

Kimball City Council
Regular Meeting
January 7, 2014

A regular meeting of the Mayor and City Council was convened in open and public session at 7:00 p.m. on January 7, 2014 at the City Council Chambers. Mayor Schnell and Council members Warner, Shields, Christensen and Morrison were present. Also present were City Administrator Ortiz, City Attorney Hadenfeldt, Police Chief Huff, Economic Development Director Bowling, City Clerk Russell and City Treasurer Strauch. The public was represented.

Notice of the meeting was given in advance by publication in the Western Nebraska Observer. Notice of the meeting was given to the members and a copy of their acknowledgement of receipt of notice and the agenda is on record at the office of the City Clerk. Availability of the agenda was communicated in advance notice and in the notice to the members. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public except as otherwise indicated.

Schnell called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Schnell acknowledged the posted Open Meetings Act poster.

At 7:02 p.m. Schnell opened a public hearing on the One and Six Year Street Plan. Street Superintendent Ryschon presented the plan and commented on the maintenance projects that are planned. On Form 8, the summary of one-year plan, item #4 is to extend East Front Street from CR 43 to CR 45; item #5 is the turning lane at Castronics and item #6 is the underpass.

Discussion was held on the relinquishment of Highway 71 and Ortiz indicated when the council decided to accept the Highway 71 improvements, the documentation indicated that as of July 31st, it would be the City's to maintain. Ortiz has requested additional signage. Shields inquired if the relinquishment would have any effect on the underpass and Ortiz said it may.

Discussion was held on the turning lane at Castronics. Ryschon believes the eastbound lane would go straight. Ortiz said the state would not allow the City to do this with their funding and they also wouldn't allow the speed to be reduced.

Ryschon explained the summary of the six-year plan. This consists of all the one-year projects extended to six years. Ryschon also explained Form 11, which is the report of previous highway or street improvement. These are the projects done in 2013, such as crack sealing and armor coating.

There being no further comments, Schnell declared the public hearing closed at 7:10 p.m.

Morrison introduced the following resolution and moved its approval and including on Form 7 the option of calling the street Highway 71 and/or Chestnut Street.

RESOLUTION 2014-01

WHEREAS, the City of Kimball, Nebraska, has conducted a public hearing in accordance with the requirements of the Board of Public Roads Classifications and Standards.

NOW, therefore, be it resolved by the Mayor and City Council that the one and six-year street plans are unanimously accepted as presented at the public hearing.

Dated this 7th day of January, 2014.

/s/James Schnell, Mayor

ATTEST:

/s/Rosemarie D. Russell, City Clerk

Seconded by Christensen. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on the City Maintenance Agreement No. 78 with the Nebraska Department of Roads. Ortiz indicated this Maintenance Agreement is for Highway 30 only. The State is charging more for snow removal and they dropped the Highway 71 lane mile information. There are 3.68 lane miles x \$1,575 per lane mile which would have \$5,796 due the City for surface maintenance. There will be \$1,960 due to the State for snow removal, for a total of \$3,836 due to the City.

There being no further discussion, Shields moved and Warner seconded to approve the City Maintenance Agreement No. 78 with the Nebraska Department of Roads as presented. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on the surplus property list. Ortiz indicated that there will also be a surplus property list on the public works side. It was also indicated that the items on the list would be sold by sealed bid. There being no further discussion, Warner moved and Christensen seconded to approve the surplus property list. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on Ordinance 702 to amend Title III of the Kimball Municipal Code. Hadenfeldt indicated the legislature amended the ability of the Mayor of a 2nd Class City to vote. He explained if there was not a quorum, the Mayor's vote would count as a third vote.

There being no further discussion, Warner moved and Morrison seconded to introduce

Ordinance 702 and waive the requirement of reading on three different days. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Absent: None. Motion carried.

Mayor Schnell read Ordinance 702 by title only.

ORDINANCE NO. 702

AN ORDINANCE OF THE CITY OF KIMBALL, NEBRASKA, AMENDING KIMBALL MUNICIPAL CODE, TITLE III: ADMINISTRATION; PROVIDING FOR THE REPEAL OF ORDINANCES AND SECTIONS IN CONFLICT THEREWITH, AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

Warner moved and Shields seconded to pass and approve Ordinance 702. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on Ordinance 703 to amend Title IX of the Kimball Municipal Code. Hadenfeldt indicated the amendment is to allow the Zoning Administrator to approve paving, curb, or sidewalk permits providing they comply with applicable rules.

Discussion was held on adding a designated representative language and Ortiz indicated that in most cases when someone is going to want to cut into a curb, they usually do that with ample time.

There being no further discussion, Morrison moved and Warner seconded to introduce Ordinance 703 and waive the requirement of reading on three different days. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Absent: None. Motion carried.

Mayor Schnell read Ordinance 703 by title only.

ORDINANCE NO. 703

AN ORDINANCE OF THE CITY OF KIMBALL, NEBRASKA, AMENDING KIMBALL MUNICIPAL CODE, TITLE IX: GENERAL REGULATIONS: PROVIDING FOR THE REPEAL OF ORDINANCES AND SECTIONS IN CONFLICT THEREWITH, AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

Christensen moved and Warner seconded to pass and approve Ordinance 703. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Absent: None. Motion carried.

Schnell opened discussion on Ordinance 704 to amend Title XV of the Kimball Municipal Code. It was indicated this amends the section for signs and billboards and allows them to be approved by the Zoning Administrator instead of the City Council.

There being no further discussion, Shields moved and Morrison seconded to introduce Ordinance 704 and waive the requirement of reading on three different days. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Absent: None. Motion carried.

Mayor Schnell read Ordinance 704 by title only.

ORDINANCE NO. 704

AN ORDINANCE OF THE CITY OF KIMBALL, NEBRASKA, AMENDING KIMBALL MUNICIPAL CODE, TITLE XV: LAND USAGE, PROVIDING FOR THE REPEAL OF ORDINANCES AND SECTIONS IN CONFLICT THEREWITH, AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

Shields moved and Morrison seconded to pass and approve Ordinance 704. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen and Morrison. Nay: None. Absent: None. Motion carried.

The City Council reviewed the following items under the consent agenda:

1. Minutes from the December 17, 2013 meeting;
2. Claims; and
3. Ratify the Kimball Fire Department members.

Warner moved and Shields seconded to accept the consent agenda items. On roll call vote, the following votes were recorded. Aye: Warner, Shields, Christensen, and Morrison. Nay: None. Absent: None. Motion carried.

Ortiz reported on the work on 9th Street. There was a water line break a few weeks ago. Ortiz reported that towards the end of the month he will be going to a MEAN board meeting and he will update council on the information presented at that meeting. It is planned to have a joint City Council and Board of Public Works meeting.

Ortiz reported that beginning in 2014, another Federal law became effective where all leaded and non-low lead material must be removed from inventory. He said the inventory the Water Department currently has will be sold off as surplus.

The League of Nebraska Municipalities Mid-Winter Conference will be held February 24th and 25th and Ortiz asked that council members let staff know if they are interested in attending.

Chief Huff reported the School Resource Officer, Ryan Smith, started this week at the schools.

Schnell reported that there will be a meeting of the Park and Recreation Executive Board on January 21, 2014 at 5:00 p.m. to discuss changes in the roads agreements, and issues in the Park and Recreation area.

The next regular City Council meeting is January 21, 2014

There being no further business to come before the Council, Christensen moved and Morrison seconded to adjourn at 7:46 p.m. On roll call vote, the following votes were recorded on the electronic voting board. Aye: Warner, Shields, Christensen, and Morrison. Nay: None. Absent: None. Motion carried.

James Schnell, Mayor

Rosemarie Russell, City Clerk

City of Kimball-City Council-General Claims-January 7, 2014-Cabela's Inc.-Fire Arm-659.70; CenturyLink-Telephone- 86.48; Combined Utilities-Utilities-308.75; Ideal Linen Supply, Inc.-Supplies-71.44; Print Express-Forms-275.45; SourceGas, LLC-Gas Service-146.55; Viaero-Cell Phone Usage-32.32; CenturyLink-Telephone-129.57; Kimball County Clerk-Interlocal Dispatchers-22,000.00; Kimball Public Schools-Book Purchase-90.00; Xerox Corporation-Copier Maintenance-137.10; Action Communications-Repairs-285.00; Audio Editions-Book Purchase-264.71; C & M Air Cooled Engine, Inc-Parts-79.51; Charter Communications-Internet-71.75; Charter Communications-Internet-79.50; Charter Communications-Internet-144.57; Combined Utilities-Utilities-4,346.04; Community Internet Systems, Inc-Internet-15.00; Connecting Point-Copy Usage-136.94; Consolidated Management Company-Meal Plan-200.75; Galls/Quartermaster- Uniforms-1,733.19; John Heidemann-Contract Labor-90.00; Hometown Hardware-Supplies-516.96; Ideal Linen Supply, Inc.-Supplies-21.36; Intralinks, Inc.-Computer Support-951.90; Jirdon Agri Chemicals, Inc.-Chemicals-2,680.44; Kimball Auto Parts-Parts-90.27; Kimball Event Center-Rent-500.00; Kimball Handyman Project-Handyman Project-550.50; Kimball Laundry-Sewing-35.60; Kimball Midwest-Parts-160.83; Kimball Service Center-Tire Repair-18.00; L.W. Cartage Co.-Lot Rent-100.00; Miller Office Supply-Office Supplies-50.79; Muni MetriX-Training-2,087.50; Napa Auto Parts-Parts-444.53; NCMA-NE City/Co Management Assn.-Dues-300.00; Nebraska Law Enforcement Training Center-Tuition-25.00; Nebraska Public Health Enviro Lab-Water Samples-15.00; Nebraska Safety & Fire Equipment, Inc.-Inspection-236.00; Daniel Ortiz-Reimbursement-110.15; Prairie Animal Hospital-Boarding-675.00; R & R Products, Inc-Parts-4,219.00; Right Impression-Decal-15.00; Jim Ryschon-Reimbursement-48.06; Shopko Stores-Supplies-26.44; Staples-Supplies-114.50; State Chemical Mfg./World Headquarters-Chemicals-150.14; The United States Life Insurance Company-Long Term Disability-407.68; Van Diest Supply Company-Chemicals-7,806.68; Viaero-Cell Phone Usage-32.31; Voyager Fleet Systems-Fuel-277.08; WPCI-Data Management-60.00; Western Nebraska Observer-Meeting Notices-184.82; Jeremy J. Williams-Reimbursement-465.00; Chad Wise-1/2 Green Fees-41.00; Chad Wise-Golf Pro Compensation-2,916.00; Jeremy J. Williams-Reimbursement-68.85.

City of Kimball-Economic Development Claims-January 7, 2014-Vicki Stull-Title Work-125.00; Viaero-Cell Phone Usage-32.32; Charter Communications-Internet-39.75; Connecting Point-Copy Usage-1.09; Kimball County Treasurer-990/995 Split-500.00; Napa Auto Parts-Supplies-17.72; The United States Life Insurance Company-Long Term Disability-34.10; Viaero-Cell Phone Usage-32.31; Western Nebraska Observer-Meeting Notices-4.40.