
**MINUTES OF THE REGULAR MEETING
KIMBALL, TENNESSEE
THURSDAY, JANUARY 7, 2016**

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, January 7, 2016 in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

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

INVOCATION AND PLEDGE

Mayor Pesnell requested Vice Mayor Case 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 Mark Payne and Attorney William Gouger, Jr.

Alderman John Matthews was absent.

APPROVAL OF MINUTES

On a motion by **Alderman Sisk**, seconded by **Vice Mayor Case** the Minutes of the Regular Monthly Board Meeting for December 3, 2015 were approved unanimously on a board vote.

OLD BUSINESS

Mayor Pesnell had the following items under old business:

- The garbage truck has been repaired by Southeast Diesel Inc. with repairs being made at less than \$2,000 which was much less than originally quoted.
- The walkies approved for the Fire Department and Maintenance Department have been delivered and are in operation.
- The pier at the Kimball Park is underway; however, the water levels and volunteers' time makes this project a challenge to complete.

SCHEDULED AGENDA ITEMS

a.) Bill Aries with Volunteer Income Tax Assistance

Mr. Aries and his wife were in attendance at the meeting. They wanted to make the public aware of the free income tax assistance service available in Marion County by appointment only at the National Guard Armory Building in South Pittsburg. There will be volunteers available by appointment only to help taxpayers prepare and submit the 2015 tax return. These volunteers have been certified by the IRS for this service. Mr. and Mrs. Aries wanted everyone to help spread the word about this free service so everyone gets their taxes filed before the deadline this year.

b.) Resolution 2016-01 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to Adopt a Racial Profiling Policy for the Town's Police Department

Attorney Gouger explained that this resolution is part of legislation requiring the mandated racial profiling policy be in place by the 1st; however, the Police Chief did not receive the information in time for the December meeting. This basically states that race will not be a factor when the police decide on making a stop or detaining an individual.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Sisk** to approve Resolution 2016-01 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to Adopt a Racial Profiling Policy for the Town's Police Department since it is state mandated. The motion passed unanimously on a board vote.

c.) Ratify Bill from Stringfellow for cylinder on garbage truck in amount of \$2,676.25

A motion was made by **Alderman Sisk**, seconded by **Alderman Payne** to ratify bill from Stingfellow for cylinder on garbage truck in amount of \$2,676.25. The motion passed unanimously on a board vote.

d.) Appoint Kimball Planning Commission Member

Mayor Pesnell made a recommendation to appoint Jerry Don Kennemore to fill the vacancy on the board left by Dean Pesnell's resignation.

A motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to appoint Jerry Don Kennemore to the Kimball Planning Commission. The motion passed unanimously on a board vote.

e.) Appoint Kimball Board of Zoning Appeals Member

Mayor Pesnell made a recommendation to appoint Bobby Joe Blevins to fill the vacancy on the board left by the advancement of Jerry Don Kennemore to the Kimball Planning Commission.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Sisk** to appoint Bobby Joe Blevins to the Kimball Board of Zoning Appeals. The motion passed unanimously on a board vote.

f.) Police Department Captain Appointment

Vice Mayor Case stated for the betterment of the Kimball Police Department Chief Jordan would like to recommend the appointment of Timothy Allison as Captain of the department.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Payne** to appoint Timothy Allison as Captain of the Kimball Police Department. The motion passed unanimously on a board vote.

g.) Fire Chief Keef requested to add David Henley and Jerry Rollins to Kimball Fire and Rescue Department

A motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to accept David Henley and Jerry Rollins to the Kimball Fire and Rescue Department. The motion passed unanimously on a board vote.

Chief Keef wanted to thank the Kimball Police Department for their help on the house fire. He stated that the two departments worked well together and he stated he appreciated all the police officers.

h.) Discuss the CDBG Grant 2016

Mayor Pesnell stated the board approved to start the process for the CBBG Grant in the previous meeting. Since that time, the board has had a workshop on the pros and cons to apply for this grant. At this time, he would like the board to consider proceeding with this grant or decline the grant for the 2016 year.

A motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to decline the CDBG Grant for 2016 since the chances for the town will be slim and the areas to concentrate are not defined at this time. The motion passed unanimously on a board vote.

POLICE REPORT

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

Litigation Tax and Training Fees	\$73.75
Court Costs	\$351.25
Fines	\$50.00
Report Fee	\$20.00
Sessions Court	\$642.67
Total	\$1137.67

Vice Mayor Case also stated that there was a report available to the Police Department through the 911 Center concerning the number of calls during the month. During December, the Kimball Police Department responded to 222 calls for the month. This report will be forwarded to the Chief each month with details.

FIRE REPORT

Alderman Sisk gave the fire report for December 2015; the department responded to six calls during the month which were two vehicle fires, one brush fire, one structural fire which later rekindled and one assistance which was due to the flood waters on Christmas Day. There was one fatality from the structure fire on December 17, 2015.

PARK AND RECREATION BOARD REPORT

Alderman Sisk stated the Park and Recreation Board meeting for December was held on Thursday, December 10, 2015. The board reviewed the Concessions Stand Agreement and Recreation Agreement with Kimball and South Pittsburg. The next meeting is scheduled for January 14, 2016 at 6 pm.

PLANNING COMMISSION REPORT

Vice Mayor Case stated the Kimball Planning Commission meeting for December was held on Tuesday, December 15, 2015. The commission reviewed a preliminary plat approval of a seven (7) lot subdivision being developed by Angie and Johnny Rogers. This plat was approved contingent upon easement increases. The next planning meeting is scheduled for January 19, 2016 at 6 pm.

SEWER REPORT

Alderman Payne wanted to know where the town was on the GIS information provided in the workshop. Mayor Pesnell wanted an estimate on the price to map the sewer system before a determination would be made. Alderman Payne introduced the town's new engineer Matthew Tucker with James C. Hailey & Co. This is the same firm as before; he will just be taking over projects since our engineer left the firm. Alderman Payne wanted to set up a workshop with the Engineer, Attorney, Board of Mayor and Aldermen, Planning Commission, Planner, Building Inspector and others concerning storm water regulations and sewer regulations. The board set a date of Wednesday, January 13, 2016 at 5:15 pm in order to have the workshop before the next planning commission meeting.

ATTORNEY REPORT

Attorney Gouger stated that after the last meeting he had been instructed to file a complaint with Tennessee Regulatory Authority concerning the unpaid Franchise Fees from BlueBridge Media. The next morning after the meeting, the local manager of BlueBridge Media referred him to the Finance Department in New York. In working with the Finance Department in New York and with the mayor's consent the complaint was not filed, due to BlueBridge Media wanting to work out a payment plan. The franchise fees vary per quarter from \$600 to \$800. After reviewing their records, BlueBridge Media determined that their company owed Kimball approximately \$8,000 from 2013-2016 in unpaid franchise fees. The company would like to make payments of \$1,500 beginning in January and paid each quarter until current. Attorney Gouger stated he would recommend this plan instead of other action at this time; however, if the company failed to pay in the future other steps can be taken later on.

A motion was made by **Alderman Sisk**, seconded by **Alderman Payne** to accept BlueBridge Media's plan for delinquent franchise fees owed to Kimball from 2013 to current with payments made quarterly until current in the amount of \$1,500 beginning January 11, 2016. The motion passed unanimously on a board vote.

NEW BUSINESS

Mayor Pesnell had items under new business as follows:


- The sales tax for November was \$21,568 more than this time last year.
- Finances

General Fund	\$1,456,558
State Street Aid	\$29,346
Drug Fund	\$6.047
Sewer Fund	\$288,914
Grand Total	\$1,780,865

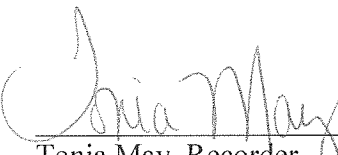
- The town and surrounding areas experienced excessive water on Christmas Day due to too much rainfall in a short amount of time. The town would like to thank the Police Department, Fire Department and Maintenance Department for their time and efforts on a holiday to keep the roadways safe and the cleanup after the waters subsided.
- Town hall and the maintenance department will be closed Monday, January 18, 2016 for the Martin Luther King, Jr. Holiday. The garbage service will be on Tuesday, January 19, 2016.
- The next board meeting is scheduled for Thursday, February 4, 2016 at 6 pm.
- A reminder to the Aldermen and the Kimball Planning Commission members that the Ethics forms are due by January 31, 2016.

ADJOURNMENT

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