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**MINUTES OF THE PUBLIC HEARING  
KIMBALL, TENNESSEE  
THURSDAY, NOVEMBER 4, 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, November 4, 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. 273 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2021-2022.

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**NEW BUSINESS**

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- a) **Ordinance No. 273 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2021-2022**

There was no comment on this ordinance.

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**ADJOURNMENT**

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

  
Rex Pesnell, Mayor

  
Tonia May, Recorder

**MINUTES OF THE REGULAR MEETING  
KIMBALL, TENNESSEE  
THURSDAY, NOVEMBER 4, 2021**

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A meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, November 4, 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 started at 6:00 pm.

**INVOCATION AND PLEDGE**

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Mayor Pesnell requested Alderman Matthews to say the invocation over the meeting.

Mayor Pesnell requested Alderman Sisk 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 Lofty** the Minutes of the Regular Monthly Board Meeting for October 4, 2021, were approved unanimously on a board vote.

**OLD BUSINESS**

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Mayor Pesnell had the following items under old business:

- The Marion County Highway Department has completed the work on the bridge at Kimball Cove Road.
- Lofty Grading and Paving has finished the paving project on Glover's Hill Road and Haggard Lane.
- The town is in receipt of the first payment for the American Rescue Plan Funds in the amount of \$214,968.91.
- The Board of Mayor and Aldermen had a Special Called Meeting in October and awarded the contract for the Parking Lot and Pad for Basketball Court to Lofty Construction Company and awarded the contract for the Basketball Court to Grass and More. This will be built at the Kimball Park off of Bob Lofty Lane.
- The pole barn and lean-to have both been completed along with the additional walls and concrete for the salt bin.
- The Christmas light display approved at a previous meeting has arrived and will be used during the holiday decorating.

**SCHEDULED AGENDA ITEMS**

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**a.) Discuss approving Bid Documents for Sewer Grinder**

Matthew Tucker with James C. Hailey and Company attended the meeting concerning the bid documents for the sewer grinder. He stated that his estimate for the project had increased.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve to let the bid for the sewer grinder with bids to be opened on December 16<sup>th</sup> at 2:30 pm and then award at the January meeting. The motion passed unanimously on a board vote.

**b.) Discuss approving Bid Documents for Relocating Sewer Lines between McDonald's and Wendy's**

Matthew Tucker with James C. Hailey and Company spoke on the bid documents for relocating the sewer lines between McDonald's and Wendy's. Mr. Tucker explained this project along with which lines will be abandoned, rehabbed and which sewer manholes will be changed as well. This project can be done during or even after the dirt work for the upcoming new business at 120 Main Street has started or even finished as the lines on this property will be abandoned.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Lofty** to approve the letting of bids for the relocation of the sewer lines between McDonald's and Wendy's, with bids to be opened on December 16<sup>th</sup> at 2:00 pm and then awarded at the January meeting. The motion passed unanimously on a board vote.

**c.) Second and Final Reading of Ordinance No. 273 – An Ordinance to Amend the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2021-2022**

A motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to approve the Second and Final Reading of Ordinance No. 273 – An Ordinance to Amend the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2021-2022. The motion passed unanimously on a board vote.

**d.) First Reading of Ordinance No. 274 – An Ordinance to Amend the Official Zoning Ordinance to Remove the F-1 Flood Hazard District and Replace this Section with Reference to the Municipal Floodplain Zoning Ordinance in the Town of Kimball, Tennessee**

It was recommended that some of the points with the Municipal Code and Ordinance Numbers be clarified before the public hearing. Attorney Gouger will be contacting the local planner to verify some of this information.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve on First Reading Ordinance No. 274 – An Ordinance to Amend the Official Zoning Ordinance to Remove the F-1 Flood Hazard District and Replace this Section with Reference to the Municipal Floodplain Zoning Ordinance in the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

**e.) Approve James P. Durham’s Appointment to the Kimball Fire and Rescue Department**

A motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to approve the appointment of James P. Durham to membership in the Kimball Fire and Rescue Department contingent upon all paperwork clearing including the background check. The motion passed unanimously on a board vote.

**Approve Christina Barnes’ Appointment to the Kimball Fire and Rescue Department**

Mayor Pesnell stated that the Fire Chief turned in another application for the department after the agenda was set but that he would like for the board to consider adding this person to the Fire and Rescue Department at this time as well.

A motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to approve the appointment of Christina Barnes to membership in the Kimball Fire and Rescue Department contingent upon all paperwork clearing including the background check. The motion passed unanimously on a board vote.

**f.) Set the Sanitation Route Schedule for the November and December Holiday Schedule**

Mayor Pesnell recommended to have the sanitation route to run on Monday, November 22, 2021, and Monday, November 29, 2021, for the Thanksgiving Holiday, and on Monday, December 20, 2021, and Monday, December 27, 2021, for the Christmas Holiday and Thursday, December 30, 2021, for the New Year’s Holiday.

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve sanitation route to run on Monday, November 22, 2021, and Monday, November 29, 2021, for the Thanksgiving Holiday, and on Monday, December 20, 2021, and Monday, December 27, 2021, for the Christmas Holiday and on Thursday, December 30, 2021, for the New Year’s Holiday. The motion passed unanimously on a board vote.

**g.) Approval of the Donation to Marion County Sheriff Christmas for Kids Program for 2021**

A motion was made by **Alderman Lofty**, seconded by **Alderman Sisk** to approve the donation to Marion County Sheriff Christmas for Kids Program for 2021 as budgeted which is \$500. The motion passed unanimously on a board vote.

**h.) Discuss the Annual Christmas Dinner**

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to cancel the annual Christmas Dinner for 2021 amid the Covid pandemic effects still lingering within the county when planning needed to begin. The motion passed unanimously on a board vote.

**i.) Discuss Hams and Turkeys or Gift Cards**

Mayor Pesnell stated that he would like to recommend that the town do the same as last year concerning hams, turkeys or gift cards which would be to purchase \$75 gift cards for those eligible that are on boards, committees, etc.

A motion was made by **Alderman Matthews**, seconded by **Alderman Lofty** to approve the town to purchase \$75 gift cards instead of hams and turkeys for those eligible such as boards, committees etc. The motion passed unanimously on a board vote.

### **j.) Christmas Bonuses**

Mayor Pesnell stated that he would recommend doing the same as last year on the Christmas Bonuses: \$750 for full time employees and \$400 for part time employees.

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve the Christmas Bonuses for full time employees in the amount of \$750 and part time employees in the amount of \$400. The motion passed unanimously on a board vote.

### **k.) Maintenance Report**

Alderman Matthews stated he had nothing more to report.

### **l.) Fire Report**

Alderman Sisk gave the fire report for October 2021; the department responded to five calls during the month which were four mutual aids and a signal nine.

Alderman Sisk asked about the uniforms for the Fire and Rescue Department. Fire Chief Keef stated they were currently getting quotes. However, if the local shop could be competitive then he prefers to go with the local so the firemen can be sized by the local shop.

Fire Chief Keef stated that the equipment that the town recently made happen by purchasing other tools for another local fire department and the two departments swapped tools have really been useful to the Kimball Fire and Rescue Department.

Alderman Sisk wanted to thank the Fire and Rescue Department for being onsite at his daughter's home when it recently caught fire and burned. The department was there, and it meant a lot to know our department showed up.

### **m.) Parks and Recreation Report**

Alderman Lofty stated the Park and Recreation Board meeting for October 2021 was cancelled due to lack of agenda items. Fall Soccer League will have its last Soccer Game this Saturday, November 6<sup>th</sup> at Kimball Soccer Fields. The trophies have arrived and are sorted at town hall by teams. The next meeting is scheduled for November 18<sup>th</sup> due to the Thanksgiving Holiday falling on November 25<sup>th</sup>. The meeting will start at 5:30 pm.

### **n.) Police Report**

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

Litigation Tax and Training Fees	\$29.50
Court Costs	\$120.50
Fines	\$100.00
Report Fee	\$40.00
Sessions Court	\$646.00
<b>Total</b>	<b>\$936.00</b>

The report from Marion County E-911 showed that the Kimball Police Department responded to 220 calls for the month.

### **o.) Planning Commission Report**

Vice Mayor Case stated the Kimball Planning Commission meeting was held on October 19, 2021, at 5:30 pm. The commission reviewed a request for rezoning by David and Angela Wooten off a Private Road at 332 Ponderosa Drive. This property is zoned: R-2 Multi-Family Residential. This request was approved pending the proper certifications and signatures being obtained on the plat. Also on the agenda was a site plan for Burger King. The site plan was approved subject to some minor changes requested.

There was a BZA meeting held on October 19, 2021, at 5:00 pm. On the agenda was a request from Stanley Reed for a variance so he could subdivide a small lot. This request was tabled until Mr. Reed can get the property surveyed.

The next planning commission meeting is scheduled for November 16, 2021, at 5:30 pm. The public is invited to attend.

## p.) Attorney Report

Attorney Gouger stated he had nothing more to report.

## NEW BUSINESS

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Mayor Pesnell had items under new business as follows:

- Town Hall and Maintenance will be closed to observe the Veteran's Day Holiday on Thursday, November 11<sup>th</sup>.
- Town Hall and Maintenance will be closed to observe the Thanksgiving Holiday on Thursday, November 25<sup>th</sup> and Friday, November 26<sup>th</sup>.
- Stantec will be in Kimball and Jasper during the month of November and December doing core samples for the State of Tennessee concerning the new road project.
- Mike Nelson's family had the celebration of life on October 16<sup>th</sup> at the Municipal Building. The town presented his family with a plaque and had a duplicate made for the town to display here in the meeting room. This is a small way to remember our friend and coworker.

- Finances

<b>General Fund</b>	\$ 3,277,373
<b>State Street Aid</b>	\$ 62,477
<b>Drug Fund</b>	\$ 10,464
<b>Sewer Fund</b>	\$ 1,116,724
<b>Grand Total</b>	<b>\$ 4,467,038</b>

- The next regular scheduled meeting will be December 2, 2021, at 6:00 pm.

Citizen Lamar Manis approached the board about recognizing John Smith with his efforts in developing Red Bud Trail. Mr. Manis thought this would be a very kind jester to remember a man that built this roadway.


A motion by **Alderman Sisk**, seconded by **Alderman Matthews** to create a sign of remembrance on Red Bud Trail for John Smith, who developed and added to the roadway. The motion passed unanimously on a board vote.

The owners of the properties at 914 Main Street were in attendance concerning the future roadway and how this will affect their home and land. Attorney Gouger stated that the State of Tennessee is currently doing core studies to see how to best set the roadway. If the road is set to take parts of any land, the State of Tennessee will offer the property owner fair market value pricing. The owners can counter their offer and come to a settlement or end up in court if necessary. At this time, no one knows which side of the roadway or how the roadway will go.

## ADJOURNMENT

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

  
Rex Pesnell, Mayor

  
Tonia May, Recorder