
**MINUTES OF THE REGULAR MEETING
KIMBALL, TENNESSEE
THURSDAY, FEBRUARY 4, 2016**

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, February 4, 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 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 John Matthews, Alderman Johnny Sisk, Alderman Mark Payne and Attorney William Gouger, Jr.

APPROVAL OF MINUTES

On a motion by **Alderman Sisk**, seconded by **Vice Mayor Case** the Minutes of the Regular Monthly Board Meeting for January 7, 2016 were approved unanimously on a board vote.

OLD BUSINESS

Mayor Pesnell had the following item under old business:

- The town has received its first installment payment from BlueBridge Media as promised for the delinquent franchise fees in the amount of \$1,500. The town should receive quarterly payments for these payments in the future.

SCHEDULED AGENDA ITEMS

a.) Mary Jo Talley

Citizen Mary Jo Talley wanted to address the board concerning the flooding that occurred on Christmas Day and the water that came through her yard and near her home from the creek bank. The mayor has reviewed this with Ms. Talley and has a plan of action to address her concerns when the weather permits. The town will proceed with action near and around the creek as allowed without permits at the present time. There are some actions that may need to be permitted through the State of Tennessee or Corp of Engineers or TVA based on the extent of the project the town decides to tackle at this time to stabilize the creek banks and remove the debris from the creek bed.

b.) Ordinance No. 236 – An Ordinance to Amend the Official Zoning Map to Rezone Property on Old Dixie Highway from C-2 Highway Business District to R-2 High Density Residential District in the Town of Kimball, Tennessee

Mayor Pesnell explained that this request has been applied for by the future land owner to build multifamily living quarters on the property. The planning commission met and reviewed the request with property owners adjacent at the meeting with some wanting to add their property to this zoning change which is included. The planning commission recommends this request to the board.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Payne** to approve on First Reading Ordinance No. 236 – An Ordinance to Amend the Official Zoning Map to Rezone Property on Old Dixie Highway from C-2 Highway Business District to R-2 High Density Residential District in the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

c.) **Ordinance No. 237 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2015-2016**

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve on First Reading Ordinance No. 237 – An Ordinance to Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee. The motion passed unanimously on a board vote.

d.) **Resolution 2016-02 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to Adopt a Law Enforcement Policy on Sexually Oriented Crimes for the Town’s Police Department**

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to approve Resolution 2016-02 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to Adopt a Law Enforcement Policy on Sexually Oriented Crimes for the Town’s Police Department. The motion passed unanimously on a board vote.

e.) **Resolution 2016-03 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to Adopt a Bias-Based Policing Policy for the Town’s Police Department**

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to approve Resolution 2016-03 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to Adopt a Bias-Based Policing Policy for the Town’s Police Department. The motion passed unanimously on a board vote.

f.) **Resolution 2016-04 – A Resolution of the Town of Kimball supporting the 2016 Community Development Block Grant Application for the City of South Pittsburg Water System Improvements**

Mayor Pesnell explained that the City of South Pittsburg would be using their grant eligibility to apply for a water line improvement from South Pittsburg to Kimball to have an additional waterline feeder to our area. This line would be beneficial if the current main line ever broke to keep water flowing to the Kimball residents and commercial businesses. The two towns can work together in grants with one using their grant application and another supplying the match as both are government entities. The total project is estimated at \$529,200. South Pittsburg has a lower LMI; therefore, Kimball match for this grant is estimated at \$47,572. All board members made statements on the pros and cons of the waterline extension and Kimball’s role in this grant process.

After much discussion, a motion was made by **Alderman Payne**, seconded by **Vice Mayor Case** to approve Resolution 2016-04 – A Resolution of the Town of Kimball supporting the 2016 Community Development Block Grant Application for the City of South Pittsburg Water System Improvements with the resolution being amended to include a 12-inch diameter ductile iron pipe being part of the water system improvement from South Pittsburg to Kimball approving the town paying \$47,572. The motion passed with Mayor Pesnell, Vice Mayor Case and Alderman Payne voting Aye. Alderman Sisk and Alderman Matthews voted Nay.

g.) **Discuss the LPRF Grant for 2016 recommended by the Park and Recreation Board**

Mayor Pesnell stated the Park and Recreation Board has recommended to apply for the LPRF Grant for 2016 for \$250,000 to enhance the Kimball Park with updates to the playground equipment near the barn, build a facility storage building, pave the roadway in the park and continue with other enhancements as funds allow. A motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to approve the town applying for the LPRF Grant for 2016 in the amount of \$250,000. The motion passed unanimously on a board vote.

h.) Approval of the Concessions Contract recommended by the Park and Recreation Board
A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to approve the Concessions Contract as recommended by the Park and Recreation Board. The motion passed unanimously on a board vote.

i.) Approval of the Recreation Agreement between Kimball and South Pittsburg recommended by the Park and Recreation Board

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve the Recreation Agreement between Kimball and South Pittsburg as recommended by the Park and Recreation Board. The motion passed unanimously on a board vote.

j.) Discuss the Jere Davis Memorial Scholarship for 2016

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to continue the Jere Davis Memorial Scholarship for 2016. The motion passed unanimously on a board vote.

k.) Donation to Siege of Bridgeport

A motion was made by **Alderman Payne**, seconded by **Vice Mayor Case** to approve the donation to the Siege of Bridgeport in the amount of \$250. The motion passed unanimously on a board vote.

l.) Ratify the ordering of two (2) fire suits for new fire members from Municipal Emergency Services Inc. in the amount of \$3,015.48

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to ratify the ordering of two (2) fire suits for new fire members from Municipal Emergency Services Inc. in the amount of \$3,015.48. The motion passed unanimously on a board vote.

m.) AirMedCare Benefit for Town of Kimball Employees

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to approve the AirMedCare Benefit for the Town of Kimball Employees in the amount of \$720. The motion passed unanimously on a board vote.

POLICE REPORT

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

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|----------------------------------|-----------------|
| Litigation Tax and Training Fees | \$87.50 |
| Court Costs | \$342.50 |
| Fines | \$60.00 |
| Report Fee | \$16.00 |
| Sessions Court | \$271.22 |
| Total | \$777.22 |

FIRE REPORT

Alderman Sisk gave the fire report for January 2016; the department responded to one call during the month which was a mutual aid call.

Mayor Pesnell stated the Rescue Truck had to be towed to Moss Motors for repairs. The truck was 51 days out of warranty. The truck is a 2011 Ford Super Duty F-550N with just over 3,000 miles. The town has been working with Moss Motors and Ford to try and negotiate a resolution for the repairs. The high pressure fuel pump shattered sending metal shavings throughout the injectors for extensive damages. Ford Motor Company has agreed to pay \$2,300 with Moss Motor Company paying \$500 which will have the town owing \$2,200 with the truck being ready tomorrow.

A motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to ratify the charges to repair the Rescue Truck with the town paying \$2,200 to Moss Motor Company for these repairs. The motion passed unanimously on a board vote. The town will check on an extended warranty for this truck.

PARK AND RECREATION BOARD REPORT

Alderman Matthews stated the Park and Recreation Board meeting for January was held on Monday, January 25, 2016. The board discussed the LPRF Grant for 2016, Concessions Stand Contract, and Recreational Agreement with Kimball and South Pittsburg. The board also discussed baseball/softball tournaments and spring soccer registration. The next meeting is scheduled for February 11, 2016 at 6 pm.

PLANNING COMMISSION REPORT

Vice Mayor Case stated the Kimball Planning Commission meeting for January was held on Tuesday, January 19, 2016. The commission reviewed a preliminary plat approval of a five (5) lot subdivision being developed by Angie and Johnny Rogers. This plat was approved. There was a rezoning request on Old Dixie Highway requesting property to be rezoned from C-2 Highway Business District to R-2 High Density Residential. This request was approved with the addition of two other parcels to be added to the rezoning request. The planning commission recommended this to the Board of Mayor and Aldermen. The next planning meeting is scheduled for February 16, 2016 at 6 pm.

SEWER REPORT

Alderman Payne stated that Matthew Tucker had been working on the sewer hookup design for the Rogers development. The developer has ordered the manhole required for this subdivision.

ATTORNEY REPORT

Attorney Gouger had nothing to report.

NEW BUSINESS

Alderman Matthews wanted to know about ordering supplies for the park and recreation department. The town will supply a purchase order for the items necessary to maintain the park.

Mayor Pesnell had items under new business as follows:

- The sales tax for December was \$9,000 more than this time last year.
- Finances

| | |
|-------------------------|--------------------|
| General Fund | \$1,538,443 |
| State Street Aid | \$30,055 |
| Drug Fund | \$6.144 |
| Sewer Fund | \$309,684 |
| Grand Total | \$1,884,326 |

- Current Kimball Property Taxes are due and payable at town hall without penalty until end of February.
- The town will not be contracting the mowing this year; therefore, the town will need another mower. The grasshopper lawnmower is still on state bid by the same company for the same price.

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to purchase a grasshopper lawnmower from state bid with town spending up to \$14,000 from Moridge Manufacturing for the Maintenance Department. The motion passed unanimously on a board vote.


- The next board meeting is scheduled for Thursday, March 3, 2016 at 6 pm.

Concessions Contractor Todd Smith wanted to address the issue of the Automated External Defibrillator at the Concessions Stand. He was concerned about the liability to his family and workers at the Kimball Park. Vice Mayor Case and Attorney Gouger both assured Mr. Smith that there would be no liability to the Concessions Stand employees. To make this assurance, the town will add a clause to the Concessions Stand Contract to hold the Concessions Stand workers harmless for allowing anyone access to the Automated External Defibrillator.

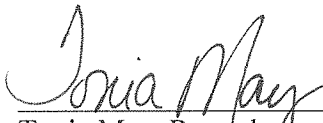
A motion was made by **Alderman Payne**, seconded by **Alderman Matthews** to add a clause to the Concessions Stand Contract to hold the Concessions Stand Workers harmless concerning the Automated External Defibrillator. The motion passed unanimously on a board vote.

ADJOURNMENT

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