

**MINUTES OF THE REGULAR MEETING  
KIMBALL, TENNESSEE  
THURSDAY, DECEMBER 5, 2024**

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A meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, December 5, 2024, 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 Alderman Matthews to say the invocation over the meeting.

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

**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 November 7, 2024, were approved unanimously on a board vote.

**OLD BUSINESS**

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Mayor Pesnell had the following items under old business:

- The sanitation truck had additional work done while at Stringfellow which was \$3,735.64 for replacement of packer cylinders that were bad and worn.
- The New Storage Building at 22 Kimball Cove Road has been completed. The town will be searching for optimal storage options in the upcoming months.

**SCHEDULED AGENDA ITEMS**

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**a.) Open Bids on the Restroom/Storage/Concession Building located off Industrial Blvd**

Mayor Pesnell allowed Attorney Gouger to review each bid prior to opening for confirmation with the bid specifications.

The bids that had all the bid specifications on the front of the envelope were as follows:

Bailey Contracting, LLC	\$328,946.07	Alternate \$5,600.00
Bolt Builders, LLC	\$327,889.00	Alternate \$6,230.00
Gann Construction Co.	\$289,992.44	Alternate \$2,600.00

Eaton Construction Services did not have all the noted items on the front of the envelope.

A motion was made by **Vice Mayor Case** to reject the bid due to noncompliance, there was not a second.

A motion was made by **Alderman Lofty**, seconded by **Alderman Sisk** to waive the noncompliance with the bid specifications and open the bid envelope. Mayor Pesnell asked for a roll call vote. The votes were as follows: Mayor Pesnell yes, Vice Mayor Case no, Alderman Matthews yes, Alderman Lofty yes, Alderman Sisk yes. Motion carried.

Eaton Construction Services \$326,900.00      Alternate \$6,500.00

A motion was made by **Alderman Lofty**, seconded by **Alderman Matthews** to accept the base bid from Gann Construction Company in the amount of \$289,992.44 for the new Restroom/Storage/Concession Building located at Kimball Park off Industrial Blvd. Mayor Pesnell asked for a roll call vote. The votes were as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Lofty yes, Alderman Sisk yes. Motion carried.

A motion was made by **Alderman Lofty**, seconded by **Alderman Matthews** to not accept the alternate bid at this time. The motion passed unanimously on a board vote.

**b.) Review Beer Permit for On and Off Premises Beer Permit for Judy's at 2013 Main Street Kimball, Tennessee with application by Judy Ann Miles**

The background check has been done and was clear.

A motion was made by **Alderman Lofty**, seconded by **Alderman Sisk** to approve the beer permit for on and off premises beer permit for Judy's located at 2013 Main Street Kimball, Tennessee with application by Judy Ann Miles. The motion passed on a board vote with Alderman Matthews voting no.

**c.) Review 25-26 Cyber Renewal Proposal for Cyber Liability Insurance through Builtwell Insurance and CRC with annual premium of \$6,941.55 term 1/4/25 to 1/4/26**

Mayor Pesnell stated there was a slight increase in the premium; however, it was less than \$200.

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve the 2025-2026 Cyber Renewal Proposal for Cyber Liability Insurance through Builtwell Insurance and CRC with annual premium of \$6,941.55 for the term 1/4/2025 to 1/4/2026. The motion passed unanimously on a board vote.

**d.) Approve to move David Henley from Salary Position to Hourly Position effective January 1, 2025, to comply with the Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees through Fair Labor Standards Act**

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve moving David Henley from Salary Position to Hourly Position effective January 1, 2025, to comply with the Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees through Fair Labor Standards Act. The motion passed unanimously on a board vote.

**e.) Ratify the Bill from HM Truck Repair and Diagnostics, LLC for repairs to the F350 Maintenance Truck in the amount of \$5,555**

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to ratify the bill from HM Truck Repair and Diagnostics, LLC for repairs to the F350 Maintenance Truck in the amount of \$5,555. The motion passed unanimously on a board vote.

**f.) Ratify the Kimball Volunteer Fire and Rescue Department to apply for the Volunteer Firefighter Equipment and Training Grant Program through the Tennessee State Fire Marshall's Office**

A motion was made by **Alderman Sisk**, seconded by **Vice Mayor Case** to ratify the Kimball Volunteer Fire and Rescue Department to apply for the Volunteer Firefighter Equipment and Training Grant Program through the Tennessee State Fire Marshall's Office. The motion passed unanimously on a board vote.

**g.) Approve Meeting Schedule for 2025**

A motion was made by **Alderman Sisk**, seconded by **Alderman Lofty** to approve the Meeting Schedule for 2025 as follows: January 2, 2025, February 6, 2025, March 6, 2025, April 3, 2025, May 1, 2025, June 5, 2025, July 3, 2025, August 7, 2025, September 4, 2025, October 2, 2025, November 6, 2025, and December 4, 2025. The motion passed unanimously on a board vote.

**h.) Maintenance Report**

Alderman Matthews stated everything was going well with the sewer pumps and the department is glad to have the one-armed sanitation truck back on the road.

**i.) Fire Report**

Alderman Sisk gave the fire report for November 2024 as follows: the department responded to two calls for the month which were two police assists.

**j.) Parks and Recreation Report**

Alderman Lofty stated that the Park and Recreation Board meeting was held November 19<sup>th</sup> at the Kimball Barn. The Kimball Soccer League will be switching to the Lookout Valley Soccer League which includes North River, Middle Valley,

Lookout Valley and Signal Mountain. South Pittsburg came and spoke to the board concerning using the complex to include no sublease so South Pittsburg can host travel ball tournaments. The Christmas Market will be held on December 14<sup>th</sup> from 11 am to 4 pm with vendor registration closing at Midnight on December 8<sup>th</sup>. There will not be a meeting in December. The next park board meeting is set for January 28, 2025, at 5:30 pm at Kimball Town Hall.

**k.) Police Report**

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

Litigation Tax and Training Fees	\$176.00
Court Costs	\$664.00
Fines	\$770.00
Report Fees	\$90.00
Sessions Court	\$596.41
<b>TOTAL</b>	<b>\$2,321.41</b>

The department responded to 246 calls for the month of November.

**l.) Planning Commission Report**

Vice Mayor Case said the Kimball Planning Commission meeting was held on November 19, 2024, at town hall. On the agenda was the final plat for the Baker 10-lot subdivision on Brown Road. This plat was denied due to it not being ready to present. On the agenda also was a site plan for Zaxby's at 104 Battle Creek Road. This site plan was approved contingent upon TDOT approval. The December meeting has been canceled; therefore, the next meeting is scheduled for January 21, 2025, at 5:30 pm.

**m.) Attorney Report**

Attorney Gouger had nothing new to report.

**NEW BUSINESS**

Mayor Pesnell had items under new business as follows:

- The town would like to thank the Beautification Committee and Maintenance Workers for all the decorations for the holidays. There have been several positive comments on the decorations.
- The town would like to congratulate all the area high schools on a successful football season. We would also like to congratulate the South Pittsburg Pirates and Marion County Warriors on making it to the BlueCross Bowl for the Tennessee High School Football Championship Games which will be held in Chattanooga. We want to wish both teams great success this weekend.
- Town Hall and Maintenance will be closed December 24<sup>th</sup> and December 25<sup>th</sup> for the Christmas Holiday.
- Town Hall and Maintenance will be closed January 1<sup>st</sup> for the New Year's Day Holiday.
- The next monthly meeting will be January 2, 2025, at 6 pm.


**PUBLIC COMMENTS**

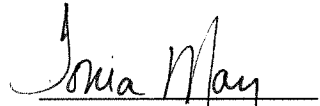
Alderman Matthews asked if the new Zaxby's owners plan to demolish the existing building at 104 Battle Creek Road. The understanding is yes, this building will come down and a new building will be built.

Mayor Pesnell stated if there was nothing else to come before the board, that he wanted to wish everyone a Merry Christmas and a Happy and Safe New Year.

**ADJOURNMENT**

As there was nothing further to come before the board, a 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