
**MINUTES OF THE PUBLIC HEARING
KIMBALL, TENNESSEE
THURSDAY, MAY 4, 2023 – 6:00 P.M.**

A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, May 4, 2023, 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 Johnny Sisk, Alderman John Matthews, Alderman Teresa Lofty and Attorney William Gouger.

Mayor Pesnell called the public hearing to order concerning Ordinance No. 282 – An Ordinance to Amend the Official Zoning Map to Rezone the Western Side of Tax Map 133 Parcel 113.00 from R-1 Low Density Residential District to C-2 Highway Business District within the Corporate Limits of the Town of Kimball, Tennessee, and Ordinance No. 283 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2022-2023.


NEW BUSINESS

- a) **Ordinance No. 282 – An Ordinance to Amend the Official Zoning Map to Rezone the Western Side of Tax Map 113 Parcel 113.00 from R-1 Low Density Residential District to C-2 Highway Business District within the Corporate Limits of the Town of Kimball, Tennessee**
- b) **Ordinance No. 283 - An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2022-2023**

There was no comment on these ordinances.

ADJOURNMENT

As there was nothing further to come before the public hearing, a motion was made by **Vice Mayor Case** 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, MAY 4, 2023**

A meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, May 4, 2023, in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

Mayor Pesnell called the regular meeting to order after the public hearing which started at 6:00 pm.

INVOCATION AND PLEDGE

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

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

On a motion by **Alderman Lofty**, seconded by **Alderman Matthews** the Minutes of the Regular Monthly Board Meeting for May 4, 2023, were approved unanimously on a board vote.

OLD BUSINESS

Alderman Sisk asked about the shopping center issues. This will be addressed later in the meeting.

Mayor Pesnell had the following items under old business:

- The Town would like to thank everyone that helped make the Annual Easter Egg Hunt a success again. The town would like to thank all those that helped such as the sponsors, volunteers, board members and employees.
- The Tennessee Department of Transportation has sent an email concerning the resurfacing and bridge repair project on Industrial Boulevard and Kimball Lane. They will be bidding out this project in June 2023 and anticipate that the road will be closed, and detour utilized for the bridge repair work Phase I. Another detour for Phase 2 will also be utilized over a period of 3-4 weekends for part of the resurfacing work on the roadway. The weekend closures for Phase 2 will occur from 7 am to 7 pm on Saturdays and Sundays.
- The tower lights discussed during last month's meeting are out of date and the town will need to upgrade these which have been included in the 2023-2024 fiscal year budget; however, the work will have to be bid.

SCHEDULED AGENDA ITEMS

a.) Second and Final Reading of Ordinance No. 282 – An Ordinance to Amend the Official Zoning Map to Rezone the Western Side of Tax Map 133 Parcel 113.00 from R-1 Low Density Residential District to C-2 Highway Business District within the Corporate Limits of the Town of Kimball, Tennessee

This ordinance has been recommended by the Kimball Municipal Planning Commission for approval.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve on Second and Final Reading of Ordinance No. 282 – An Ordinance to Amend the Official Zoning Map to Rezone the Western Side of Tax Map 133 Parcel 113.00 from R-1 Low Density Residential District to C-2 Highway Business District within the Corporate Limits of the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

b.) Second and Final Reading of Ordinance No. 283 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2022-2023

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve Second and Final Reading of Ordinance No. 283 – An Ordinance Amending the Annual Operating Budget & Capital Program of Kimball, Tennessee for Fiscal Year 2022-2023. The motion passed unanimously on a board vote.

c.) First Reading of Ordinance No. 284 – An Ordinance of the Town of Kimball, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2023, and Ending June 30, 2024

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve First Reading of Ordinance No. 284 – An Ordinance of the Town of Kimball, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2023, and Ending June 30, 2024. The motion passed unanimously on a board vote.

d.) Approve the bill from Public Entity Partners for Worker’s Compensation Insurance in the amount of \$27,918

A motion was made by **Alderman Matthews**, seconded by **Alderman Lofty** to approve payment of the bill from Public Entity Partners for Worker's Compensation Insurance in the amount of \$27,918. The motion passed unanimously on a board vote.

e.) Approve the Audit Contract with Johnson, Murphey, and Wright for the Fiscal Year 2022-2023 in the amount of \$34,300 with an additional fee of \$3,750 if Municipal Chart of Accounts Crosswalk has to be done by auditors if town employees are unable to perform the Accounts Crosswalk

The Municipal Chart of Accounts Crosswalk is designed to be more consistent and transparent to the public and the state. The Comptroller's Office plans to use the Municipal Data to build an application like "Transparency and Accountability for Governments in Tennessee" (TAG) that will promote transparency, comparability of financial data across municipalities, and data analysis.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Sisk** to approve the Audit Contract with Johnson, Murphey, and Wright for the Fiscal Year 2022-2023 in the amount of \$34,300 with an additional fee of \$3,750 if Municipal Chart of Accounts Crosswalk has to be done. The motion passed unanimously on a board vote.

f.) Consider hiring Full Time Employee for the Police Department

The town took applications until April 24th. There were five (5) good applicants that applied; however, the town elected to interview only two (2) of these applicants. It was a hard decision, and the Police Chief was involved with the process.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to hire Michael Trace Condra to the Kimball Police Department. The motion passed unanimously on a board vote.

g.) Ratify the bill from Score Sports for the Spring 2023 Soccer Uniforms in the amount of \$4,881.14

A motion was made by **Alderman Matthews**, seconded by **Alderman Lofty** to ratify payment of the bill from Score Sports for the Spring 2023 Soccer Uniforms in the amount of \$4,881.14. The motion passed unanimously on a board vote.

h.) Review the quotes for eight (8) awnings for Town Government Buildings

A motion was made by **Alderman Sisk**, seconded by **Alderman Lofty** to approve the town to accept the quote from Custom Design for eight (8) awnings for the town government buildings in the amount of \$6,825. The motion passed unanimously on a board vote.

i.) Approve the Deed of Dedication for the Roadway Marion Farms Drive located off of Old Dixie Highway from H&H Management, LLC

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to approve the Deed of Dedication for the Roadway Marion Farms Drive located off of Old Dixie Highway from H&H Management, LLC. The motion passed unanimously on a board vote.

j.) Approve the Inter-Local Agreement between the Town of Kimball, Tennessee and the Board of Water Works and Sewers of the City of South Pittsburg, Tennessee concerning the waterline relocation for part of the incentive plan for Food City

A motion was made by **Vice Mayor Case**, seconded by **Alderman Lofty** to approve the Inter-Local Agreement between the Town of Kimball, Tennessee and the Board of Water Works and Sewers of the City of South Pittsburg, Tennessee

concerning the waterline relocation for part of the incentive plan for Food City. The motion passed unanimously on a board vote.

k.) Approve the Governmental Grant Contract with the Town of Kimball and Tennessee Department of Environment and Conservation (TDEC) for deployment of American Rescue Plan Fiscal Recovery Funds for Wastewater Relocation and Asset Management for a total Grant Contract of \$799,195.88 along with a Town of Kimball match of \$266,420 for a total project value of \$1,065,615.88 to be completed by September 30, 2026

This is American Rescue Plan Funds to relocate the Main Sewer Force Line from underneath the pond and to go under Battle Creek.

A motion was made by **Alderman Lofty**, seconded by **Vice Mayor Case** to approve the Governmental Grant Contract with the Town of Kimball and Tennessee Department of Environment and Conservation (TDEC) for deployment of American Rescue Plan Fiscal Recovery Funds for Wastewater Relocation and Asset Management for a total project value of \$1,065,615.88 to be completed by September 30, 2026. The motion passed unanimously on a board vote.

l.) Maintenance Report

Alderman Matthews had nothing new to report. Mayor Pesnell stated that the flow meter has been installed at the main sewer pump station; however, it is not operating yet.

m.) Fire Report

Alderman Sisk gave the fire report for April 2023; the department responded to seven calls during this period which were two vehicle extractions, one smoke investigation, three mutual aids and one signal nine cancelled in route.

n.) Parks and Recreation Report

Alderman Lofty stated the Park and Recreation Board meeting for April 2023 was cancelled; however, the board held a public input meeting on Tuesday, May 2, 2023. There were several that attended the input meeting with ideas for the future. There was a list compiled based upon feedback during the input meeting. The Park and Recreation Board has developed a survey which all town citizens are encouraged to complete and return to town hall. Soccer was cancelled for the second host weekend in Kimball due to weather and these games will be played on May 20th. The next regular meeting is scheduled for Thursday, May 25, 2023, at 5:30 pm.

o.) Police Report

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

Litigation Tax and Training Fees	\$118.00
Court Costs	\$492.00
Fines	\$195.00
Report Fee	\$60.00
Sessions Court	\$843.65
Total	\$1708.65

The department responded to 242 calls for the month of April 2023.

p.) Planning Commission Report

Vice Mayor Case stated the Kimball Planning Commission meeting was held on April 18, 2023. On the agenda was a request from Marion Farms Subdivision asking for consideration of releasing the letter of credit for the completed road known as Marion Farms Drive and a 6" water line. There was a motion to release the letter of credit and accept the road as a city street. There was also discussion of the enforcement of the sign ordinance concerning commercial banners and flags. The town's building inspector will be notifying those businesses that are not in compliance. The item related to amending the subdivision regulations as to adding a 2' binder requirement for newly constructed roads was tabled until more information is obtained. The last item on the agenda was a subdivision regulation amendment. This is a revision of

Section 05.10 additional width on existing streets to coincide with revisions in Tennessee Code Annotated 13-4-303(d) (1-3). This was approved. The next meeting is scheduled for May 16, 2023, at 5:30 pm.

q.) Attorney Report

Attorney Gouger stated that the letter to Regency Property Management was met with a quick response from Chris Lucas, Executive Vice President and General Counsel. Mr. Lucas acknowledged already being aware of most of the issues at the Kimball Shopping Center. He also committed to giving real time updates on the progress. The company has hired a paving contractor which is set to begin resurfacing on May 15th. The lighting issue is the same problem the town has had, which is waiting on supplies as there is a shortage. There was also a statement that the buildings will be pressure washed and painted closer to summertime.

NEW BUSINESS

Alderman Matthews wanted to address an increase in pay for the Board of Mayor and Aldermen.

A motion was made by **Alderman Matthews**, seconded by **Alderman Lofty** to approve an increase to the mayor's salary to \$30,000 annually and to give the Vice Mayor and each Alderman an increase of \$200 per month. The motion passed unanimously on a board vote.

Mayor Pesnell had items under new business as follows:

- Tennessee Department of Transportation has contracted with a company to perform maintenance on the Pat Layne Bridge. The work will be done on both sides of Hwy 72 while allowing one lane of travel each way. This project will take approximately four (4) months.
- National Law Enforcement Week is May 14th-May 20th. The town appreciates all of its law enforcement for a job well done.
- Town Hall and Maintenance Department will be closed on May 29th for the Memorial Day Holiday. Sanitation Route will run on May 30th.
- The town received a Thank You Note from the Dispatchers and the Marion County Library Board for the donations.
- The Town Financial Report is as follows:

General Fund	\$4,141,062
State Street Aid Fund	\$ 70,799
Drug Fund	\$ 10,185
Sewer Fund	\$ 879,354
- The next monthly meeting will be June 1, 2023, at 6 pm.

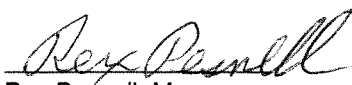
Kimball Christian Academy member Louise Powell attended the meeting and requested that the town seek school zone signage for the newly created school. After speaking with several, the town will need to request to Tennessee Department of Transportation (TDOT) that signage be installed for Kimball Christian Academy.

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to request Attorney Gouger to draft a letter on behalf of the town to request that Tennessee Department of Transportation (TDOT) consider a school zone for the Kimball Christian Academy. The motion passed unanimously on a board vote.

Citizen Roger Haggard wanted to inform the public of the three months grocery tax holiday which will begin in August and end in October 2023.

ADJOURNMENT

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


Rex Pesnell, Mayor


Tonia May, Recorder