
**MINUTES OF THE PUBLIC HEARING
KIMBALL, TENNESSEE
THURSDAY, JULY 11, 2024 – 6:00 P.M.**

A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, July 11, 2024, 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 John Matthews, Alderman Teresa Lofty, Alderman Johnny Sisk and Attorney William Gouger.

Mayor Pesnell called the public hearing to order concerning Ordinance No. 291 – An Ordinance to Amend the Official Kimball Zoning Map to Rezone Property at 22 Walnut Street from C-2 Highway Business District to R-1 Low Density Residential District within the Corporate Limits of the Town of Kimball, Tennessee


NEW BUSINESS

- a) **Ordinance No. 291 – An Ordinance to Amend the Official Kimball Zoning Map to Rezone Property at 22 Walnut Street from C-2 Highway Business District to R-1 Low Density Residential District within the Corporate Limits of the Town of Kimball, Tennessee**

No comments were made.

ADJOURNMENT

As there was nothing further to come before the public hearing, a motion was made by **Vice Mayor Case** to close the public hearing. The motion was seconded by **Alderman Matthews**. The motion passed unanimously on a board vote.



Rex Pesnell, Mayor



Tonia May, Recorder

**MINUTES OF THE REGULAR MEETING
KIMBALL, TENNESSEE
THURSDAY, JULY 11, 2024**

A meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, July 11, 2024, 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 Alderman Matthews to say the invocation over the meeting.

Mayor Pesnell requested Alderman Sisk 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 John Matthews, Alderman Johnny Sisk, Alderman Teresa Lofty, and Attorney William Gouger.

APPROVAL OF MINUTES

On a motion by **Alderman Matthews**, seconded by **Alderman Sisk** the Minutes of the Public Hearing and Regular Monthly Board Meeting for June 6, 2024, along with Minutes of the Public Hearing and Special Called Meeting for June 25, 2024, were approved unanimously on a board vote.

OLD BUSINESS

Mayor Pesnell had the following items under old business:

- The town had a worker's compensation audit, and everything went well.
- The Town auditors were at town hall at the end of June and they will return at the end of August for the final numbers.

SCHEDULED AGENDA ITEMS

a.) Second and Final Reading of Ordinance Number 291 – An Ordinance to Amend the Official Kimball Zoning Map to Rezone Property at 22 Walnut Street from C-2 Highway Business District to R-1 Low Density Residential District within the Corporate Limits of the Town of Kimball, Tennessee

A motion was made by **Vice Mayor Case**, seconded by **Alderman Lofty** to approve on Second and Final Reading of Ordinance No. 291 – An Ordinance to Amend the Official Kimball Zoning Map to Rezone Property at 22 Walnut Street from C-2 Highway Business District to R-1 Low Density Residential District within the Corporate Limits of the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

b.) Review Beer Permit for On Premises Beer Permit located at 2013 Main Street Kimball, TN with owner being Marcus Shane Williams for the restaurant Shane's Restaurant

A motion was made by **Alderman Lofty**, seconded by **Alderman Sisk** to approve the Beer Permit for On Premises Beer Permit located at 2013 Main Street Kimball, TN with owner being Marcus Shane Williams for the Restaurant Shane's Restaurant. The motion passed on a board vote with Alderman Matthews voting no.

c.) Approve the Dental Insurance with Blue Cross Blue Shield for Employees and Family Members with no increase to premiums

A motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to approve the Dental Insurance with Blue Cross Blue Shield for Employees and Family Members with no increase to premiums. The motion passed unanimously on a board vote.

d.) Approve the Health Insurance with the State of Tennessee aggregated average health insurance premium increases of 1.6% for 2025. EyeMed for those participating premiums and benefits will remain the same for 2025

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to approve the Health Insurance with the State of Tennessee aggregated average health insurance premium increases of 1.6% for 2025. EyeMed Insurance has no changes to the premium or benefit for 2025. The motion passed unanimously on a board vote.

e.) Review Certificates of Deposit Rates for the 2024-2025 Fiscal Year for General Fund and Sewer Fund

Mayor Pesnell read the rates as follows:

Bank	6 Month Rate	8 Month Rate
Citizens Tri County Bank	4.10%	5.10%
Builtwell Bank	4.75%	4.55%
First Jackson Bank	4.75%	4.90%
Mountain Valley Bank	4.8%	

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to purchase the Certificates of Deposit from Citizens Tri County Bank for 8 months at 5.10%. The General Fund amount will be \$1,000,000 and the Sewer Fund amount will be \$500,000. The motion passed unanimously on a board vote.

f.) Public Entity Liability Policy, Property and Crime Policy and Public Officials and Employment Practices Policy

Mayor Pesnell stated these three agenda items would be tabled until the next meeting as the prices and policies were not available for this meeting.

g.) Ratify Donald Patterson being on leave without full pay due to medical May 16, 2024 until June 27, 2024

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to ratify Donald Patterson being on leave without full pay due to medical May 16, 2024, until June 27, 2024. The motion passed unanimously on a board vote.

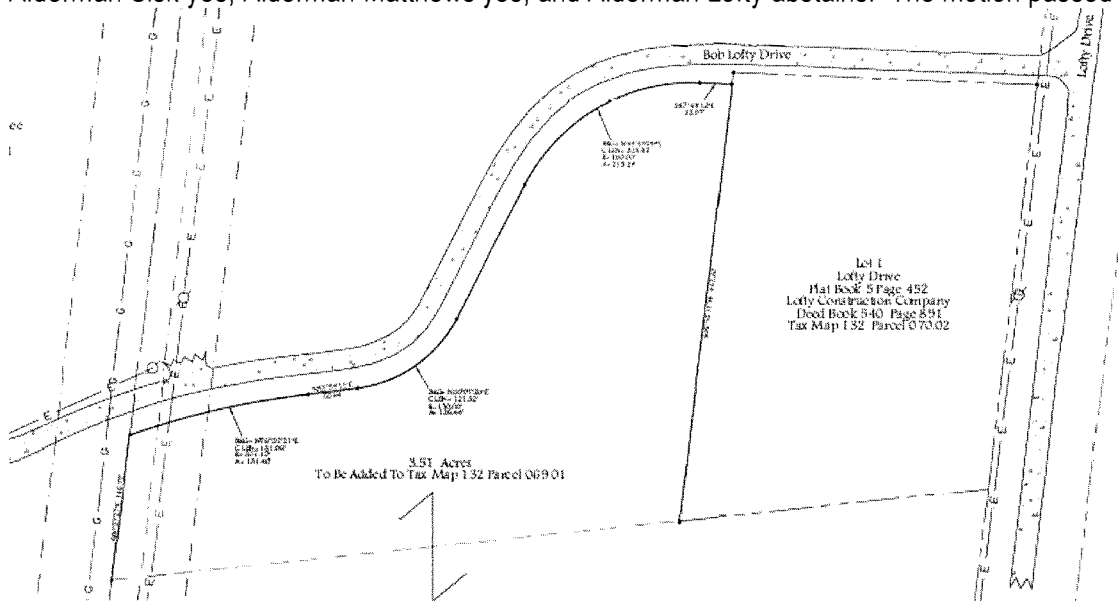
h.) Approve the Police Department to purchase AR Sights for all ten (10) ARs in the department from GT Distributors in the amount of \$5,250.50

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve the Police Department to purchase AR Sights for all ten (10) ARs from GT Distributors in the amount of \$5,250.50. The motion passed unanimously on a board vote.

i.) Kimball Park Property

Mayor Pesnell requested Attorney Gouger to give an update on this item. Attorney Gouger stated the first appraisal and survey included land that had an NLU Notice of Limitation Usage on it. This was detected and the surveyor along with appraiser had to modify the land available to sale. After receiving the revised survey and appraised value, the board can now move forward with this sale. There is 3.51 Acres in the lot which has been appraised at \$25,000. The land deed will have a parking stipulation including for perpetuity for the Town of Kimball to use. Mayor Pesnell stated he thought the appraised value was too low.

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve the sale of the 3.51 acres at the Kimball Park as defined by the survey and appraisal for \$25,000 with the deed to include the parking for the town for perpetuity on this lot. Mayor Pesnell asked for a roll call vote as follows: Mayor Pesnell no, Vice Mayor Case yes, Alderman Sisk yes, Alderman Matthews yes, and Alderman Lofty abstains. The motion passed on a board vote.



j.) Ratify the amount to charge Select Ball Organizations to use the Kimball Park Baseball/Softball Complex in the amount of \$300 instead of previously approved \$350 per season with stipulation that they are not priority

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to ratify the amount to charge Select Ball Organizations to use the Kimball Park Baseball/Softball Complex in the amount of \$300 instead of previously approved \$350 per season with stipulation that they are not priority. The motion passed unanimously on a board vote.

k.) Approve Vinson's Lawn Service to add catch basins to the area near the Playground near the Barn. This has been recommended by the Kimball Park and Recreation Board

A motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to approve Vinson's Lawn Service to add catch basins to the area near the Playground near the Barn in the amount of \$4,871.98. The motion passed unanimously on a board vote.

l.) Approve Paving Spears Road using Marion County Highway Department

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve the paving of Spears Road using Marion County Highway Department in the amount of \$24,000. The motion passed unanimously on a board vote.

m.) Discuss Paving Timber Ridge Road

Mayor Pesnell stated that the United States Postal Service had requested somewhere to turn around for their drivers. The United States Postal Service also requested a cluster box for the delivery of the mail; however, this development may be grandfathered in since subdivision started before the new law went into effect. At this point, the county, developer and postal service need to come to an agreement on what is going to be required on this roadway for mail to be delivered. After this, the town may consider what the town will want to do for this roadway.

At this time, a motion was made by **Alderman Sisk** seconded by **Vice Mayor Case** to table the discussion on paving Timber Ridge Road. The motion passed unanimously on a board vote.

n.) Approve the Maintenance Department to buy a New Sewer Pump for the Main Lift Station

Mayor Pesnell stated that Maintenance Supervisor Henley had requested proposals for a new sewer pump for the Main Lift Station which are as follows:

Carolina Pumpworks, LLC	Grunsfos 40-HP	\$20,962.86
Wascon	Grunsfos 41.6-HP	\$14,516.90

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to approve the Maintenance Department to buy a New Grunsfos 41.6-HP Sewer Pump for the Main Lift Station from Wascon for \$14,516.90. The motion passed unanimously on a board vote.

o.) Ratify the Bill from Southeast Company, Inc. in the amount of \$4,399.76 to Change out Main Lift Station Sewer Pump. Bill is dated 6-26-2024

A motion was made by **Alderman Lofty**, seconded by **Alderman Sisk** to ratify the bill from Southeast Company, Inc. in the amount of \$4,399.76 to Change out the Main Lift Station Sewer Pump. The motion passed unanimously on a board vote.

p.) Review rates to adjust sewer for overages when they have cause for adjustments

Attorney Gouger has prepared a Town of Kimball, Tennessee Policy Regarding Adjustments of Wastewater Usage Charges for Leaks. The board was asked to review this policy and make any tweaks as necessary. It was requested to send a copy to the Maintenance Supervisor for his thoughts as well. Discussion was would commercial and residential be done the same way. Review the timeframe that can go back to adjust as well as how often a person can apply for an adjustment.

A motion was made by **Vice Mayor Case** seconded by **Alderman Matthews** to table the discussion on the Town of Kimball, Tennessee Policy Regarding Adjustments of Wastewater Usage Charges for Leaks. The motion passed unanimously on a board vote.

q.) Ratify the mayor signing the Agreement for Grant Administration Services with Southeast Tennessee Development District concerning the 2023 Community Development Block Grant (CDBG) Fire Truck Project

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve the mayor signing the Agreement for Grant Administration Services with Southeast Tennessee Development District concerning the 2023 Community Block Grant (CDBG) Fire Truck Project. The motion passed unanimously on a board vote. It was stated that the town received the fully executed contract with all signatures along with the letter stating that the environment clearance was waived since this was for apparatus. The board asked Fire Chief Keef how long it would be for the fire truck after ordering. Chief Keef stated that it could take 160 days for a chassis and another 160 days for the box.

r.) Approve the VFIS/Steve Frost Agency Renewal Policy for the Accident /Health for the Fire and Rescue Department Members effective July 2024 to June 2025 in the amount of \$3,956

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to approve the VFIS/Steve Frost Agency Renewal Policy for the Accident/Health for the Fire and Rescue Department Members effective July 2024 to June 2025 in the amount of \$3,956. The motion passed unanimously on a board vote.

s.) Maintenance Report

Alderman Matthews stated that the Maintenance Department pumps were all good at this time. The spare pump for the main lift station will be ordered after this meeting. The New Kubota Tractor will be here Monday, July 15, 2024.

t.) Fire Report

Alderman Sisk gave the fire report for June 2024 as follows: the department responded to seven calls for the month which were two vehicle fires, two rescues and three mutual aids. Fire Chief Keef stated that the department has received the equipment from two of the grants received this year. The department has put these tools to use already and is thankful for the grants.

u.) Parks and Recreation Report

Alderman Lofty stated that Kimball Soccer League registration is open now online until August 11th. There will be an in-person registration at town hall on August 10th. There was a vacancy in Vice Chairman left after Jack Keef resigned from his position on the park board. The board elected Mark O'Leary to be the new Vice Chairman. The park is looking to host a 3x3 basketball tournament on August 9th. The board approved for the park director to join TRPA Tennessee Recreation and Parks Association to have collaboration with other park directors. The next park and recreation board meeting will be July 30th at 5:30 pm.

v.) Police Report

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

Litigation Tax and Training Fees	\$132.75
Court Costs	\$542.25
Fines	\$661.50
Report Fees	\$100.00
Seat Belt Fine	\$25.00
Sessions Court	\$490.93
TOTAL	\$1,952.43

The department responded to 300 calls for June.

w.) Planning Commission Report

Vice Mayor Case said the Kimball Planning Commission meeting was cancelled for June 2024. The next meeting is scheduled for July 16, 2024, at 5:30 pm.

x.) Attorney Report

Attorney Gouger had nothing new to note.

NEW BUSINESS

Alderman Lofty asked if the town had any ordinance or code to enforce yard maintenance. Attorney Gouger stated that the town uses the state law that addresses slum clearance. It was noted that the Police Chief and/or Building Inspector could enforce this law. It was requested that Alderman Lofty give the address to the mayor in order to get a town employee to address the issue.

Mayor Pesnell had items under new business as follows:


- Tennessee's traditional sales tax holiday on clothing, school supplies and computers begin on July 26th and ends on July 28th.
- The next monthly meeting will be August 8, 2024, at 6 pm. This will be the second Thursday because there is a State Primary and County General Election on August 1st.

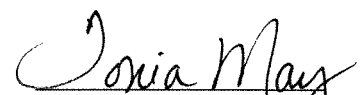
PUBLIC COMMENTS

Roger Haggard stated that Little Ceasars has an advertisement hiring new people for the Kimball Store.

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