

**MINUTES OF THE REGULAR MEETING  
KIMBALL, TENNESSEE  
THURSDAY, SEPTEMBER 3, 2020**

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A meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, September 3, 2020 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**

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Mayor Pesnell requested Vice Mayor Case to say the invocation over the meeting.

Mayor Pesnell requested Alderman Lofty to lead the Pledge of Allegiance.

**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 Johnny Sisk, Alderman John Matthews, and Attorney William Gouger, Jr.

**APPROVAL OF MINUTES**

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On a motion by **Alderman Matthews**, seconded by **Alderman Lofty** the Minutes of the Regular Monthly Board Meeting for August 13, 2020 were approved unanimously on a board vote.

**OLD BUSINESS**

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Alderman Sisk asked about the property near 1841 Main Street near the Blevins Trailer Park that has a high grassy area near the roadway. The state has been contacted on this issue as this has been dealt with previously for concerns of sewage leaking in the area. The state has given a formal written notice to the owners to give the appropriate timeframe to correct the issue at this site which is 60 days to correct the matter. Mayor Pesnell has been in contact with the state; however, the timeframe has not expired for the owner to make an effort to get this matter corrected.

Mayor Pesnell had the following items under old business:

- Mayor Pesnell stated that the town has continued to work with FEMA to get our claim processed on the flood damage from April 12-April 13, 2020. These forms appear to be in the final stages of approval at FEMA.
- The town is preparing and attending Webinars for the Local Government CARES Act Funding Concerning eligible expenses pertaining to COVID-19 funding these expenses must be entered by November 1<sup>st</sup>. The town is eligible for \$21,315 if there are COVID-19 expenses.

**SCHEDULED AGENDA ITEMS**

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**a.) Repairing the Roadway at Mountain View Drive**

Matthew Tucker with James C. Hailey and Company stated that the project is at a hold due to the possible change in the pipe for the project. Initially, the quotes were for two 30" pipes; however, it would be better to use three 24" pipes so the digging would not go so deep since the utilities are not known exactly plus this will give us more carrying capacity. The quote will increase \$3,445 for a total of \$55,326.

After some discussion, a motion was made by **Vice Mayor Case**, seconded by **Alderman Lofty** to accept the change order recommended by the town's engineer in the amount of \$3,445 for Bailey Contracting, LLC to put in three 24" pipes for a grant total of \$55,326. The motion passed unanimously on a board vote.

**b.) Sewer Line at Battle Creek**

Mayor Pesnell wanted to readdress the Sewer line that lies under Battle Creek and recommends replacing the hardware. This sewer line was impacted in April for a breach that was repaired temporarily. Mayor Pesnell would like to have all the hardware replaced to extend the life of this sewer line while the town awaits applying for grants on this project. The dive crew will come back onsite for a minimum of one day possibly two days to exchange all the hardware on this line.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve the mayor's recommendation to replace the hardware on the sewer line located in Battle Creek. Vice Mayor Case amended his motion to include not to exceed \$10,000 to extend the longevity of the sewer line while planning to replace this line in the future. The motion passed unanimously on a board vote.

**c.) Jere Davis Memorial Scholarship to the PolyTech Program at Chattanooga State West Campus**

Mayor Pesnell contacted Chattanooga State concerning the PolyTech Program and the scholarship applications. These were not done for the upcoming juniors due to the COVID-19 pandemic. However, Jennifer Tedder with Chattanooga State Early Education suggested to assist some of the seniors in need of funding to continue the PolyTech Program to finish this program. She has provided a list of students with a remaining balance that are in good academic standing that she recommends to the board for consideration. Mayor Pesnell recommends the town to support those recommended by making the Jere Davis Memorial Scholarship to Sean Ladd in the amount of \$1,920, Corbin Merrell in the amount of \$1,040 and Christian Durham in the amount of \$1,040 which will total \$4,000 to Chattanooga State for the three local students. A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to give the Jere Davis Memorial Scholarship to the PolyTech Program at Chattanooga State West Campus to the following: Sean Ladd \$1,940, Corbin Merrell \$1040, and Christian Durham \$1040. The motion passed unanimously on a board vote.

**d.) Jake Marshall Service, Inc. Quotes on the iWave Air Purifiers for Town Hall and Police Department for \$2,593 and EMS and Municipal Building for \$2,230 or a combination of Town Hall, Police Department, EMS and Municipal Building for \$4,668 this system kills mold, bacteria, and viruses including COVID-19**

Mayor Pesnell provided the board with information on the iWave Air Purifiers along with the quotes for the buildings as listed. This is supposed to kill mold, bacteria, and viruses including COVID-19.

After much discussion, a motion was made by **Alderman Lofty**, seconded by **Alderman Sisk** to table the Jake Marshall Service, Inc. Quotes on the iWave Air Purifiers. Alderman Lofty will be researching this more in depth prior to the next meeting. The motion passed unanimously on a board vote.

**e.) Donation to Jaycees The United States Junior Chamber Greater Jasper Jaycees for 2020 Spencer Wayne Memorial Outboard Drag Boat Associations World Championship Drag Boat Race at Marion County Park on October 10<sup>th</sup> and 11<sup>th</sup>, 2020**

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve the donation to Jaycees the United States Junior Chamber Greater Jasper Jaycees for 2020 Spencer Wayne Memorial Outboard Drag Boat Associates World Championship Drag Boat Race at Marion County Park on October 10-11, 2020 in the amount of \$1000. The motion passed unanimously on a board vote.

**f.) Donation to SouthEast and Central Tennessee Bass Nation High School for Junior and High School Fishing Tournament at Marion County Park on September 19, 2020**

A motion was made by **Alderman Lofty**, seconded by **Alderman Sisk** to approve the Donation to SouthEast and Central Tennessee Bass Nation High School for Juniors and High School Fishing Tournament at Marion County Park on September 19, 2020 in the amount of \$1000. The motion passed unanimously on a board vote.

**g.) Approve an Addition to the Police Manual for the Town of Kimball, Tennessee Police Department pertaining to Duty to Intervene and Use of Deadly Force in Defense of Human Life**

Attorney Gouger stated that the policy the department is adopting is a model policy recommended by the Governor's Office made up by a variety of police authorities that formed a board to address this issue. The model policy could be modified to meet each entities' needs. The ability to have a similar policy as our neighboring law enforcement departments allows everyone to be on the same page when on a scene together which in turn protects the officers, entities, insurance, and the patrons being pursued. Captain Webb stated that the department will review the policy next week, as well as there has been 8 hours added to in-service pertaining to these issues. The department officers will each receive a copy of the amendment to the policy as well as sign that they have received this policy.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Lofty** to approve the amendment to the Police Manual to include the Duty to Intervene and Use of Deadly Force in Defense of Human Life as Kimball has modified to meet the department's needs by using the supplied model policy from the Governor's Office with the policy effective immediately upon this approval. All police officers will receive a copy as well as sign acknowledging that they received the policy. The motion passed unanimously on a board vote.

**h.) Approve bill from Hector’s Lawn Service for Pruning, Cleaning and Mulching Flower Beds at Town Hall, Welcome Sign at Glover Hill, Welcome Sign at Hwy 2, and Kimball Park in five locations in the amount of \$2,300**

A motion was made by Vice Mayor Case, seconded by Alderman Lofty to approve the bill from Hector’s Lawn Service for Pruning, Cleaning, and Mulching flower beds at town hall, welcome sign at Glover Hill, Welcome Sign at Hwy 2, and Kimball Park in five locations in the amount of \$2,300. The motion passed unanimously on a board vote.

**i.) Maintenance Report**

Alderman Matthews stated the department was working on the sewer lift stations with a replacement pump for the Nelson Lane Pump Station being ordered for approximately \$1,300.

**j.) Fire Report**

Alderman Sisk gave the fire report for August 2020; the department responded to five calls during the month which were three mutual aids, a hazardous material (carbon monoxide) and a signal nine.

**k.) Parks and Recreation Report**

Alderman Lofty stated the Park and Recreation Board meeting for August 27, 2020 was held in the meeting room in order to maintain social distancing. The board welcomed the newly appointed board members Mary Katherine Dawkins and Mitch Butner along with appointed Taylor Case as the new Chairman. The meeting was primarily about updates, so everyone knew what had gone on and what is currently going on at the park due to the COVID-19 restraints. The public can now use the barn and pavilions as long as they follow CDC and the Tennessee Pledge guidelines that apply on the date of their reservation. The park and recreation board members will be gathering information to have a survey for the public in the coming months so the town will know what our citizens would like to see enhanced at our parks. The next regularly scheduled meeting is set for September 24<sup>th</sup> at 5:30 pm.

**l.) Police Report**

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

|                                  |                  |
|----------------------------------|------------------|
| Litigation Tax and Training Fees | \$86.50          |
| Court Costs                      | \$360.50         |
| Fines                            | \$175.00         |
| Report Fee                       | \$130.00         |
| Sessions Court                   | \$316.50         |
| <b>Total</b>                     | <b>\$1068.50</b> |

The server at Marion County E-911 still is not capable of producing monthly reports on the number of calls our police department responds to at this time. All the radios have been reprogrammed and received two firmware updates as well.

**m.) Planning Commission Report**

Vice Mayor Case stated the Kimball Planning Commission meeting was held on August 18, 2020 at 5:30 pm. The commission reviewed the final plat for Indian Hills Lot 10-11 and approved it at this time. There will be a BZA meeting on September 15, 2020 at 5:00 pm concerning a variance request for 45 N. Kingsberry Drive. The next planning commission meeting is scheduled for September 15, 2020 at 5:30 pm.

**n.) Attorney Report**

Attorney Gouger had nothing new to report.

## NEW BUSINESS

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Alderman Sisk wanted to know about the broken pole in front of 1360 Main Street. It appears to be a telephone pole that has been broken in which the company set a new pole and left the broken one. Alderman Sisk wanted to know if the town could try and get the broken pole removed.

Mayor Pesnell had items under new business as follows:

- Town Hall and Maintenance Department will be closed on Monday, September 7, 2020 for the Labor Day Holiday. Sanitation Route will be run on Tuesday, September 8<sup>th</sup> due to the holiday.
- The Town will be doing another Annual Shred Day this Fall. The day has not been confirmed with Shred-It, please continue to watch the website, local paper, or call town hall if you are interested in this event.
- There will be a TBN College Fishing State Championship Tournament called the Governor's Cup on Saturday, September 12<sup>th</sup> at Marion County Park. The next weekend September 19<sup>th</sup> will be the SouthEast and Central Bass Nation High School and Jr. High Bass Nation Fishing Tournament at Marion County Park. Hopefully, these fishing tournaments will bring people to town as well as to our motels.

- Finances


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|------------------|--------------|
| General Fund     | \$ 2,221,985 |
| State Street Aid | \$ 52,984    |
| Drug Fund        | \$ 7,996     |
| Sewer Fund       | \$ 947,018   |
| Grand Total      | \$ 3,229,983 |

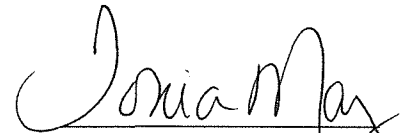
- The next regular scheduled meeting will be October 1, 2020 at 6:00 p.m.

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

  
Rex Pesnell, Mayor

  
Tonia May, Recorder