUSINESS**

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Mayor Pesnell had items under new business as follows:

- The town has been notified that U.S. Congress has passed the American Rescue Plan Act of 2021. The act will have provisions for Local Fiscal Recovery Fund which will be split with cities and counties as well as funds set aside for education. These funds will be federal with guidance on the uses allowed. The local governments will have until December 31, 2024 to allocate these funds for allowable uses. There will be periodic reports required detailing account tracing of these dollars.
- Town Hall and Maintenance Department will be closed on Monday, May 31, 2021 for the Memorial Day Holiday. The Sanitation Truck will not run on Monday; however, it will resume the normal route on Tuesday, June 1, 2021.

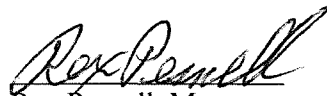
- The Town of Kimball Financial Report is as Follows:
  - **General Fund**           \$ 2,520,951
  - **State Street Aid**       \$    50,391
  - **Drug Fund**             \$     9,574
  - **Sewer Fund**            \$ 1,040,767
  - **Grand Total**           \$ 3,621,683
  
- The next regular scheduled meeting will be June 3, 2021 at 6:00 p.m.

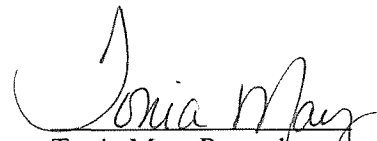
Dean Pesnell asked about a pothole in the roadway made by the water company cutting the road. Mayor Pesnell stated that the water company normally waits until there are several areas before the patching repairs are made, plus they also allow time for the gravel to pack down and settle. Mayor Pesnell will make contact with the water company on this issue.

**ADJOURNMENT**

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

  
 Rex Pesnell, Mayor

  
 Tonia May, Recorder