

**MINUTES OF THE REGULAR MEETING
KIMBALL, TENNESSEE
THURSDAY, MARCH 30, 2023**

A meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, March 30, 2023, in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

Mayor Pesnell called the regular meeting to order at 6:00 pm.

INVOCATION AND PLEDGE

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

Mayor Pesnell asked Recorder May to call roll.

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

APPROVAL OF MINUTES

On a motion by **Alderman Lofty**, seconded by **Alderman Sisk** the Minutes of the Regular Monthly Board Meeting for March 2, 2023, were approved unanimously on a board vote.

OLD BUSINESS

Mayor Pesnell had the following item under old business:

- Payne Construction has completed the sewer repair job behind TN/AL Fireworks and on Hampton Inn Property. The amount of the repair was \$9,800. This repair was approved under emergency powers at a previous meeting.

SCHEDULED AGENDA ITEMS

a.) Approval of the Tennessee Consolidated Retirement System Employer Determined Contribution Rate (ADC) which is set at 5.97% for July 1, 2023, to June 30, 2024

Mayor Pesnell stated that the town is currently paying 5% and normally goes above the ADC rate. Mayor Pesnell recommends the town approving the ADC rate at 6% for fiscal year 2023-2024.

A motion was made by **Alderman Matthews**, seconded by **Alderman Lofty** to approve the town to set the Tennessee Consolidated Retirement System Employer Contribution Rate at 6% for July 1, 2023, to June 30, 2024. The motion passed unanimously on a board vote.

b.) First Reading of Ordinance No. 282 – An Ordinance to Amend the Official Zoning Map to Rezone the Western Side of Tax Map 133 Parcel 113.00 from R-1 Low Density Residential District to C-2 Highway Business District within the Corporate Limits of the Town of Kimball, Tennessee

This ordinance has been recommended by the Kimball Municipal Planning Commission for approval.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve First Reading of Ordinance No. 282 – An Ordinance to Amend the Official Zoning Map to Rezone the Western Side of Tax Map 133 Parcel 113.00 from R-1 Low Density Residential District to C-2 Highway Business District within the Corporate Limits of the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

c.) First Reading of Ordinance No. 283 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2022-2023

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve First Reading of Ordinance No. 283 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2022-2023. The motion passed unanimously on a board vote.

d.) Interlocal Agreement between the City of South Pittsburg, Tennessee and the Town of Kimball, Tennessee concerning Police and Park involvement in the South Pittsburg Youth Sports Organization

Attorney Gouger stated that this is an agreement requested by the Public Entity Partners which is the insurance provider for both the City of South Pittsburg and the Town of Kimball. He also stated that he prepared the agreement but if either party wanted more legal assistance with the policy that each entity would need to hire another independent legal representation as Mr. Gouger represents both entities. However, each entity could choose to waive the legal counsel conflict of interest.

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve the Interlocal Agreement between the City of South Pittsburg, Tennessee and the Town of Kimball, Tennessee concerning Police and Park involvement in the South Pittsburg Youth Sports Organization along with waiving the legal counsel conflict of interest. The motion passed unanimously on a board vote.

e.) Discuss Hiring a Maintenance Worker

Mayor Pesnell stated that the town board interviewed two qualified applicants. The town is currently down one full-time employee and normally about April, the town hires a part-time employee to assist with the added duties during the late Spring, Summer and early Fall months.

A motion was made by **Mayor Pesnell**, seconded by **Vice Mayor Case** to hire both applicants Matthew Tate and Ryan Mullins to work in the Maintenance Department. The motion passed unanimously on a board vote.

f.) Ratify Jerry Rollins being off without pay on Thursday, March 16, 2023

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to ratify Jerry Rollins being off without pay on Thursday, March 16, 2023. The motion passed unanimously on a board vote.

g.) Ratify the payment of a bill from Southeast Company, Inc. in the amount of \$8,627.85 for work on the Main Sewer Lift Station to exchange pumps

A motion was made by **Alderman Lofty**, seconded by **Alderman Matthews** to ratify the payment of a bill from Southeast Company, Inc. in the amount of \$8,627.85 for work on the Main Sewer Lift Station to exchange pumps. The motion passed unanimously on a board vote.

h.) Ratify the payment of a bill from Cherokee Truck Equipment, LLC in the amount of \$5,253.37 for work on the Bucket Truck and inspection of the boom

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to ratify the payment of a bill from Cherokee Truck Equipment, LLC in the amount of \$5,253.37 for work on the Bucket Truck and inspection of the boom. This was a recommendation from Public Entity Partners Loss Control to have the boom inspected. The motion passed unanimously on a board vote.

i.) Discuss accepting applications for a Certified Police Officer

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve the town to accept applications for a Certified Police Officer. The notification will go in the paper on April 10, 2023, with the last day to submit an application being April 24, 2023, at 2 pm. The motion passed unanimously on a board vote.

j.) Maintenance Report

Alderman Matthews stated that Maintenance Supervisor David Henley has corrected the problem at the park with the septic system.

k.) Fire Report

Alderman Sisk gave the fire report through March 28, 2023; the department responded to seven calls during this period which were four vehicle fires, one fire alarm, one rescue and one signal nine.

I.) Parks and Recreation Report

Alderman Loftly stated the Park and Recreation Board met on March 23, 2023. The park board discussed the park director position and wants it included in the 2023-2024 fiscal year budget along with accepting applications/resumes in the near future. The Spring Soccer Season is underway with Kimball set to host on April 15th and April 22nd. The South Pittsburg Youth League has provided the spring game schedule for the Kimball complex along with members of their organization and the City of South Pittsburg employees fulfilling their responsibilities of the agreement. The Kimball Park and Recreation Board would like to enhance the park located at Main Street and Hillcrest Drive. The Kimball Park and Recreation Board will have an open Input Meeting on Tuesday, May 2, 2023, from 5:30-7:30 pm. The park board wanted to continue its quest to add lights on the soccer field along with additional restrooms near these fields. Citizen Witcher suggested to the park board to have a summer coed slow pitch softball league for the youth. The next regular meeting is scheduled for Thursday, April 27, 2023, at 5:30 pm. Also, South Pittsburg will host a tournament at Kimball Complex on April 22, 2023.

m.) Police Report

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

Litigation Tax and Training Fees	\$57.00
Court Costs	\$243.00
Fines	\$200.00
Report Fee	\$80.00
Sessions Court	\$282.15
Total	\$862.15

n.) Planning Commission Report

Vice Mayor Case stated the Kimball Planning Commission meeting was cancelled for March 2023. The next meeting is scheduled for April 18, 2023, at 5:30 pm.

o.) Attorney Report

Attorney Gouger had nothing new to report.

NEW BUSINESS

Vice Mayor Case stated that the Battery-Operated Hurst Tool has been giving the department some troubles. Fire Chief Keef stated that the gentleman that sold the town the product has been to the fire hall to inspect the equipment. In the process, parts were replaced along with four batteries. Vice Mayor Case stated that if the equipment continues to give problems after them working on it on site, the company will check the equipment out more in depth if the town sees the need to return it for this issue.

Alderman Sisk stated that he would like to see the owners of the Kimball Shopping Center contacted about the asphalt and other issues repaired. Attorney Gouger drafted a letter, and it has been sent to the Kimball Shopping Center owners Regency Kimball, LLC c/o Regency Commercial Associates, LLC concerning the neglect to adequately maintain or repair the property to be in conformity with the town's ordinances and codes. The letter was sent via certified mail. Alderman Sisk stated that the water near Dollar Tree and behind Harbor Freight has been worked on, but the town needs to continue to seek solutions to keep this water from pooling in this area.

Mayor Pesnell had items under new business as follows:

- Town Hall and Maintenance Department will be closed on April 7th for the Good Friday Holiday. Sanitation Route will run on Thursday, April 6th.

- The Town Financial Report is as follows:

General Fund	\$4,309,916
State Street Aid Fund	\$ 70,367
Drug Fund	\$ 9,895
Sewer Fund	\$ 874,373

- The Town looks forward to seeing lots of people at the Annual Easter Egg Hunt April 6th with the hunt starting at 6 pm at the Kimball Barn. The Easter Bunny will be there for pictures and the South Pittsburg Interact Club will be doing facepainting. There will be a parking challenge for the Easter Egg Hunt since all four fields will be having a game on them on this night.
- The next monthly meeting will be May 4, 2023, at 6 pm.


Citizen Jack Keef wanted to know about the progress on repaving Industrial Boulevard. Mayor Pesnell stated that it is the town's understanding this will be bid this summer with the State of Tennessee widening certain areas such as taking out the sharp turn near the bridge when transitioning from Industrial Boulevard to Kimball Lane. Citizen Keef asked that in the meantime if the town could patch some areas since it will be a couple of months before paving will begin.

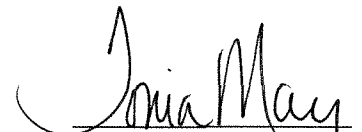
Fire Chief Keef asked about the Tower Lights near Interstate 24. These lights have been reported; however, the company is finding replacement parts hard to find. The town is trying its best to get these operating again.

Alderman Matthews wanted to recognize Marion County Commissioner Jimmy Cantrell and thanked him for attending the town meeting.

ADJOURNMENT

As there was nothing further to come before the board, a 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