
**MINUTES OF THE PUBLIC HEARING
KIMBALL, TENNESSEE
THURSDAY, DECEMBER 1, 2016 – 6:00 P.M.**

A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, December 1, 2016 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 Mark Payne, Alderman John Matthews, Alderman Johnny Sisk and Attorney William Gouger, Jr.

Mayor Pesnell called the public hearing to order concerning Ordinance Number 244 – An Ordinance Amending the Annual Operating Budget and Capital Program of Kimball, Tennessee for Fiscal Year 2016-2017.

NEW BUSINESS

- a) **Ordinance Number 244 – An Ordinance Amending the Annual Operating Budget and Capital Program of Kimball, Tennessee for Fiscal Year 2016-2017**

There were no comments from the other board members or public.

ADJOURNMENT

As there was nothing further to come before the public hearing, motion was made by **Alderman Matthews** 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, DECEMBER 1, 2016**

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, December 1, 2016 in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

Mayor Pesnell called the regular meeting to order after the public hearing that started 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 Mark Payne, Alderman John Matthews, Alderman Johnny Sisk and Attorney William Gouger, Jr.

APPROVAL OF MINUTES

On a motion by **Vice Mayor Case**, seconded by **Alderman Sisk** the Minutes of the Regular Monthly Board Meeting for November 3, 2016 were approved unanimously on a board vote.

OLD BUSINESS

Mayor Pesnell had the following for old business:

- The town and town engineer will be meeting with Lofty Construction on the Kimball Cove Branch Bank Stabilization Project. After the contract is signed, this project should begin.
- The 2016 Paving Project approved by the board has been completed by Lofty Grading and Paving.
- The 6th Annual Christmas for Kids was held at the Kimball Park on November 5th with classic cars, movie replica cars and other unique cars. The event was organized and entertaining.

SCHEDULED AGENDA ITEMS

a.) Second and Final Reading of Ordinance No. 244 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2016-2017

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve on Second and Final Reading of Ordinance No. 244 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2016-2017. The motion passed unanimously on a board vote.

b.) Review Beer Application for Mohammad Wagas for Sidra, Inc. DBA Raceway located at 121 Main Street Kimball, Tennessee for an Off Premises Permit

Mayor Pesnell stated background checks were done on the applicants with these being clear for the owner and manager.

A motion was made by **Alderman Payne**, seconded by **Mayor Pesnell** to approve the beer application for Mohammad Wagas for Sidra, Inc. DBA Raceway located at 121 Main Street Kimball, Tennessee for Off Premises Permit. The motion passed on a board vote with Alderman Matthews voting no.

c.) Renewal of the Data Breach (Security & Privacy Insurance with Electronic Media Liability) with First Volunteer Insurance and Beazley with Annual Premium of \$5,874.02

A motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to renew the data breach (security & privacy insurance with electronic media liability) with First Volunteer Insurance and Beazley with annual premium of \$5,874.02. The motion passed unanimously on a board vote.

d.) Approve Wal-Mart Stores East LP Certificate of Compliance Application for selling Wine in Kimball, Tennessee

The Town of Kimball approved through the referendum to allow the selling of wine in grocery stores in Kimball, Tennessee. Attorney Gouger stated that the board is to approve the background checks of those listed on the license and to verify that the sale of the wine is approved in the area based on the zoning laws. The state will approve the application for the license to sell through the Alcohol Beverage Commission. A motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to authorize the mayor to sign the Wal-Mart Stores East LP Certificate of Compliance Application for selling Wine in Kimball, Tennessee. The motion passed unanimously on a board vote.

e.) Approve McKamey Landscapes, LLC to redo the landscaping in front of town hall and install an irrigation system in the amount of \$9,053

A motion was made by **Alderman Matthews** seconded by **Vice Mayor Case** to approve McKamey Landscapes, LLC to redo the landscaping in front of town hall and install an irrigation system in the amount of \$9,053. The motion passed unanimously on a board vote.

f.) Discuss MTAS updating the Municipal Code Book for the Town of Kimball with 10 copies to the town for \$1,785

A motion was made by **Alderman Payne**, seconded by **Vice Mayor Case** to approve MTAS updating the Municipal Code Book for the Town of Kimball with 10 copies to the town for \$1,785. The motion passed unanimously on a board vote.

g.) Ratify a Bill from HoneyBaked Ham Company for hams approved at last meeting in the amount of \$2,090

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to ratify a bill from HoneyBaked Ham Company for hams in the amount of \$2,090. The motion passed unanimously on a board vote.

h.) Ratify a Bill from Southeast Diesel Inc. for F-350 for repairs to maintenance truck in the amount of \$2,820.85

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to ratify a bill from Southeast Diesel Inc. for F-350 for repairs to maintenance truck in the amount of \$2,820.85. The motion passed unanimously on a board vote.

i.) Approve Meeting Dates for the 2017 Calendar Year

A motion was made by **Vice Mayor Case**, seconded by **Alderman Payne** to approve the meeting dates for the 2017 Calendar Year. 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	\$29.50
Court Costs	\$120.50
Fines	\$0.00
Report Fee	\$82.00
Sessions Court	\$578.07
Total	\$810.07

FIRE REPORT

Alderman Sisk gave the fire report for November 2016; the department responded to six calls during the month which were three mutual aids, two investigations and one signal nine.

PARK AND RECREATION BOARD REPORT

Alderman Matthews gave the Park and Recreation report stating that the November meeting was cancelled. The next meeting is scheduled for Thursday, December 29, 2016 at 5:30 pm for its regular monthly meeting.

PLANNING COMMISSION REPORT

Vice Mayor Case stated the Kimball Planning Commission meeting for November was held on November 15, 2016. The Robert Wayne Subdivision Final Plat was approved. The next planning meeting is scheduled for December 20, 2016 at 6:00 pm.

SEWER REPORT

Alderman Payne stated the town had been working with Dan Martin concerning the development of a CMOMS program for the sewer system. The town will continue to review the program written and tweak it before passing this as the adopted plan of action for the town.

ATTORNEY REPORT

Attorney Gouger stated there was a new Federal Law passed that would address overtime regulations with the minimum threshold for those exempt for overtime that was to be implemented December 1, 2016 which has been delayed due to an injunction issued by a Federal Judge in Texas on behalf of 20-21 states. The federal government has appealed this injunction; however, at this point all salary employees will be paid the same as they were prior to the December 1, 2016 rule.

NEW BUSINESS

Mayor Pesnell had items under new business as follows:

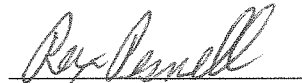
- On November 8th, the Election was held for the Mayor and two aldermen positions. These positions were unopposed and these positions will be sworn in at the January meeting for a 4-year term. Jerry Don Case and John Matthews will serve as Aldermen and Rex Pesnell will complete another mayor term.
- The town would like to recognize three area football players for making it to the Mr. Football 2016 Semifinalist Round. These players are Mitch Butner, Hunter McClain and Alex Kirkendoll. Mitch Butner is a Kimball resident and Alex Kirkendoll from Marion County was named the 2A lineman winner.
- The town wants to congratulate the Marion County Warriors on making it to the State Championship 2A game in Cookeville in which they will face Trezevant on Saturday, December 3, 2016.
- The town wants to thank the beautification committee and maintenance employees for decorating for the Christmas Holiday.
- The town will be having its annual Christmas Dinner for the employees and board members Friday, December 9th at 6 pm.
- Town Hall and Maintenance will close for the Christmas Holiday Friday, December 23rd and Monday, December 26th. The Sanitation Route will be run on Thursday, December 22nd and Tuesday, December 27th, please let your neighbors know of this change.
- Town Hall and Maintenance will close for the New Year Holiday Monday, January 2nd. The Sanitation Route will be run on Tuesday, January 3rd, please let your neighbors know of this change.

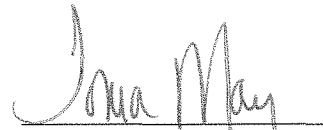
- The next board meeting is scheduled for Thursday, January 5, 2017 at 6:00 pm.
- The town would like to wish everyone a Merry Christmas and Happy and Safe New Year.

Citizen Lamarr Manis wanted to thank everyone that has helped to start the cleanup process at the Raulston Cemetery. He wanted to let everyone know that the community would be cleaning up the Raulston Cemetery again Saturday, December 3, 2016 at 9:00 am. Anyone willing to volunteer time please meet at the site or contact Lamarr Manis for more details as this is a great community project.

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 Matthews**. The motion passed unanimously on a board vote.


Rex Pesnell, Mayor


Tonia May, Recorder