
**MINUTES OF THE REGULAR MEETING
KIMBALL, TENNESSEE
THURSDAY, OCTOBER 3, 2019**

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, October 3, 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.

INVOCATION AND PLEDGE

Mayor Pesnell requested Alderman Matthews to say the invocation over the meeting.

Mayor Pesnell requested Boy Scout Member Matthew Bozart 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 Teresa Lofty, Alderman Johnny Sisk, Alderman John Matthews, and Attorney William Gouger, Jr.

APPROVAL OF MINUTES

On a motion by **Vice Mayor Case**, seconded by **Alderman Sisk** the Minutes of the Public Hearing and Regular Monthly Board Meeting for September 5, 2019 were approved unanimously on a board vote.

OLD BUSINESS

Mayor Pesnell had the following items under old business:

- The town had its first Shred Day on Saturday, September 28th. There were several citizens as well as others in the area that took advantage of this service. The town may consider doing this as an annual event.
- The 2019 paving projects have been completed with the last one on Kimball Cove Road. The paving was from the bridge up to the 900-foot elevation which was completed this week.
- Terry Gann finished the project at the park rebuilding the pedestrian bridge from the parking area to the soccer fields. The bridge looks good and the town has requested that he re-stain and seal the pier at the pond.

SCHEDULED AGENDA ITEMS

a.) Review the Beer Application from Rooster's Bar & Grill by Ashley Ruchelle Sims for On-Premises Permit located at 2013 Main Street Kimball, TN

Mrs. Jean Powell currently has a Beer Permit at the location that she will have to forfeit prior to another one being issued if approved tonight. Mrs. Powell has kept the license active in order to be grandfathered in since the building was located there prior to the school being built. The grandfather status will be valid as long as the beer permit does not lapse for more than 6 months at one time. Mayor Pesnell stated that Police Chief has done the background check with everything being clear on the background for Ms. Sims. As far as the application goes, there is no law or ordinance to deny the application.

A motion was made by **Mayor Pesnell**, seconded by **Alderman Lofty** to approve the beer application from Rooster's Bar & Grill by Ashley Sims for On-Premises Permit located at 2013 Main Street Kimball, TN. The motion passed on a board vote with Alderman Matthews voting no.

b.) Open Bids on the Rescue Tool Hurst Jaws of Life S788EWXT Cutter with batteries, charger and other costs

The only bid submitted was from MES Municipal Emergency Services in the amount of \$11,186.28.

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to accept the bid from MES Municipal Emergency Services in the amount of \$11,186.28 contingent upon the bid items being what the Kimball Fire and Rescue Department specified and the budget amendments being approved. The motion passed unanimously on a board vote.

c.) First Reading Ordinance No. 262 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2019-2020

A motion was made by **Vice Mayor Case**, seconded by **Alderman Sisk** to approve on first reading Ordinance No. 262 – An Ordinance Amending the Annual Operating Budget and Capital Program of Kimball, Tennessee for Fiscal Year 2019-2020. The motion passed unanimously on a board vote.

d.) Resolution 2019-04 – A Resolution Approving and Accepting an Agreement by and Between the Town of Kimball, Tennessee and BancCard The Transaction Company

This will allow the town to start accepting Credit and Debit cards for payment.

A motion was made by **Alderman Lofty**, seconded by **Alderman Matthews** to approve Resolution 2019-04 – A Resolution Approving and Accepting an Agreement by and Between the Town of Kimball, Tennessee and BancCard The Transaction Company. The motion passed unanimously on a board vote.

e.) Ratify the bill from America Score for the Fall Soccer Uniforms in the amount of \$2,572.44

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to ratify the bill from America Score for the Fall Soccer Uniforms in the amount of \$2,572.44. The motion passed unanimously on a board vote.

f.) Ratify the bill from Tennessee State Soccer Association for 135 D-4 Recreation Players Annual Registration in the amount of \$1,620

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to ratify the bill from Tennessee State Soccer Association for 135 D-4 Recreation Players Annual Registration in the amount of \$1,620. The motion passed unanimously on a board vote.

g.) Ratify the bill from Barnes Tire Center for Tires on Fire Truck #701 in the amount of \$2,118.24

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to ratify the bill from Barnes Tire Center for tires on Fire Truck #701 in the amount of \$2,118.24. The motion passed unanimously on a board vote.

h.) Approve the Maintenance Department to order four tires for the Kubota Tractor from Barnes Tire Center in the amount of \$1,625.40

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to approve the Maintenance Department ordering four tires for the Kubota Tractor from Barnes Tire Center in the amount of \$1,625.40. The motion passed unanimously on a board vote.

i.) Approval of the General, Law Enforcement and Automobile Liability Insurance through the Public Entity Partners (Formerly The Pool) in the amount of \$34,338

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve the General, Law Enforcement and Automobile Liability Insurance through the Public Entity Partners (Formerly The Pool) in the amount of \$34,338. The motion passed unanimously on a board vote.

j.) Approve the Renewal of the 2019-2020 Cyber Insurance from Beazley/First Volunteer Insurance in the amount of \$5,874.02 effective December 2019-December 2020

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve the Renewal of the 2019-2020 Cyber Insurance from Beazley/First Volunteer Insurance in the amount of \$5,874.02 effective December 2019-December 2020. The motion passed unanimously on a board vote.

k.) Discuss Cable and WIFI at the Fire Hall

A motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to approve SVEConnects to install Cable and WIFI at the Kimball Fire and Rescue Department as quoted. The motion passed unanimously on a board vote.

l.) Re-Appoint Kevin May to the Board of Zoning and Appeals Committee

A motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to re-appoint Kevin May to the Board of Zoning and Appeals Committee. The motion passed unanimously on a board vote.

m.) Accept the Resignation of Jay Totton from the Kimball Planning Commission

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to accept the resignation of Jay Totton from the Kimball Planning Commission. The motion passed unanimously on a board vote.

n.) Appoint Renae Keef to the Kimball Planning Commission

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to appoint Renae Keef to the Kimball Planning Commission. The motion passed unanimously on a board vote.

o.) Discuss the Concessions Contract

Attorney Gouger stated that he had sent a certified letter to Mrs. Payne the concessions contractor which was unclaimed and returned to the postmaster. At this time, Mrs. Payne has paid \$1,000 of the \$3,000 agreed upon by the concessions contract. The attorney will send or deliver a letter giving the contractor until the next regular board meeting to reply and explain the reason for the breach of contract.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Lofty** to authorize the attorney to send the concessions contractor Mrs. Joyce Payne a letter by hand delivery requesting an explanation concerning the nonpayment of the concessions contract for the 2019 calendar year given the contractor until the next board meeting which will be November 7, 2019. The motion passed unanimously on a board vote.

p.) Review the Town of Kimball/Kimball Park Events Usage Form

A motion was made by **Alderman Sisk**, seconded by **Alderman Lofty** to approve the Town of Kimball/Kimball Park Events Usage Form for areas not already covered by waivers. The motion passed unanimously on a board vote.

MAINTENANCE REPORT

Alderman Matthews stated that he wanted to commend David Henley for passing his first pretest for the Collection System for the Sewer.

FIRE REPORT

Alderman Sisk gave the fire report for September 2019; the department responded to three calls during the month which were two mutual aids and one vehicle fire (investigation only).

Alderman Sisk also wanted to know about hiring Travis Hullender 5-6 hours per week at the fire department part time rate to assist with the truck maintenance and paperwork.

After some discussion, a motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to hire Travis Hullender at the Fire Department part time rate of \$11 per hour for 5 hours per week. This motion was amended to include that this hiring is subject to the budget amendment being approved and funds being included to cover this position. The motion passed on a board vote with Vice Mayor Case abstaining.

PARK AND RECREATION BOARD REPORT

Alderman Lofty stated the Park and Recreation Board met on September 26th in the Conference Room. The park board discussed the Fall Soccer Program including the number of players, host sites and dates. The park board discussed the concessions contract and Fall Soccer. The park board decided to not have concessions for Fall Soccer and readdress this issue for the 2020 season. The board also discussed options for the LPRF Grant for 2020 as well as a way to better advertise or promote the Kimball Complex. The next meeting is scheduled for October 24th at 5:30 pm.

POLICE REPORT

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

Litigation Tax and Training Fees	\$42.75
Court Costs	\$182.25
Fines	\$60.00
Report Fee	\$40.00
Sessions Court	\$1302.45
Total	\$1,627.45

Vice Mayor Case stated the department responded to 209 calls. Vice Mayor Case wanted to also recognize Officer Brent Hubbard as our New DRE Drug Recognition Expert. He attended classes in Ooltewah and Jacksonville, Florida and took his test in Chattanooga for this certification. There is only one other DRE officer in Marion County and he is a State Trooper. The TIBRS audit results have been returned and Kimball was given a good report on their TIBRS entry. This is done mainly by Police Chief Tim Allison with Sharon Case and Chris Webb as backups. The department also has the "Hands Free" Bracelets that they will be using to educate the public and do some public relations with in the coming months.

PLANNING COMMISSION REPORT

Vice Mayor Case stated the Kimball Planning Commission meeting was held on September 17th at 6 pm. The site plan for KFC was submitted and approved. The next planning meeting is scheduled for October 15, 2019 at 6:00 pm. The planning commission and BZA members will be attending the four-hour required training at Sulfur Springs United Methodist Church on October 29th.

ATTORNEY REPORT

Attorney Gouger stated that Chad Reese, the Town Planner, had contacted him concerning a donation box in the shopping center for clothing and toys. The donation box items benefit nonprofit groups such as MADD (Mother's Against Drunk Drivers) and others. At this time, there is nothing in the town's ordinances that keeps this from going in the plaza.

NEW BUSINESS

Vice Mayor Case wanted to thank Todd Smith, Tommy Haynes and Butch Brown for their time spent on the training classes for the Fire and Rescue members for the EVOC classes.

Vice Mayor Case also stated that Steve Lamb with EMA has an IAMResponding service for all fire departments that he is offering which allows the Fire Chiefs to know who is responding but also cuts their phones off during the responding time.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve the Kimball Fire and Rescue Members to join the IAMResponding through Steve Lamb and EMA at no cost to the town. The motion passed unanimously on a board vote.

Mayor Pesnell had items under new business as follows:

- The Greater Jasper Jaycees will be hosting the ODBA Drag Boat Races on October 11-October 13 at the Marion County Park.
- There will be a Jasper Jack-O-Lantern 5-k Run/Walk on October 26th. Then later on October 26th the Jasper Jack-O-Lantern Jamboree will be held at the Square from 4pm until 7pm.
- The Town received notification from the Public Entity Partners that the Town had been approved for the 2019-2020 Safety Partners Matching Grant Program
- Jasper Drug representatives will be at town hall October 24th at 2 pm to give flu shots to anyone that would like one with a charge for this vaccination or the Jasper Drug representatives filing this on your insurance as most insurance companies cover this vaccination in full.


- The Town Financial Report is as follows:

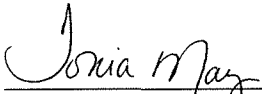
General Fund	\$1,671,190
State Street Aid Fund	\$ 48,511
Drug Fund	\$ 9,366
Sewer Fund	\$ 816,344
Grand Total	\$2,545,411

- The next monthly meeting will be November 7, 2019 at 6 pm.

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