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**MINUTES OF THE REGULAR MEETING  
KIMBALL, TENNESSEE  
THURSDAY, FEBRUARY 7, 2019**

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A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, February 7, 2019 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.

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**INVOCATION AND PLEDGE**

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Mayor Pesnell requested Alderman Matthews to say the invocation over the meeting.  
Mayor Pesnell requested Alderman Sisk to lead the Pledge of Allegiance.

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**ROLL CALL**

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Mayor Pesnell asked Recorder May to call roll.

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

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**SWEAR IN**

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Judge Charles Jenkins, Jr. swore in Alderman Clarence "Johnny" Sisk, Jr. for his 4-year term.

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**APPROVAL OF MINUTES**

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On a motion by **Alderman Matthews**, seconded by **Vice Mayor Case** the Minutes of the Regular Monthly Board Meeting for January 3, 2019 were approved unanimously on a board vote.

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**OLD BUSINESS**

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Mayor Pesnell had the following under old business:

- The new police Tahoes are in Knoxville awaiting lights and equipment to be installed.
- Gametime has installed the new playground at the park. The town is waiting for HIC testing and TDEC inspection and approval before it will be open for public use. This playground has been built with LPRF Grant Funds.
- The 2018-2019 TML Safety Grant items have all been received and the town has also received the \$1,500 payment on these items. This grant was a 50/50 grant up to a total of \$3,000.
- The TOSHA findings from December 2018 have been corrected. The correction statements were submitted and approved.

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**SCHEDULED AGENDA ITEMS**

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**a.) Division of Benefits Administration regarding the Other Postemployment Benefits (OPED) to either Opt In or Opt Out as a Local Government Agency – Retiree Coverage Election Form**

Mayor Pesnell requested Attorney Gouger to address this issue. Currently, the town has a liability on its audit records for these benefits and each year the amount will fluctuate and more than likely increase based on several factors. The town will need to study this as once it opts out the town may not opt back in later; however, the town may opt in now and later on opt out if so desired. The board decided to research this topic more, possibly consulting with the town auditors for more clarification of the yearly liability.

A motion was made by **Alderman Matthews**, seconded by **Alderman Lofty** to table the Other Postemployment Benefits (OPED) based on Attorney Gouger's recommendation and check with the town's auditor concerning the liability this will add to the town annually with the subject being on the next regular meeting's agenda. The motion passed unanimously on a board vote.

**b.) Jere Davis Memorial Scholarship**

A motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to continue the Jere Davis Memorial Scholarship for one student attending Kimball Chattanooga State Polytech Program and follow the same format as last year for the selection. The motion passed unanimously on a board vote.

**c.) Donation to the Siege of Bridgeport**

A motion was made by **Alderman Sisk**, 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.

**d.) Airmed Care Benefit**

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to renew the Airmed Care Benefit extended coverage care for the town employees and firemen ranging from \$35 to \$55 per person. The motion passed unanimously on a board vote.

**e.) Review Estimate from Brian White Electric for Flood Lights with four in front of Town Hall and two near town sign in the amount of \$2,220**

Mayor Pesnell stated that four lights will be replaced in front of town hall and two near the sign.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Sisk** to approve the quote to replace the exterior lights in front of town hall and town sign from Brian White Electric in the amount of \$2,220. The motion passed unanimously on a board vote.

**f.) Review Estimate from Brian White Electric for installing one new 20' square steel pole light on existing pole base with 250-watt equal LED light fixture and install one 250-watt equal LED pole light fixture on existing pole**

Mayor Pesnell informed the board that this pole and fixture would be to replace the one near the police department as this one was never fixed from when the tornado came through Kimball. The other light fixture will be installed on the pole between the town hall and municipal building so all lights will have a uniform appearance.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Lofty** to approve the quote to install a 20' square steel pole with 250-watt equal LED light fixture and another 250-watt equal LED light fixture in the amount of \$2,950. The motion passed unanimously on a board vote.

**g.) Ratify a bill from Barnes Tire & Service Center for work done on Police Car #81 in the amount of \$1,945.95**

A motion was made by **Alderman Matthews**, seconded by **Alderman Lofty** to ratify a bill from Barnes Tire & Service Center for work on Police car #81 in the amount of \$1,945.95. The motion passed unanimously on a board vote.

**h.) Approval of the bill from Mobile Communications America, Inc. (Communications & Electronics) for the licenses for the mobile units in the amount of \$2,808**

Alderman Sisk stated that he wanted to know what would happen if the town did not pay this bill. He stated that he is still disappointed with the range of coverage that these new radios provide and that he is concerned for the safety of our patrolmen. He would prefer to go back to the old system which provided better communication ability.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve the bill from Mobile Communications America, Inc. (Communications & Electronics) for the annual licenses for the mobile units in the amount of \$2,808. The motion passed unanimously on a board vote.

**i.) Fire Chief Keef concerning approval of new fireman Tommy Partin**

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to approve Tommy Partin to join the Kimball Fire and Rescue Department based on Chief Keef's recommendation contingent upon physical and background clearance. The motion passed unanimously on a board vote.

**j.) Concessions Stand Contract**

Mayor Pesnell stated that the town had placed an add in the local paper and distributed the request throughout the county for a concession stand operator. After no one expressed interest, the town continued its search for willing participants. The town has met with a willing individual that would prefer to lease the

concessions for a one-year term. The town's portion for the last three-year average was approximately \$3,000.

A motion was made by **Alderman Lofty**, seconded by **Vice Mayor Case** to approve the concessions stand lease based upon the terms discussed in the amount of \$3,000 for a one-year term ending December 31, 2019. The motion passed unanimously on a board vote.

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## **POLICE REPORT**

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

Litigation Tax and Training Fees	\$43.25
Court Costs	\$147.25
Fines	\$20.00
Report Fee	\$64.00
Sessions Court	\$104.97
<b>Total</b>	<b>\$379.47</b>

Vice Mayor Case stated the Kimball Police Department responded to 210 calls during the month of January.

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## **FIRE REPORT**

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Alderman Sisk gave the fire report for January 2019; the department responded to five calls during the month which were one mutual aid, two rescues, one investigation and one signal-nine.

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## **PARK AND RECREATION BOARD REPORT**

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Alderman Lofty stated the Park and Recreation Board meeting was cancelled for January. The next regular park and recreation meeting is scheduled for Thursday, February 28<sup>th</sup> at 5:30 pm.

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## **PLANNING COMMISSION REPORT**

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Vice Mayor Case stated the Kimball Planning Commission met on January 15, 2019 at 6:00 pm. The commission reviewed a revision request from Kyle Holland for Phase 3 Preliminary Plat for Marion Farms. The request was tabled and will be reviewed at the next meeting. The next planning meeting is scheduled for February 19, 2019 at 6:00 pm.

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## **MAINTENANCE REPORT**

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Alderman Matthews had nothing to report.

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## **ATTORNEY REPORT**

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Attorney Gouger had a couple of items to report with information included in the packet on both. American Tower has made a proposal for a new lease. This property is a joint lease between the Town of Kimball and the Town of Jasper. The lease proposal is similar to others in the area; however, it could be on the lower end of the spectrum. This will need to be approved simultaneously with the Town of Jasper. There are two tower companies on this property which would be an advantage to renew these at the same time. It was requested that Attorney Gouger contact SBA to get a new proposal.

The newly revised Sewer Agreement between the Town of Kimball and the City of South Pittsburg is included. The main changes include the defined areas for each entity to operate, maintain and supervise the sewage line within each corporate limits. The other change includes a surcharge to the Town of Kimball if there are excess amounts of discharge which are determined based on the testing at Kimball's last pump station. Each of these practices are already in place; however, this agreement just defines them more in detail.

## NEW BUSINESS

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Alderman Lofty stated that the Town of Kimball Parks and Recreation received its Tier I Level certification which is valid for five years. This will be effective until December 31, 2023. Alderman Lofty read the letter from the State concerning the Tier 1 certification approval.

Mayor Pesnell had items under new business as follows:

- Reminded all Kimball property owners that current property taxes may be paid at town hall until February 28, 2019 without additional charges.
- The Board of Mayor and Aldermen with exception of Alderman Matthews attended the Elected Officials Academy in Collegedale hosted by MTAS.
- The town will be unveiling the plaque honoring our founder and those responsible for our town's incorporation. Everyone is invited to attend and bring family and friends Saturday, February 9<sup>th</sup> at 10 am at the municipal building.
- The Town Financial Report is as follows:
  - General Fund                 \$1,645,212
  - State Street Aid Fund     \$   39,494
  - Drug Fund                   \$    8,382
  - Sewer Fund                 \$  747,724
  - Grand Total                 \$2,440,812
- The next regular scheduled meeting is March 9<sup>th</sup> at 6 pm.


Mayor Pesnell stated the Maintenance Supervisor has a medical condition in which he has requested a leave of absence. This will be an unpaid leave of absence which can be evaluated at the end of the time period or the employee may come back to work with a doctor's release. The employee would be required to pay his portion of benefits until returning to employment or other action is required as this has been standard practice.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve Maintenance Supervisor Michael Nelson to be on unpaid leave for 30 days with the employee paying his portion of benefits. The town may evaluate this at the end of the 30-day period. The motion passed unanimously on a board vote.

## ADJOURNMENT

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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