

**MINUTES OF THE REGULAR MEETING  
KIMBALL, TENNESSEE  
THURSDAY, MARCH 2, 2023**

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A meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, March 2, 2023, in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

Mayor Pesnell called the regular meeting to order at 6:00 pm.

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

**APPROVAL OF MINUTES**

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On a motion by **Alderman Matthews**, seconded by **Alderman Sisk** the Minutes of the Regular Monthly Board Meeting for February 2, 2023, were approved unanimously on a board vote.

**OLD BUSINESS**

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Mayor Pesnell had the following items under old business:

- The new digital sign has been awaiting the electrical component in order for it to be operable. Sowder Electric was able to make the electrical connection on Wednesday, March 1, 2023, and get the sign working.
- Byrd's Electric Motor Service has fixed the spare pump for the Main Sewer Lift Station. The cost for the repair was \$7,920 which was approved at a previous meeting.
- The town held a public hearing on Friday, February 24, 2023, at 9 am with Sam Saieed with the Southeast Tennessee Development District giving information about the hearing and the town's intent to reapply for the CDBG Grant for a new fire truck.

**SCHEDULED AGENDA ITEMS**

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**a.) Resolution No. 2023-1 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee concerning the 2023 Community Development Block Grant Application for a Fire Pumper Truck Project**

A motion was made by **Vice Mayor Case**, seconded by **Alderman Sisk** to approve Resolution No. 2023-1 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee concerning the 2023 Community Development Block Grant Application for a Fire Pumper Truck Project. The motion passed unanimously on a board vote.

**b.) Accept the Resignation of Luke Woodfin from the Maintenance Department**

A motion was made by **Alderman Matthews**, seconded by **Alderman Lofty** to accept the resignation of Luke Woodfin from the Maintenance Department. Mayor Pesnell stated that Luke wanted to follow his dreams and the town wished him well in the future. The motion passed unanimously on a board vote.

**c.) Discuss Hiring a Full-Time Maintenance Worker**

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to approve hiring a full-time maintenance worker. Mayor Pesnell stated that the town will place the ad in the local paper and accept applications until March 24, 2023, at 2 pm. The town will add that CDLs are preferred for the advertisement. The motion passed unanimously on a board vote.

**d.) Approve the Submittal of the Unpaid 2021 Kimball Property Taxes to the Town Attorney for Collection**

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve the town to submit the unpaid 2021 Kimball Property Taxes to the Town Attorney for collection. The motion passed unanimously on a board vote.

**e.) Approval of the Spring Soccer Coaches**

A motion was made by **Alderman Lofty**, seconded by **Alderman Matthews** to approve the Spring 2023 Soccer Coaches contingent upon background screenings. The motion passed unanimously on a board vote.

**f.) Change the April Meeting Date to Thursday, March 30, 2023, at 6 pm to avoid the Holiday weekend and the Annual Easter Egg Hunt**

A motion was made by **Vice Mayor Case**, seconded by **Alderman Lofty** to change the April Meeting Date to Thursday, March 30, 2023, at 6 pm. The motion passed unanimously on a board vote.

**g.) Maintenance Report**

Alderman Matthews stated the Maintenance Crew, Payne Construction and South Pittsburg Sewer Works had been working behind Tennessee/Alabama Fireworks to unstop a blockage in the sewer line.

**h.) Fire Report**

Alderman Sisk gave the fire report for February 2023; the department responded to four calls during the month which were two mutual aids, one spill and one investigation. Fire Chief Keef stated that the department had a good dinner during February and that he appreciated the continued support from the Board of Mayor and Aldermen.

**i.) Parks and Recreation Report**

Alderman Lofty stated the Park and Recreation Board met on February 7, 2023, for a special called meeting concerning the Kimball Complex Agreement. During the meeting all three entities (Kimball, Jasper, and South Pittsburg) were represented and stated their concerns with the agreement. In the end, the Town of Jasper withdrew their offer which led to an agreement between the Town of Kimball and the City of South Pittsburg. The Kimball Park and Recreation Board requested additional language be added to better detail each entities expected roles for the Kimball Complex. The Spring Soccer Season has begun with the players registered in the system for insurance coverage and the coaches into the portal for background screenings. The town had 214 players register for the spring season. The teams have started practicing at the park and schedules should be ready soon. Also noted, that the Annual Kimball Easter Egg Hunt will be on Thursday, April 6, 2023, at 6 pm at the Kimball Barn located on Industrial Boulevard. The next regular meeting is scheduled for Thursday, March 23, 2023, at 5:30 pm.

**j.) Police Report**

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

Litigation Tax and Training Fees	\$14.25
Court Costs	\$60.25
Fines	\$25.00
Report Fee	\$50.00
Sessions Court	\$414.18
<b>Total</b>	<b>\$564.18</b>

The department had 177 calls for the month of February.

Vice Mayor Case read a letter of recognition from Captain Webb concerning Patrolman Adams' and Patrolman Vanallman's efforts in life saving measures, which Captain Webb believes were measures that have him back at work today.

### **k.) Planning Commission Report**

Vice Mayor Case stated the Kimball Planning Commission meeting was held on February 21, 2023. The revised/enlarged final plat for Dixie Lee Center Lot 6 was approved. Also approved was the Food City lot line abandonment and 1.58-acre new lot – final plat. There was a rezoning request from Darrell Jones for Map 133 Parcel 113.00 on Battle Creek Road, requesting that the portion zoned R-1 single family residential be rezoned to C-2 highway commercial, which was approved. One other item was a request for a rock yard to be located at 1535 Battle Creek Road in which no action was taken. The applicant was referred to the BZA. The next meeting is scheduled for March 21, 2023, at 5:30 pm.

There has not been an application turned in yet for a BZA hearing.

### **l.) Attorney Report**

Attorney Gouger stated a representative from Public Entity Partners did a site visit at the Town of Kimball, Town of Jasper, and City of South Pittsburg on March 1, 2023. During the visit, the loss control representative made recommendations to the town in efforts to minimize risks to our town. The representative suggested additional steps to take for the Kimball complex in conjunction with allowing the South Pittsburg Youth Organization to play at Kimball. They requested an Interlocal Agreement between the Town of Kimball and City of South Pittsburg to address the police officers, parks employees and maintenance employees coming to Kimball Complex for activities at Kimball to ensure added coverage. The town has been provided proof of insurance by the South Pittsburg Youth Organization with more coverage than required, naming Kimball as an additional insured.

The town has been requested to provide an Indemnification, Hold Harmless and Waiver Agreement by the town to the Hampton Inn Property of Kamala Hospitality Group, LLC for the work being done for the sewer repairs within Hampton Inn's property. This is a standard procedure in today's times as the owners want something legal when another entity is working on their property. The form has been prepared and the draft was approved by Hampton Inn's legal department. This form will need to be approved and the mayor authorized to sign.

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve the Indemnification, Hold Harmless and Waiver Agreement between the Town of Kimball and Hampton Inn Property of Kamala Hospitality Group, LLC for work on the sewer repairs and the Recreation Department Hold Harmless Agreement for Outside Leagues with South Pittsburg Youth Organization. The motion passed unanimously on a board vote.

The other part of the baseball/softball agreement was a Recreation Department Hold Harmless Agreement for Outside Leagues with the South Pittsburg Youth Organization being named the recreation program. This agreement has been authorized by Will Maynor, President of the league. Alderman Matthews stated this is also part of his motion.

### **NEW BUSINESS**

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Vice Mayor Case stated that the sign looks good, and he is glad it is working; however, the time on the sign is incorrect. The town is aware of this issue and is trying to remedy it with the supplier and the network support.

Alderman Matthews stated that he had several positive comments from citizens about the new sign.

Mayor Pesnell had items under new business as follows:

- The town would like to recognize the Kimball Police Department for always doing a great job. The Kimball Police Department is known for doing good deeds for others. Puckett EMS recognized several officers at the March 2023 Marion County Commission Meeting which included one of our own, Patrolman Brent Hubbard. The town appreciates his efforts during the life saving event and again appreciates each and every one of our officers for always going above and beyond their duties.

- David Payne with Payne Construction is working with David Henley, Kimball Maintenance Supervisor, and representatives with South Pittsburg Sewer Works on sewer line issues. The company will be working behind TN/AL Fireworks and on the Hampton Inn Property to eliminate a blockage in the sewer lines. The board will need to approve the work on this project under emergency powers as there has already been one overflow incident.

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to approve Payne Construction to work under emergency powers to make the repairs to the sewer line near TN/AL Fireworks and Hampton Inn. The motion passed unanimously on a board vote.

- Bob Lynch with Public Entity Partners came to visit town hall on Wednesday, March 1, 2023, with the topic of the sports complex being discussed. Mr. Lynch recommended that the town approve the Recreation Department Hold Harmless Agreement for Outside Leagues since the South Pittsburg Youth Organization is not a part of the City of South Pittsburg. Will Maynor, President of the South Pittsburg Youth Organization has provided the town proper insurance coverage along with a signed copy of the Hold Harmless Agreement.
- Reminder to all to Spring Forward on Sunday, March 12<sup>th</sup> for Daylight Savings Time.
- The Town Financial Report is as follows:
 

General Fund	\$4,280,212
State Street Aid Fund	\$ 70,707
Drug Fund	\$ 9,875
Sewer Fund	\$ 886,152
- The next monthly meeting will be March 30, 2023, at 6 pm.


Citizen Butch Witcher commented on how nice the sign looks and how beneficial it will be for the town.

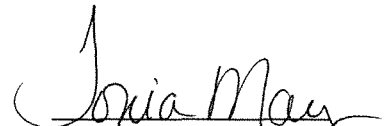
Vice Mayor Case commented on the Verizon Service in the Kimball area and how the reception has gotten worse. Mayor Pesnell stated that he has made several phone calls concerning the service. Patrolman Adams stated that several in the police department had reset the Network Settings and powered off the phone to reset the network. Since doing this the reception has been better for his Verizon town-provided phone. Each person may need to contact Verizon personally to get the steps to take to get the best service out of their phone.

Fire Chief Keef stated that there were several streetlights that were inoperable. The mayor requested that the police patrol town and flag the lights not working or cycling and relay this information to town hall in order to get these repaired. He also stated that there were two in the fire hall parking lot that were not working and needed to be repaired.

## ADJOURNMENT

As there was nothing further to come before the board, motion was made by **Alderman Lofty** to adjourn. The motion was seconded by **Alderman Sisk**. The motion passed unanimously on a board vote.

  
Rex Pesnell, Mayor

  
Tonia May, Recorder