
**MINUTES OF THE PUBLIC HEARING
KIMBALL, TENNESSEE
THURSDAY, JUNE 1, 2023 – 6:00 P.M.**

A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, June 1, 2023, 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 Johnny Sisk, Alderman John Matthews, Alderman Teresa Lofty and Attorney William Gouger.

Mayor Pesnell called the public hearing to order concerning Ordinance No. 284 – An Ordinance of the Town of Kimball, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2023, and Ending June 30, 2024.


NEW BUSINESS

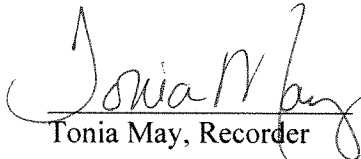
- a) **Ordinance No. 284 – An Ordinance of the Town of Kimball, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2023, and Ending June 30, 2024**

There was no comment on this ordinance.

ADJOURNMENT

As there was nothing further to come before the public hearing, a 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

**MINUTES OF THE REGULAR MEETING
KIMBALL, TENNESSEE
THURSDAY, JUNE 1, 2023**

A meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, June 1, 2023, 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

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 Matthews**, seconded by **Alderman Sisk** the Minutes of the Public Hearing and Regular Monthly Board Meeting for May 4, 2023, were approved unanimously on a board vote.

OLD BUSINESS

Mayor Pesnell had the following items under old business:

- The mayor will be meeting with representatives from TDOT on Friday, June 2, 2023, to review the turn lane from Main Street into the Future Food City lot along with reviewing the Kimball Christian Academy School Zone Signage.
- Town Representatives have been on several zoom calls concerning the Grant with TDEC for the Sewer Line Relocation and Asset Management Plan.

SCHEDULED AGENDA ITEMS

a.) Second and Final Reading of Ordinance No. 284 – An Ordinance of the Town of Kimball, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2023, and Ending June 30, 2024

A motion was made by **Vice Mayor Case**, seconded by **Alderman Sisk** to approve on Second and Final Reading of Ordinance No. 284 – An Ordinance of the Town of Kimball, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2023, and Ending June 30, 2024. The motion passed unanimously on a board vote.

b.) First Reading of Ordinance No. 285 – An Ordinance to Amend Kimball Municipal Code Title I and Ordinance Nos. 160, 164, and 248 to Increase the Compensation of the Mayor and Aldermen of the Town of Kimball, Tennessee

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to approve First Reading of Ordinance No. 285 – An Ordinance to Amend Kimball Municipal Code Title I and Ordinance Nos. 160, 164, and 248 to Increase the Compensation of the Mayor and Aldermen of the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

c.) Review the Contract Between the Southeast Tennessee Development District and the Town of Kimball Providing for Local Planning Advisory Services which is a two-year contract FY 2024 and FY 2025 for an annual fee of \$9,825

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve the contract between the Southeast Tennessee Development District and the Town of Kimball providing for Local Planning Advisory Services which is a two-year contract FY 2024 and FY 2025 for an annual fee of \$9,825. The motion passed unanimously on a board vote.

d.) Discuss Bidding Out Repairs to the Tower Lights by converting these lights to LEDs

A motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to approve bidding out the repairs to the Tower Lights by converting these lights to LEDs. The motion passed unanimously on a board vote.

e.) Ratify the Ordering of a New Keen Sewer Pump for the Main Lift Station due to both pumps being inoperable on May 14-May 15 with the issues being turned into Public Entity Partners for an insurance claim. The town ordered this under Emergency powers due to only having one (1) Sewer Pump at this moment in the Main Lift Station. This pump was ordered from Byrd Electric in the amount of \$17,500 plus shipping with a lead time of 4 weeks

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to ratify the ordering of a new Keen Sewer Pump for the Main Sewer Lift Station due to both pumps being inoperable on May 14-15. The pump was ordered under Emergency Powers from Byrd Electric in the amount of \$17,500 plus shipping with lead time of 4 weeks. The motion passed unanimously on a board vote.

f.) Discuss Purchasing Sewer Pump(s) for Main Sewer Lift Station due to issues May 14-May 15

After some discussion concerning this issue, a motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to approve the ordering of an additional sewer pump from Carolina Pumpworks, LLC under Emergency Powers for the Main Lift Station. The pump will be a Grundfos Sewage Pump in the amount of \$14,713 plus shipping with a lead time of 12-16 weeks. The board opted to order under emergency powers due to the fact bidding and lead time could result in much longer wait time which leaves the possibility for issues to occur which could be costly. The motion passed unanimously on a board vote.

g.) Maintenance Report

Alderman Matthews had nothing new to report.

h.) Fire Report

Alderman Sisk gave the fire report for May 2023; the department responded to three calls during this period which were one smoke investigation, one removal of hazard from roadway and one natural gas leak.

The department has been seeking quotes on a New Pumper. The town has \$200,000 plus interest in the bank designated for the fire truck. The department has one quote that was estimated at \$579,820 for the truck only. Equipment was not included in this price. The board discussed the option on bidding the truck; however, a motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to wait until the CDBG awards have been done before moving forward on the bidding of the truck. The town is hopeful to be funded through the CDBG grant for the New Fire Truck. The motion passed unanimously on a board vote.

i.) Parks and Recreation Report

Alderman Lofty stated the Park and Recreation Board meeting for May 2023 was cancelled. The Soccer season ended May 20th with the day being cut short due to weather. The Kimball Christian Academy will be hosting two movies in the park with concessions being sold. These movies will be on the Kimball Soccer Fields on June 2nd and June 23rd beginning at 8 pm. The surveys are still available at town hall for citizens input on the Kimball Parks. The next regular meeting is scheduled for Thursday, June 29, 2023, at 5:30 pm.

j.) Police Report

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

Litigation Tax and Training Fees	\$44.25
Court Costs	\$180.75
Fines	\$125.00
Report Fee	\$50.00
Sessions Court	\$188.10
Total	\$588.10

k.) Planning Commission Report

Vice Mayor Case stated the Kimball Planning Commission meeting was held on May 16, 2023. The Tony Roma's Site Plan was approved at this meeting. The next meeting is scheduled for June 20, 2023, at 5:30 pm.

I.) Attorney Report

Attorney Gouger stated he has a couple of items to address. The first is the new law concerning the publication of the agenda 48 hours prior to the meeting. The most common way to satisfy the requirement is to post the agenda on the town's website or post a copy in conspicuous places around town. The statute does allow the town to act upon new business if the town does not have the documents prior to the agenda being posted if the need arises. The town has an item that fits this particular scenario. The town elected after submission of RFPs through a resolution to hire James C. Hailey and Company to be the Engineer on the grant project. The town now has a contract to be considered for this project; therefore, this is a continuation of the resolution to now approve the contract. This has been reviewed by the attorney and it is recommended the contract agreement to be considered for approval.

On a motion by **Alderman Matthews**, seconded by **Alderman Lofty** to approve the contract between the Town of Kimball and James C. Hailey and Company, Consulting Engineers for the Professional Services for the Force Main Relocation. The motion passed unanimously on a board vote.

There has been contact made with Chris Lucas, Executive Vice President and General Counsel of Regency Properties which owns the Kimball Shopping Plaza. Mr. Lucas stated that half of the paving has been completed and there will be another paving project in the near future. Mayor Pesnell requested that the attorney do a follow up with Regency Properties concerning the other maintenance requests on their property. There was another issue on the Kimball Plaza in which the owners hired a group to put a device on the trucks in which they could not leave without paying a fee to have the device removed. The trucks received these devices if the truck was parked in the same area for an extended period determined by the owners and contract group. Contact was made with Mr. Lucas concerning this practice on the Kimball Plaza. July 1, 2023, a new law goes into effect setting up a local permitting and review process for a company that is trying to place a boot or other similar devices on vehicles which would render it inoperable due to parking violations. Mr. Lucas is in Indiana and was unfamiliar with the upcoming law. The law is in place to keep someone or a company from violating the Consumer Protection Laws. In the spirit of the upcoming law, Mr. Lucas was asked to stop the booting or other similar devices that made the vehicles inoperable. This practice has ceased. Starting July 1st, there are certain steps to be required in order to allow this process which include notification to the town, the company is required to place notice on their properties with signage and there is also a limit on the fee to charge plus other stipulations.

NEW BUSINESS

Mayor Pesnell had items under new business as follows:

- Jim Hatchel with Public Entity Partners will be onsite for a semi-annual property survey on June 14th.
- Town Hall and Maintenance Department will be closed on June 19th for the Juneteenth Holiday. Sanitation Route will run on June 20th.
- Town Auditors will be onsite June 26th and June 27th for the preliminary work for the Fiscal Year 2022-2023.
- Town Hall and Maintenance Department will be closed on July 4th for the 4th of July Holiday.
- The Town Financial Report is as follows:

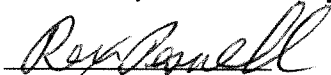
General Fund	\$4,313,138
State Street Aid Fund	\$ 72,130
Drug Fund	\$ 10,185
Sewer Fund	\$ 906,835
- The next monthly meeting will be July 6, 2023, at 6 pm.

PUBLIC COMMENTS

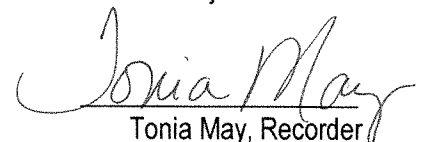
Alderman Matthews stated he would like to welcome Trace Condra, our newly hired Police Officer, to the meeting.

ADJOURNMENT

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